



Executive Committee Agenda

Click link to access the meeting:

<https://us02web.zoom.us/j/94562188418>






Zoom Meeting ID

Ways to Join



Computer: Click the link above. You will be prompted to run the Zoom browser or Zoom application. Once signed on to the meeting, you will have the option to join using your computer audio system or phone.

Webinar Features:

 Raise Hand	▶	Use the raise hand feature every time you wish to make a public comment.
	▶	Participants can enable closed captioning by clicking the CC icon. You may also view the full transcript and change the font size by clicking 'subtitle settings'. These features are not available via phone.
	▶	This symbol shows you are muted , click this icon to unmute your microphone.
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	▶	The chat feature should be used by panelists and attendees solely for "housekeeping" matters as comments made through this feature will not be retained as part of the meeting record. See the Live Verbal Public Comment for instructions on how to make a public comment.



Smartphone or Tablet: Download the Zoom app and join the meeting by clicking the link or using the webinar ID (found in the link).



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1. If you are joining the meeting audio by phone and viewing the meeting on a device, dial the number provided in the 'join audio' phone call tab of the initial pop-up, and enter the Meeting ID (found in the link).
2. If you are joining by phone only, dial: **+1-669-900-9128** or **+1-253-215-8782** and type the meeting ID found in the link, press #. You will have access to the meeting audio, **but will NOT be able to view the PowerPoint presentations.**



Live Verbal Public Comments: Use the 'Raise Hand' icon every time you wish to make a public comment on an item. Raise your hand once the agenda item you wish to comment on has been called. In person public comments will be taken first, virtual attendees will be taken in the order in which they raise their hand. Requests to speak will not be taken after the public comment period ends, unless under the Chair's discretion. General Public Comment, at the beginning of the Board of Directors meeting only, will be limited to five speakers. Additional speakers with general public comments will be heard at the end of the meeting. Three-minutes of time is allotted per speaker, unless otherwise directed by the Chair.

Public Comments Made Via Zoom

1. Click the link found at the top of this instruction page
2. Click the raise hand icon located in the bottom center of the platform
3. The Clerk will announce your name when it is your turn to speak
4. Unmute yourself to speak

Public Comments Made by Phone Only

1. Dial **+1-669-900-9128**
2. Type in the zoom meeting ID found in the link and press #
3. Dial *9 to raise your hand via phone
4. The Clerk will call out the last 4 digits of your phone number to announce you are next to speak
5. Dial *6 to unmute yourself



Written Public Comments (before the meeting): Written public comments will be recorded in the public record and will be provided to MTS Board Members in advance of the meeting. Comments must be emailed or mailed to the Clerk of the Board* by 4:00pm the day prior to the meeting.



Translation Services: Requests for translation services can be made by contacting the Clerk of the Board* at least four working days in advance of the meeting.



In-Person Participation: In-person public comments will be heard first. Following in-person public comments, virtual attendees will be heard in the order in which they raise their hand via the Zoom platform. Speaking time will be limited to three minutes per person, unless specified by the Chairperson. Requests to speak will not be taken after the public comment period ends, unless under the Chair's discretion.

Instructions for providing in-person public comments:

1. Fill out a speaker slip located at the entrance of the Board Room;
2. Submit speaker slip to MTS staff seated at the entrance of the Board Room;
3. When your name is announced, please approach the podium located on the right side of the dais to make your public comments.

Members of the public are permitted to make general public comment at the beginning of the agenda or specific comments referencing items on the agenda during the public comment period. General Public Comment, at the beginning of the Board of Directors meeting only, will be limited to five speakers. Additional speakers with general public comments will be heard at the end of the meeting.



Assistive Listening Devices (ALDs): ALDs are available from the Clerk of the Board* prior to the meeting and are to be returned at the end of the meeting.



Reasonable Accommodations: As required by the Americans with Disabilities Act (ADA), requests for agenda information in an alternative format or to request reasonable accommodations to facilitate meeting participation, please contact the Clerk of the Board* at least two working days prior to the meeting.



***Contact Information:** Contact the Clerk of the Board via email at ClerkoftheBoard@sdmts.com, phone at (619) 398-9681 or by mail at 1255 Imperial Ave. Suite 1000, San Diego CA 92101.



Agenda del Comité Ejecutivo

Haga clic en el enlace para acceder a la reunión:

<https://us02web.zoom.us/j/94562188418>






Formas de Participar



Computadora: Haga clic en el enlace más arriba. Recibirá instrucciones para operar el navegador de Zoom o la aplicación de Zoom. Una vez que haya iniciado sesión en la reunión, tendrá la opción de participar usando el sistema de audio de su computadora o teléfono.

ID de la reunión
en Zoom

Funciones del Seminario En Línea:

 Levantar la mano	►	Use la herramienta de levantar la mano cada vez que desee hacer un comentario público.
	►	Los participantes pueden habilitar el subtitulado haciendo clic en el ícono CC. También puede ver la transcripción completa y cambiar el tamaño de letra haciendo clic en “configuración de subtítulos”. Estas herramientas no están disponibles por teléfono.
	►	Este símbolo indica que usted se encuentra en silencio , haga clic en este ícono para quitar el silenciador de su micrófono.
	►	Este símbolo indica que su micrófono se encuentra encendido . Haga clic en este símbolo para silenciar su micrófono.
	►	La herramienta de chat deben usarla los panelistas y asistentes únicamente para asuntos “pertinentes a la reunión”, ya que comentarios realizados a través de esta herramienta no se conservarán como parte del registro de la reunión. Consulte el Comentario público verbal en vivo para obtener instrucciones sobre cómo hacer un comentario público.



Teléfono Inteligente o Tableta: Descargue la aplicación de Zoom y participe en la reunión haciendo clic en el enlace o usando el ID del seminario web (que se encuentra en el enlace).



Teléfono:

1. Si está participando en la reunión mediante audio de su teléfono y viendo la reunión en un dispositivo, marque el número indicado en la pestaña de llamada telefónica “unirse por audio” en la ventana emergente inicial e ingrese el ID de la reunión (que se encuentra en el enlace).
2. Si está participando solo por teléfono, marque: **+1-669-900-9128** o **+1-253-215-8782** e ingrese el ID de la reunión que se encuentra en el enlace, pulse #. Tendrá acceso al audio de la reunión, **pero NO podrá ver las presentaciones en PowerPoint.**



Comentarios Públicos Verbales en Vivo: Use la herramienta “levantar la mano” cada vez que desee hacer un comentario público sobre alguno de los artículos. Levante la mano una vez que el artículo de la agenda sobre el que desea comentar haya sido convocado. Los comentarios públicos en persona se escucharán primero, se escuchará a los asistentes virtuales en el orden en el que levanten la mano. No se aceptarán solicitudes para hablar después de que termine el periodo para hacer comentarios públicos, a menos de que el presidente determine de otra forma a su discreción. Comentarios públicos generales, únicamente al inicio de la reunión de la Junta de Directores, se limitarán a cinco personas que deseen hablar. Las personas adicionales que deseen aportar comentarios públicos generales podrán hacerlo al final de la reunión. Se otorga tres minutos de tiempo por persona que desee hablar, a menos de que el presidente instruya de otra forma. *(Consulte la página 2 para obtener instrucciones sobre cómo hacer un comentario público.)*

Comentarios Públicos a Través de Zoom

1. Haga clic en el enlace que se encuentra en la parte superior de esta página de instrucciones
2. Haga clic en el ícono de levantar la mano en el centro inferior de la plataforma
3. El secretario anunciará su nombre cuando sea su turno de hablar
4. Desactive el silenciador para que pueda hablar

Comentarios Públicos Realizados Únicamente por Teléfono

1. Marque el **+1-669-900-9128**
2. Ingrese el ID de la reunión en Zoom que se encuentra en el enlace y pulse #
3. Marque *9 para levantar la mano por teléfono
4. El secretario indicará los últimos 4 dígitos de su número de teléfono para anunciar que usted será el siguiente en hablar
5. Marque *6 para desactivar el silenciador



Comentarios Públicos por Escrito (Antes de la Reunión): Los comentarios públicos por escrito se registrarán en el registro público y se entregarán a los miembros de la Junta de MTS antes de la reunión. Los comentarios deben enviarse por correo electrónico o postal al secretario de la Junta* antes de las 4:00 p.m. el día anterior a la reunión.



Servicios de Traducción: Pueden solicitarse servicios de traducción comunicándose con el secretario de la Junta* por lo menos cuatro días hábiles antes de la reunión.



Participación en Persona: Los comentarios públicos en persona se escucharán primero. Después de los comentarios públicos en persona, se escuchará a los asistentes virtuales en el orden en el que levanten la mano a través de la plataforma de Zoom. El tiempo para hablar se limitará a tres minutos por persona, a menos de que el presidente especifique de otra forma. No se recibirán solicitudes para hablar después de que termine el periodo para hacer comentarios públicos, a menos de que el presidente determine de otra forma a su discreción.

Instrucciones para brindar comentarios públicos en persona:

1. Llene la boleta para personas que desean hablar que se encuentran en la entrada de la Sala de la Junta.
2. Entregue la boleta para personas que desean hablar al personal de MTS que se encuentra sentado en la entrada de la Sala de la Junta.
3. Cuando anuncien su nombre, por favor, acérquese al podio ubicado en el lado derecho de la tarima para hacer sus comentarios públicos.

Los miembros del público pueden hacer comentarios públicos generales al inicio de la agenda o comentarios específicos que hagan referencia a los puntos de la agenda durante el periodo de comentarios públicos. Los comentarios públicos generales únicamente al inicio de la reunión de la Junta de Directores, se limitarán a cinco personas que deseen hablar. Las personas adicionales que deseen aportar comentarios públicos generales podrán hacerlo al final de la reunión.



Dispositivos de Asistencia Auditiva (ALD, por sus siglas en inglés): Los ALD están disponibles con el secretario de la Junta* antes de la reunión y estos deberán ser devueltos al final de la reunión.



Facilidades Razonables: Según lo requerido por la Ley de Estadounidenses con Discapacidades (ADA, por sus siglas en inglés), para presentar solicitudes de información de la agenda en un formato alternativo o solicitar facilidades razonables para facilitar su participación en la reunión, por favor, comuníquese con el secretario de la Junta* por lo menos dos días hábiles antes de la reunión.



***Información de Contacto:** Comuníquese con el secretario de la Junta por correo electrónico en ClerkoftheBoard@sdmts.com, por teléfono al **(619) 398-9681** o por correo postal en **1255 Imperial Ave. Suite 1000, San Diego CA 92101.**



Executive Committee

Agenda

June 8, 2023

EC will begin immediately following the adjournment of the Special Board Meeting

(The [Special Board of Directors meeting](#) will begin at 9:00am)

In-Person Participation: James R. Mills Building, 1255 Imperial Avenue, 10th Floor Board Room, San Diego CA 92101

Teleconference Participation: (669) 444-9171; Webinar ID: 945 6218 8418, <https://us02web.zoom.us/j/94562188418>

NO.	ITEM SUBJECT AND DESCRIPTION	ACTION
1.	Roll Call	
2.	Public Comments	
3.	Approval of Minutes Action would approve the May 11, 2023 Executive Committee meeting Minutes.	Approve
DISCUSSION ITEMS		
4.	Revisions to MTS Board Policy No. 21, “MTS Revenue-Generating Display Advertising, Concessions, and Merchandise” (Mark Olson) Action would forward a recommendation to the MTS Board of Directors to: 1) Approve the proposed revisions to MTS Board Policy No. 21, “MTS Revenue-Generating Display Advertising, Concessions, and Merchandise” to remove the alcohol advertising prohibition on transit vehicles, trolley stations and transit centers; and 2) Direct staff to work with City of San Diego on amendments to applicable policies to allow alcohol advertising on bus shelters and benches within the City of San Diego.	Approve
5.	Master Concessionaire Services – Contract Award (Mark Olson) Action would forward a recommendation to the Board of Directors to authorize the Chief Executive Officer (CEO) to: 1) Execute MTS No. G2653.0-23, with BriceHouse Station LLC (BriceHouse), for Master Concessionaire Services for a six (6) year base period and two (2) 3-year options for a total of twelve (12) years; and 2) Exercise the option years at the CEO’s discretion.	Approve
6.	Gaslamp Quarter Trolley Station Digital Information Board Update (Mark Olson)	Informational



OTHER ITEMS

7. **Review of Draft June 15, 2023 MTS Board Agenda**
8. **Other Staff Communications and Business**
9. **Committee Member Communications and Other Business**
10. **Next Meeting Date: July 13, 2023**
11. **Adjournment**



**Metropolitan
Transit
System**

MTS STAFF USE ONLY
Public Comment
AI #: 42 Date: 6 / 8 / 23
No. in queue: 1

IN – PERSON PUBLIC COMMENT

SPEAKER INFORMATION (please print)

Agenda Item No.:

General

Name:

Jason Brown

Telephone:

(619) 396-1581

Email:

j.m.brown.pe@gmail.com

City of Residence:

El Cajon

Remark Subject:

Transdev strike

Affiliated

Organization:

ATV 1309

PLEASE SUBMIT THIS COMPLETED FORM BACK TO THE CLERK

INSTRUCTIONS

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BOARD OF DIRECTORS MEETING

General Public Comment at the beginning of the agenda will be limited to five speakers with the standard three-minute limit, unless otherwise directed by the Chair. Additional speakers with general public comments will be heard at the end of the meeting.

MEETING RECORD

A paraphrased version of this comment will be included in the minutes. The full comment can be heard by reviewing the recording posted on the respective meeting website:

<https://www.sdmts.com/about/meetings-and-agendas>. This form will be included in the Meeting Materials posted on the respective MTS meeting site.

1255 Imperial Avenue, Suite 1000, San Diego, CA 92101-7490 • (619) 231-1466 • sdmts.com

San Diego 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 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. MTS is also the For-Hire Vehicle administrator for nine cities.





**Metropolitan
Transit
System**

MTS STAFF USE ONLY
Public Comment
AI #: 42 Date: 6/8/23
No. in queue: 2

IN – PERSON PUBLIC COMMENT

SPEAKER INFORMATION (please print)

Agenda Item No.: General
Name: Rebecca Satrom Telephone: 619-779-0489
Email: rs92021@gmail.com
City of Residence: El Cajon, CA
Remark Subject: ATU 1309 Transit Driver for Transdev E County
Affiliated
Organization: Union Rep. / Executive Board member # 4
HONOR STRIKE – EAST COUNTY DIVISION

PLEASE SUBMIT THIS COMPLETED FORM BACK TO THE CLERK

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PUBLIC COMMENT
AI 2, 6/8/2023
No. in Queue:4

CALL – IN PUBLIC COMMENT

Javier Castro provided a public comment for agenda item #2. A paraphrased version of Castro's statement will be reflected in the minutes.

PUBLIC SPEAKER DISCLAIMER

INSTRUCTIONS

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BOARD OF DIRECTORS MEETING

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MEETING RECORD

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<https://www.sdmts.com/about/meetings-and-agendas>.





**Metropolitan
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PUBLIC COMMENT
AI 2, 6/8/2023
No. in Queue:4

CALL – IN PUBLIC COMMENT

The Original Dra provided a public comment for agenda item #2. A paraphrased version of The Original Dra's statement will be reflected in the minutes.

PUBLIC SPEAKER DISCLAIMER

INSTRUCTIONS

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BOARD OF DIRECTORS MEETING

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MEETING RECORD

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<https://www.sdmts.com/about/meetings-and-agendas>.



MINUTES
MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
EXECUTIVE COMMITTEE

May 11, 2023

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. The full comment can be heard by reviewing the recording at the [MTS website](#).]

1. Roll Call

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

2. Public Comment

There were no Public Comments.

3. Approval of Minutes

Board Member Hall moved to approve the minutes of the April 13, 2023, MTS Executive Committee meeting. Board Member Elo-Rivera seconded the motion, and the vote was 5 to 0 in favor with Board Member Vargas absent.

DISCUSSION ITEMS

4. Social Equity Listening Tour Findings and Funding (Stacie Bishop)

Stacie Bishop, MTS Manager of Marketing and Monique Lopez, with Pueblo Planning presented on Social Equity Listening Tour (SELT) Findings and Funding. They presented on: participatory planning, community-based organization (CBO) partners, SELT timeline, workshops, pop-ups, outreach areas, community stories, community-identified priorities, frequency by location, amenity asks, operation asks, customer service, programs, other notable priorities, reparative process, project findings, project funding approach, community feedback from virtual meetings, proposed project package, proposed projects and staff's recommendation.

Public Comment

Manny Rodriguez – Made a verbal statement to the Committee during the meeting. Rodriguez thanked staff for the collaborative opportunities that the SELT provided with CBOs and encouraged continuous relationships. Rodriguez asked the Board to adopt an equity action plan that will detail the recommendation implementation along with a commitment to equity.

Randy Torres Van Vleck – Representing City Heights Community Development Corporation made a verbal statement to the Committee during the meeting. Van Vleck acknowledged the CBO partners on the project and the agency's funding commitments to the recommendations from the project. Van Vleck supported an equity action plan and a commitment to the 10 transit lifelines which is a decadelong platform of environmental justice initiatives.

Leif Gensert - A resident of San Diego made a verbal statement to the Committee during the meeting. Gensert supported the recommendations.

The Original Dra – Made a verbal statement to the Committee during the meeting. The Original Dra was dissatisfied with the selected project funding and encouraged the agency to involve a broader community sample.

Alejandro Amador – Representing Casa Familiar made a verbal statement to the Committee during the meeting. Amador thanked Pueblo Planning and MTS for their equitable

implementation and continued implementations from community feedback. Amador asked that the report and other community generated data to determine future funding allocations.

Committee Comment

Board Member Hall advocated for equity initiatives in East County. Board Member Hall asked staff to provide a list of the participants' zip codes to understand the areas they live in. He asked how many of the proposed projects would be East of the 15 Freeway. Ms. Bishop stated that historically, equity can look like many different things in disadvantaged communities and acknowledged the lack of service frequency in East County. Board Member Hall stated that staff is aware there is no equity focus on East County and that the proposed project would not be adding resources into East County. Ms. Cooney introduced Beverly Neff, MTS Senior Planner to explain shelter locations, and who implements and manages the shelter program. Board Member Hall expressed frustration that East County is not part of area improvement projects. Ms. Neff explained that some Cities such as San Diego, National City and Chula Vista have a Memorandum of Understanding Agreement (MOU) with MTS so that MTS maintains shelters on their behalf. The City of El Cajon and Poway maintain their own shelter programs with Transportation Development Act (TDA) funding allocated from MTS. The locations in the report were selected based on cities with existing MOU agreements and recognized customer's zip code improvement requests, as well as higher ridership locations. Board Member Hall asked to see a list of the participants' zip codes. Ms. Lopez clarified that participants generally shared where they were coming from, but that they were not formally asked to disclose any part of their address. She stated that a large number of participants were from Spring Valley. Board Member Hall asked that in the future, such data be collected. Ms. Lopez continued that the El Cajon transit station was a highly trafficked transit stop and for that reason, was chosen for rider feedback participation. Board Member Hall pointed out that without confirmed participants addresses, the Committee could not assume that participants at the El Cajon trolley station were from East County. He encouraged that East County be acknowledged in the agency's definition of equity.

Board Member Elo-Rivera thanked Pueblo Planning for their work and the evolution of the agency from data gathered from the report. He thanked Ms. Cooney for initiating and investing in the listening tour. He clarified the intentions of equitable access is to impact a large number of riders. He was curious to see the extent the agency would incorporate feedback from the report in the budget process. Ms. Cooney stated that additional funding will be allocated in the following year's Capital Improvement Project (CIP) allocations to continue customer feedback improvements. She stated that the Social Equity Listening Tour report is one tool for the agency to address customer and community needs. She stated that this report targets areas with historically underserved communities and that the agency uses various metrics to determine additional resources such as service frequency. The SELT was conducted in an effort for MTS to address underserved and underinvested communities. He asked if tree canopies could be included in bus shelter stop upgrades. He cited a study by the University of Minnesota that showed that trees near bus stops improve wait time perception along with pollution mitigation. Ms. Cooney replied that staff can analyze that amenity integration and cautioned that large tree canopies sometimes pose a safety risk at bus and trolley stops and create a maintenance expense. He also stated that East County is often overlooked and acknowledged the levels of poverty and diversity and hoped that equity conversations with a scarcity mindset can be avoided.

Board Member Moreno asked how long the report took to generate. Ms. Lopez noted that the process took approximately nine months. Board Member Moreno pointed out transit amenities

and transit frequency as simple investments to elevating the overall transit experience. She noted a disconnect between community and regional priorities and if participants advocated for a trolley to the airport connections. Ms. Lopez replied that no participants listed connectivity to the airport as a priority. Board Member Moreno also asked what it would cost to upgrade bus stops with bus shelters, benches and a trashcan throughout the system; she also asked for the overall cost to improve restrooms for transit riders and WiFi. Ms. Bishop replied that the agency has not done that full assessment because part of the service area is not managed by MTS. Board Member Moreno continued that amenity improvements were a fraction of the cost compared to regional infrastructure projects. She asked that the Transit Amenity Policy be re-evaluated to formally include items listed in the report. Ms. Cooney clarified that the agency was in the process of reviewing its Board policies and stated that it could prioritize those policy revisions. Board Member Moreno asked if the Blue Line upgrades were associated with grants. Ms. Bishop replied that the Beyer Bridge underpass was a self-funded project, and that one additional project is pending grant funding. Board Member Moreno believed that these types of reports would help drive conversations at the state level.

Board Member Hall stated that regional goals rarely involve new amenities, funds and work for communities in East County.

Board Member Bush commended Pueblo Planning and the CBOs who participated. He noted the report as comprehensive, intentional, informative and thanked MTS staff. He hoped the report becomes a model for outreach, projects and programs. He agreed with Board Member Elo-Rivera that the agency should not function with a scarcity mindset about the limited resources of MTS. He encouraged Board representatives to support and work more closely with MTS. Board Member Bush noted cleanliness as a priority, he believed that the recommended projects were more passive and not addressing cleanliness. He asked if the allocated funding could be used to staff cleanliness and bathrooms. Ms. Cooney clarified that CIP funding can not be used for maintenance and assured the Board that the agency is addressing complaints about drivers and cleanliness concerns listed in the report. He asked if Pueblo Planning and the five CBOs engaged in reviewing and identifying the projects. Ms. Bishop stated that CBOs and study participants were invited to a webinar discussion to receive feedback on proposed projects. The additional six restroom comments placed in the other category came from the Community Advisory Committee. Ms. Bishop noted that the proposed project updates do not have large operational commitments, compared to those that bathrooms would require. Karen Landers, MTS General Counsel, noted that public bathroom accessibility is included in new TOD negotiations to construct and/or operate. He asked if there was an opportunity for increased restroom funding with the proposed budget. Ms. Cooney informed Board Member Bush that to build and maintain a bathroom, it would take a significant amount of the proposed budget, but that it was possible to reallocate funding from the recommended projects to implement a single restroom. He stated that restrooms should be part of every conversation, since cleanliness was identified as a top priority, and he felt that restroom access was not part of the current conversation.

Board Member Elo-Rivera suggested that when this item is presented to the Board, additional agency efforts beyond the action recommendations are presented. He noted bathroom construction on a TOD site on the Orange Line as an example. Ms. Landers confirmed several sites that will be, or are, under negotiations where bathroom access can be requested. He also asked about general sponsorship opportunities. Ms. Bishop replied that any new shelters that are installed would have advertisement panels, however the agency has not yet looked into trashcan advertisement space opportunities. Board Member Elo-Rivera stated that equity investments represent unique and separate opportunities for sponsorships.

Board Member Bush asked to amend the motion to include an Equity Action Plan and defining what equity looks like and including specific geographic areas like East County and included direction to staff to building or maintaining bathrooms as part of the recommendations. Brian Riley, MTS Chief Operating Officer confirmed that the El Cajon Trolley Station bathroom was working. Ms. Landers added that staff could develop a new policy that directs staff on how equity can be considered.

Action Taken

Board Member Hall moved to forward to the Board of Directors a recommendation on allocation of funding for the Social Equity Listening Tour findings with an evaluation of how restrooms might be incorporated into the budgeted recommendation and that staff explore the development of a policy on equity, including East County considerations. Board Member Bush seconded the motion, and the vote was 5 to 0 in favor with Board Member Vargas absent or abstaining.

5. MTS Access Services Overview (Michael Wygant, Jay Washburn)

The Committee deferred the staff report for this item.

6. Board Room Upgrade (Emily Outlaw)

Emily Outlaw, MTS Chief Information Officer presented on the Board Room Upgrade project. She presented on: different Board room option styles, option costs and next steps.

Public Comment

Patrick Grillot – Provided a written statement to the Committee prior to the meeting. The written comment is provided in the [May 11, 2023 Final Meeting Packet](#).

Committee Comment

Ms. Cooney added that the presentation was meant to gather feedback from the Board and highlighted that the most expensive feature that requires replacement is the audio system.

Board Member Hall spoke about the City of Santee's recent Board room revamp.

Board Member Elo-Rivera felt strongly about being conservative and lean with the spending for this project so that savings can be invested back into ridership. He supported the integration of cameras into the revamp but requested the minimum investments to prioritize public participation.

Board Member Bush asked why the revamp was so expensive. Ms. Outlaw replied that the majority of the cost was due to the audio system, and highlighted that it is in dire need to be replaced. Board Member Bush asked that if the current Board room sound system could support video integration. Ms. Outlaw noted that it could not.

Board Member Hall asked if there could be an option to place monitors at the dais. Ms. Cooney clarified that it was not a staff option in today's presentation to include monitors at the dais.

Board Member Bush supported option 3.

Ms. Outlaw added that an estimate for monitors at the dais could be shared with the Committee.

Board Member Moreno was surprised that the public did not have access to view the Board Room. She supported the audio and visual upgrade to encourage public transparency.

Action Taken

Informational item only. No action taken.

OTHER ITEMS

8. Review of Draft May 18, 2023 Board Agenda

Recommended Consent Items

4. Approval of Minutes

Action would approve the April 20, 2023 Board of Director meeting minutes.

5. Centralized Train Control (CTC) System Maintenance Agreement – Work Order Agreement (WOA) Approval

Action would authorize the CEO to execute WOA 6 to MTS Doc. No. L1607.0-22 (WOA 6) with Wabtec, in the amount of \$161,687.00, for the Imperial Terminal Yard 25 Interlocking (INTL) option associated with the Imperial Terminal Double-Track (IMTDT) upgrade project.

6. 12th & Imperial Transit Center – Work Order

Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC347-10 to MTS Doc. No. PWG347.0-22 (in substantially the same format as Attachment A) with ABC General Contractor, Inc. (ABCGC) in the amount of \$882,136.07 to demolish the building at 1501 National Avenue and convert the space to employee parking.

7. Increased Authorization for Legal Services Contracts to Pay Projected Expenses in Fiscal Year 2024

Action would authorize the Chief Executive Officer (CEO) to execute amendments to the legal services contracts described herein increasing the dollar amounts of fifteen (15) legal services contracts by \$2,650,000.00 to cover anticipated Fiscal Year 2024 (FY 24) expenses.

8. Sale of Ten (10) 60-FT Compressed Natural Gas (CNG) Articulated Buses to Santa Cruz Metropolitan Transit District (SCMTD) – Contract Approval for Sale of Surplus Property

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0757.0-23 for the sale of ten (10) New Flyer 60-FT CNG buses (1100 Series) to the SCMTD for \$9,000.00 per vehicle, for a total of \$90,000.00.

9. Investment Report – Quarter Ending March 31, 2023

10. PRONTO Fare Collection Spare Parts – Sole Source Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2660.0-23 with INIT Innovations in Transportation, Inc., (INIT) for the provision of fare collection spare parts in the amount of \$1,090,910.17, for a period of ten (10) years.

11. Purchase of Seven (7) Starcraft Bus, Class E, Ford F-550/65 GGE Propane Powered – Contract Award

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0758.0-23, with Creative Bus Sales (CBS), for the purchase of up to seven (7) Starcraft Bus, Class E, Ford F-550/65 GGE propane powered in the amount of \$2,034,500.02.

12. San Ysidro Transit Center Improvements Project

Action would authorize the Chief Executive Officer (CEO) to amend the Addendum 17, Scope of Work 102.1 to the Memorandum of Understanding (MOU) between the San Diego Association of Governments (SANDAG) and MTS for the San Ysidro Transit Center Planning & Design project in the amount of \$330,800.

13. Internal Audit Report – Travel Expense Claims

14. Internal Audit Report – Accounts Payable

15. Internal Audit Report – Information Technology Security

STAFF COMMENTS

Ms. Landers stated that agenda item number 12 would be removed from the consent calendar.

9. Other Staff Communications and Business

There was no Other Staff Communications and Business discussion.

Ms. Cooney clarified that the May 18th meeting would begin at 8am, rather than the listed 9am start time.

10. Committee Member Communications and Other Business

There was no Committee Member Communications and Other Business discussion.

11. Next Meeting Date

The next Executive Committee meeting is scheduled for June 8, 2023, at 9:00 a.m.

CLOSED SESSION

The Committee convened to Closed Session at 11:03 a.m.

7. Closed Session – Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Government Code 54956.9 (d)(4) (one potential case)

The Committee reconvened to Open Session at 11:59 a.m.

Karen Landers, General Counsel, reported the following oral report of final actions taken in Closed Session: The Executive Committee received a report from Legal Counsel and gave instructions.

12. Adjournment

The meeting was adjourned at 12:00 p.m..

Chairperson
San Diego Metropolitan Transit System

Clerk of the Board
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet



Agenda Item No. 4

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

June 8, 2023

SUBJECT:

Revisions to MTS Board Policy No. 21, "MTS Revenue-Generating Display Advertising, Concessions, and Merchandise" (Mark Olson)

RECOMMENDATION:

That the MTS Executive Committee forward a recommendation to the MTS Board of Directors to:

- 1) Approve the proposed revisions to MTS Board Policy No. 21, "MTS Revenue-Generating Display Advertising, Concessions, and Merchandise" (Attachment A) to remove the alcohol advertising prohibition on transit vehicles, trolley stations, and transit centers; and
- 2) Direct staff to work with City of San Diego on amendments to applicable policies to allow alcohol advertising on bus shelters and benches within the City of San Diego.

Budget Impact

Estimated revenue increase is approximately \$385,000 - \$770,000 annually, through vehicles and bus shelters. Revenue could increase when factoring in large format signage at Trolley stations and in other areas.

DISCUSSION:

The MTS Board of Directors has directed staff to review new and creative strategies to increase non-fare revenue. Sustainable sources of non-fare revenue are critical to help close the \$51 million annual budget deficit resulting from the COVID-19 pandemic. MTS has collected approximately \$15-\$20 million annually in non-fare revenue over the past five (5) years by leveraging its assets for advertising and related purposes. Staff has identified a proposal that could increase revenue received through MTS's Advertising Program.

MTS Board Policy No. 21 sets forth MTS's Advertising Program on MTS facilities and revenue vehicles. Attachment A to this Policy sets forth City of San Diego's policy relating to MTS advertising on bus stop shelters and benches in the City of San Diego's public right of way. MTS's advertising contractor, Clear Channel Outdoor, manages a large portion of MTS's



Advertising Program by securing advertising partners for buses, Trolleys, static and digital bus shelters. With oversight from the MTS Marketing and Legal departments, Clear Channel Outdoor also ensures all advertising material conforms with the requirements of MTS Board Policy No. 21.

MTS's Advertising Program requires that the subject matter of all displayed advertising materials be limited to commercial speech, public service announcements by public agencies, or advertisements that market MTS's services and programs. To ensure MTS's Advertising Program fulfills its primary objective of generating revenue, MTS also prohibits certain advertising content that could detract from this goal, such as by harming the marketing potential of MTS's advertising spaces, tarnishing MTS's reputation, or imposing matters of public debate or controversial views on passengers.

One example of prohibited advertising content relates to alcohol. Specifically, MTS Board Policy No. 21, Section 21.3 (j) prohibits advertisements that: "promotes the use or ingestion of or offers in commerce the sale of alcohol". Based on the reasons set forth below, staff believes removing this prohibition could benefit MTS by generating revenue, attracting new riders and/or generating new ridership, and creating new partnerships with community businesses and organizations.

First, it would likely increase non-fare revenue. It is estimated that by removing the prohibition of alcohol advertising in MTS Board Policy No. 21, MTS could generate an additional \$385,000 - \$770,000 annually, assuming no more than 25% of advertisements would feature alcohol.

Second, MTS has missed out on multiple marketing partnerships with community partners in recent years due to this alcohol prohibition, and subsequently missed opportunities to generate more ridership through these partnerships. Since MTS was prohibited from advertisements that promoted the purchase and consumption of alcohol, MTS could not market the following community events:

- Bayside Brew & Spirits Festival (National City Chamber of Commerce)
- Amps & Ales (Third Avenue Village Association – Chula Vista)
- San Diego Tacos & Beer Festival (Downtown San Diego)
- San Diego Festival of Beer (Downtown San Diego)

Third, MTS has been limited with its ability to prominently position itself as an alternative to drinking and driving due to this alcohol prohibition. This includes not being able to seek certain partnerships to underwrite free transit rides on days that alcohol consumption is typically higher such as New Year's Eve or Fourth of July, or with entities such as the San Diego Brewers Guild. This limits MTS's ability to employ creative strategies to attract new riders and/or increase ridership.

Additionally, with so many breweries, wineries and bars to visit in San Diego, MTS has missed out in using the Trolley system as a unique experience and selling point to conduct brewery or wine tours around San Diego. If approved, MTS will have an opportunity to showcase its service in this space.

Revising MTS Board Policy No. 21 will allow MTS to immediately begin generating additional advertising revenue within MTS transit centers, Trolley stations, and revenue vehicles. Bus shelters and benches are in fixed locations on city or county right-of-way. While MTS has MOUs to maintain bus shelters and benches for some jurisdictions, some require that advertising content comply with MTS Board Policy No. 21, as revised from time to time. Of the jurisdictions MTS does not have an MOU with to maintain bus shelters, those jurisdictions are responsible for maintenance and advertising, if any.

MTS has an MOU with the City of San Diego relating to MTS's ability to install bus benches and shelters on City of San Diego sidewalks. The City of San Diego's requirements related to advertising content on City of San Diego right of way bus benches and shelters are included in Attachment A of MTS Board Policy No. 21. One of the prohibited contents listed is alcohol. In order to also extend the ability for MTS to include alcohol advertising on bus shelters and benches within the City of San Diego right of way, MTS staff would work with the appropriate City of San Diego staff to gauge interest in modifying its MTS-related advertising restrictions.

Therefore, it is recommended that the Executive Committee forward a recommendation to the MTS Board of Directors to:

- 1) Approve the proposed revisions to MTS Board Policy No. 21 "MTS Revenue-Generating Display Advertising, Concessions, and Merchandise" (Attachment A) to remove the alcohol advertising prohibition on transit vehicles, trolley stations, and transit centers; and
- 2) Direct staff to work with City of San Diego staff on amendments to applicable policies to allow alcohol advertising on bus shelters and benches within the City of San Diego.

Sharon Cooney
Chief Executive Officer

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

Attachment: A. MTS Board Policy No. 21 – Proposed revisions in red-line track changes



**Metropolitan
Transit
System**

Att.A, AI 4, 06/08/23

Policies and Procedures No. 21

Board Approval: ~~4/12/2018~~ 6/15/23

SUBJECT:

MTS REVENUE-GENERATING DISPLAY ADVERTISING, CONCESSIONS, AND MERCHANDISE

PURPOSE:

To establish a policy and guidelines concerning a revenue-generating advertising, concessions, and merchandise program encompassing trolley stations, San Diego Metropolitan Transit System (MTS) property and facilities, and selected printed materials.

Advertising on bus shelters and benches within the public rights-of-way shall be governed by the policies of the applicable jurisdiction. The City of San Diego policy is included as Attachment A.

BACKGROUND:

Public transit operators and administration agencies have historically utilized advertising, concessions, and merchandising programs to supplement operational and capital funds. A sound advertising and concessions program can be a viable, alternative income source while promoting transit use and ensuring rider convenience and safety. This policy advances the advertising program's revenue-generating objective while also prohibiting advertisements that could detract from that goal, such as by harming advertisement sales, reducing ridership or tarnishing's MTS's reputation. MTS's justifications for its advertising program and policy include:

- 1) Generating advertising revenue;
- 2) Increasing ridership by promoting MTS's services, programs and benefits;
- 3) Informing MTS riders of local, state or federal programs, services or benefits;
- 4) Preserving ridership by avoiding controversial content;
- 5) Preventing the risk of imposing controversial views on a captive audience;
- 6) Preserving the marketing potential of the advertising space by avoiding controversial content;
- 7) Maintaining a position of neutrality on matters of public debate; and
- 8) Reducing the risk of diversion of resources from transit operations that are caused by controversial content.



POLICY:

It is the policy of MTS that advertising spaces on MTS property, which includes the exterior and interior of buses and light rail vehicles (LRVs), bus benches, bus shelters, related transportation facilities and selective printed materials, shall constitute a non-public forum subject to uniform viewpoint-neutral restrictions. This policy has been drafted to ensure a non-public forum status on its advertising spaces and MTS staff will accordingly enforce this policy with that intention.

The following guidelines will be reviewed by staff to reflect the current policies of the MTS Board of Directors and to reflect changes in the trends of social and economic acceptance and appropriateness of various forms of advertising and concessions.

21.1 Advertising - Procedure

- 21.1.1 Safety, rider convenience, and information needs will take precedence over revenue generation.
- 21.1.2 Quantity, quality, and placement of all advertising will be controlled by and subject to the specific approval of MTS.
- 21.1.3 MTS reserves the right to reject any advertisement that does not meet the MTS Board of Director's standards as set forth in this policy.
- 21.1.4 Upon written demand by the Chief Executive Officer on stated grounds that shall be reasonable, any advertisement or other display deemed to be noncompliant with this policy shall immediately be removed. No refund shall be made for the time such objectionable material was on display.
- 21.1.5 MTS reserves the right to allow exceptions to the policy if MTS determines that application of the policy as written would likely be unconstitutional in any particular situation.

21.2 Advertising - Permitted Content

The subject matter for all advertising materials displayed on MTS property shall be limited to Commercial Speech. Commercial Speech is speech that: does no more than propose a commercial transaction; or is an expression related solely to the economic interests of the speaker and its audience (e.g. promotes for sale, lease or other financial benefit a product, service, event or other property interest). Notwithstanding the above general rule requiring Commercial Speech, the following content are allowed:

21.2.1 MTS Operations Advertising that promotes MTS transit services, programs or products, including co-sponsorships with third parties that would increase ridership or otherwise support MTS's mission.

21.2.2 Public Service Advertisements from Local, State or Federal Governmental Agencies regarding public programs, public services and public events that are not otherwise prohibited under this Policy.

21.3 Advertising – Prohibited Content

No advertisement will be permitted that in whole or in part:

- a. intends to demean or disparage any individual, group, company, product or institution;
- b. contains false, deceptive or grossly misleading information;
- c. expresses or advocates an opinion, position or viewpoint on matters of public debate about economic, political, religious, social or moral issues;
- d. directly or indirectly refers to religion;
- e. is of a political or electoral nature;
- f. portrays, solicits or condones acts of violence, murder, sedition, terrorism, vandalism, or other unlawful acts against any individual, group, animal, company or institution;
- g. depicts nudity or portions of nudity that would be considered as pornographic, erotic or obscene. The rule of "public acceptance" should be used in such cases (i.e., if the advertisement has already gained public acceptance, then it may be considered as acceptable to MTS);
- h. contains messages or graphic representations of adult entertainment, such as escort services, adult telephone services, adult internet sites and other adult entertainment establishments;
- i. contains messages or graphic representations describing or suggesting explicit sexual acts, sexual organs, or excrement where such statements or words have as their purpose or effect of sexual arousal, gratification, or affront;
- j. promotes the use or ingestion of or offers in commerce the sale of ~~alcohol~~, marijuana, tobacco, electronic smoking product or any other device that causes smoke, mist or vapor, firearms, or firearm-related products;
- k. condones any type of discrimination;
- l. contains profane language and/or appearance or suggestion of profane language;
- m. contains any material that is an infringement of copyright, trademark or service mark;
- n. implies or declares an endorsement of MTS of any service, product or point of view without written authorization from MTS;

- o. depicts unsafe transit behavior aboard buses, trolleys, rail line tracks or other transit facility;
- p. is reasonably foreseeable that it will result in harm to, disruption of, or interference with the normal operations of MTS's transportation system;
- q. conflicts with any applicable federal, state, or local law, statute, or ordinance;
- r. impedes vehicular or pedestrian traffic, restricts the visibility of directional/traffic signs and informational material, encroaches on necessary sight lines (e.g., driver/operator view of waiting patrons) or presents any other safety risks or hazards (e.g., flashing lights, sound makers, mirrors or other special effects);
- s. contains a website address or telephone number that directs visitors or callers to material that violates any of the prohibitions within this policy; or
- t. is mischaracterized as a commercial advertisement but upon examination is intended to distribute a non-commercial message.

21.4 Advertising – General Conditions

21.4.1 Advertising industry standard sizes will be used for all advertising treatments.

21.4.2 Advertising treatments will be maintained in "like-new" condition. Damage to the advertisement or its housing will be corrected within forty-eight (48) hours.

21.4.3 All advertisements shall clearly identify the sponsor(s).

21.5 Advertising - LRVs and Buses

21.5.1 LRVs and buses, may carry wrap advertising formats rather than conventional advertising formats, at the discretion of the Chief Executive Officer.

21.5.2 Transit information material may be placed inside LRVs and buses at the discretion of the Chief Executive Officer. Such information can include, in accordance with this policy, the promotion of regularly scheduled public transit routes that will serve major community events. The subject matter and proposed advertisement regarding such event must comply with the provisions set forth under this policy.

21.5.3 Super King and Mural formats are approved for acceptable use on buses. The size specification for the Super King is 226 inches x 30 inches and is placed between the front and rear wheel wells on the street side of the bus. Murals are defined as encompassing the space under the vehicle

passenger windows on each side of the bus and extending from the front of the bus to just past the rear wheel well.

21.6 Advertising - Transit Centers, Major Transit Points, Stations, and Stops

21.6.1 Advertising treatments (housings) will be designed to complement the architecture of the transit centers/stations and the flavor of the surrounding community. MTS plan specifications will be followed wherever applicable. Advertising treatments will be designed, constructed, and placed in accordance with all applicable local, state, and federal standards.

21.6.2 Any unsold display advertising space within transit centers, major transit points, and stations will be allocated for MTS related advertisements and displays.

21.7 Advertising - Printed Materials

21.7.1 Advertising space may be allowed in printed materials (e.g., timetables, maps, and informational brochures) at the discretion of the Chief Executive Officer.

21.7.2 Advertising space may be allowed on the reverse side of regional passes, tickets, and transfers at the discretion of the Chief Executive Officer.

21.7.3 No advertising space shall supersede necessary transit information and/or regulations.

21.7.4 At the discretion of the Chief Executive Officer, MTS may allocate space in printed materials to inform transit customers about private entities actively participating in transit services (e.g., pass and ticket-sales outlets).

21.8 Concessions

21.8.1 Concession formats, quantity, and placement will be approved and controlled by the MTS Board of Directors.

21.8.2 Contracts for any concession format or related development will be awarded in accordance with existing MTS policies.

21.8.3 During hours of business, concessionaires will provide the public with transit information materials as directed and supplied by MTS or its designated representative.

21.8.4 Concession treatments/structures will be designed to complement the architecture of the transit centers/stations and the flavor of the surrounding community. MTS plan specifications will be followed wherever applicable. Concession treatments/structures will be designed, constructed, and placed in accordance with all applicable local, state, and federal standards.

21.8.5 Concession treatments/structures will not impede vehicular or pedestrian traffic, will not restrict the visibility of directional signs and informational materials, and will not encroach on necessary sight lines.

21.8.6 Concessionaire contracts will include remittance to MTS on a monthly basis.

21.8.7 Any and all concession on-site signing and displays will be in accordance with existing MTS policies and subject to approval of the Chief Executive Officer.

21.9 Merchandise

21.9.1 Any and all system-related merchandise will be of the highest available quality and project a positive transit image.

21.9.2 Merchandise licensing agreements and royalty payments will be made in accordance with existing MTS policies.

21.10 Revenue

All revenue received from any form of advertising shall be accrued according to MTS policy and allocated during the annual budget process.

21.11 Contractor Services

MTS may engage contractor(s) services for the development, implementation, management, and maintenance of advertising, concessions, and/or merchandise programs in conformance with existing MTS Board of Directors policies and in the best interests of MTS.

Attachment A – City of San Diego Advertising Policy

Original Policy approved on 5/9/1983.

Policy revised on 6/6/1985.

Policy revised on 7/9/1987.

Policy revised on 6/23/1988.

Policy revised on 3/22/1990.

Policy revised on 3/14/1991.

Policy revised on 4/9/1992.

Policy revised on 5/12/1994.

Policy revised on 8/11/1994.

Policy revised on 6/22/1995.

Policy revised on 3/27/1997.

Policy revised on 6/11/1998.

Policy revised on 2/22/2001

Policy revised on 2/26/2004.

Policy revised on 12/10/2009.

Policy revised on 6/18/2015

Policy revised on 1/18/2018

Policy revised on 4/12/2018

Policy revised Section 21.3 (j) on 6/15/2023

ATTACHMENT A

MTS POLICY NO. 21

CITY OF SAN DIEGO
ADVERTISING POLICY

Subject:

ADVERTISING ON BUS STOP SHELTERS AND BENCHES

Background:

The City of San Diego (City) entered into a Memorandum of Understanding (MOU) with the Metropolitan Transit Development Board (MTS), adopted July 25, 1988, and amended February 25, 1991, and June 21, 1999, authorizing MTS to install bus stop shelters and bus benches in public rights-of-way in the City. Pursuant to the MOU, MTS contracted with third parties for the construction, installation, and maintenance of the bus stop shelters and benches. In exchange, MTS's contractors receive the proceeds from the sale of advertising space on the shelters and benches.

MTS regulated the content of the advertising placed on the bus stop shelters and benches according to its Policies and Procedures No. 21. After advertising containing a religious message was removed pursuant to that policy, valid concerns were raised that the policy may violate due process and first amendment rights governing public speech.

Purpose:

It is the intent of the City Council to establish a policy governing advertising on bus stop shelters and benches in the public rights-of-way within the City that will be included by amendment in the MOU between the City and MTS, and administered by MTS.

It is the further intent of the City Council to prohibit advertising on bus stop shelters and benches of alcoholic beverages, tobacco products, and firearms in recognition of the fact that many public transit patrons are minors, that possession of these products by minors is illegal and dangerous, and that advertising is a persuasive medium for encouraging the use of these products by minors.

This policy applies only to advertising space located in designated areas on bus stop shelters and benches, as described in the MOU between the City and MTS.

Policy:

Advertising on Bus Stop Shelters and Benches:

1. In its agreement with its advertising contractors, MTS shall reserve the right to reject any advertisement, commercial or noncommercial, which does not meet the standards set forth in this policy.
2. All advertising posted on bus stop shelters and benches must conform to the following criteria:

- A. Defamatory Advertising. No advertising will be permitted that falsely disparages any person, product, or company, or that is likely to damage the reputation of any person, product, or company.
 - B. Advertising Condoning Criminal Conduct. No advertising will be permitted that is likely to incite or produce imminent unlawful activity.
 - C. Obscene Advertising. No advertising will be permitted that contains obscene matter or matter harmful to minors, as defined in California Penal Code Sections 311 and 313.
 - D. False Advertising. No advertisement will be permitted that contains false or grossly misleading information.
 - E. Alcohol, Tobacco, and Firearms. No advertisement will be permitted that promotes the sale of alcoholic beverages, tobacco or tobacco products, or firearms.
 - F. Existing Laws. All advertisements must conform to applicable federal, state, and local laws.
3. The City may make demand upon the Chief Executive Officer of MTS for the removal of any advertisement, commercial or noncommercial, that does not conform to this policy. Such demand shall be in writing and shall state reasonable grounds for the demand. MTS shall consider and act upon the demand in accordance with this policy.

Board Policy 21 Revisions



Executive Committee
June 8, 2023

Background

MTS Board Policy No. 21 sets forth MTS's Advertising Program

- Applies to vehicles, stations and certain bus benches/shelters, depending on the jurisdiction
- All subject matter must be limited to commercial speech, public service announcements by public agencies, or MTS marketing content
- Primary objective is to generate revenue
- Prohibits any content that could detract from this goal (e.g. that could harm MTS's marketing potential, tarnish MTS's reputation, or impose matters of public debate or controversial views on passengers)
- Currently, MTS prohibits ads that “promote the use or ingestion of or offers in commerce the sale of alcohol”



What

Staff recommends revising Board Policy No. 21 in the following ways:

- Remove the alcohol advertising prohibition
- Work with City of San Diego on policy amendments to allow alcohol advertising on bus shelters and benches within the City (See Attachment A of Board Policy No. 21).
- Make minor revisions to language to make clear that policy applies to all of MTS's communication mediums (e.g. social media)

Why

- **Strengthen relationships** with our community partners
- Allow MTS **more social responsibility opportunities** by promoting transit over driving at events serving alcohol
- Generate more **non-fare revenue** to help \$51 million structural budget deficit
- **Promote transit** to “casual riders” for large-scale special events
- **Grow ridership** through cross-promotions with event partners

Opportunities

1. Large-Scale Special Events: Multiple marketing partnerships to generate positive publicity, attract new riders and revenue. Past missed opportunities include:

- Bayside Brew & Spirits Festival (National City)
- Amps & Ales (Third Avenue Village Association – Chula Vista)
- West Coast Taco & Beer Festival (Downtown San Diego)
- San Diego Festival of Beer (Downtown San Diego)

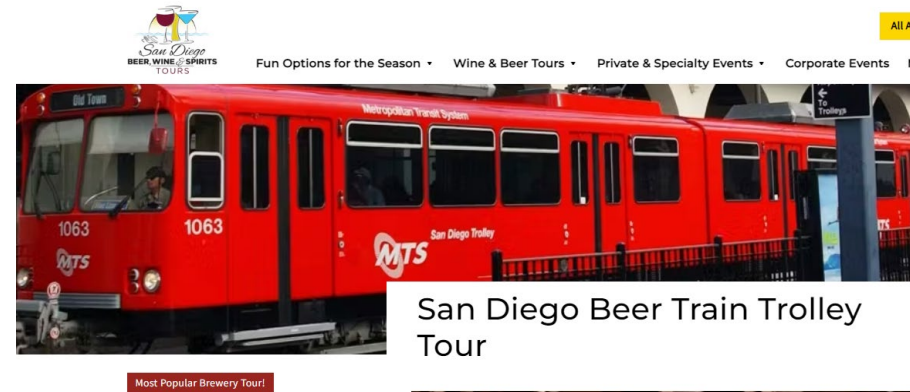


Opportunities

2. San Diego Craft Beer Culture: MTS could attract riders in the craft beer culture/tourism market in San Diego.

Possible opportunities include:

- **Promote brewery tours** along the Trolley line
- Create **special Trolley and bus maps** that show craft beer locations and other hot spots along MTS routes
- **Promote/advertise specific bus lines through neighborhoods** with craft beer, food and other activities popular in San Diego (i.e. Route 2 along 30th Street/South Park)



Opportunities

3. Building Relationship with Nonprofit Partners: Nonprofit organizations in San Diego have gravitated to the craft beer culture to engage members, build followers, and hold special events. Potential partners could include:

- **San Diego Brewers Guild** – Cross promotions for transit/San Diego breweries (i.e. distribution of special transit maps at 150 different San Diego breweries)
- **El Cajon Blvd Business Improvement District** - hold special events or partnership opportunities that combine craft beer with food/beverage tours
- **Voice of San Diego** – Brews and News
- **Circulate San Diego** – Transit/brewery tours

Opportunities

4. Advertising Revenue: Policy revisions would help MTS grow non-fare revenue and help reduce \$51 million structural budget deficit.

Projected ad revenue from revised policy:

- \$385,000-\$770,000 annually
 - Buses and Trolleys: \$170,000-\$340,000
 - Shelters and Digital Shelters included in City of SD: \$215,000-\$430,000

Responsible Advertising

MTS's Contractor managing its Advertising Program is Clear Channel Outdoor

- Clear Channel Outdoor Internal Guidelines already establish exclusionary zones so alcohol advertisements are not placed within 500 feet from, or intended to be read from the following:
 - Schools, Public Park/Playgrounds, Church – Recognized, Established, or Stand-Alone Place of Worship, Daycare/Preschool, Hospital, Cemetery/Funeral Home, Court House, or City Hall

Peer Review – RTD (Denver)

RTD (Denver): [Advertising policy page](#) has no mention of alcohol under prohibited content or subject matter. It does explicitly mention tobacco/nicotine/cannabis as prohibited.



Peer Review – TriMet (Portland)

TriMet (Portland): [Advertising policy](#) has no mention of alcohol under prohibited content.



Peer Review – Metro Transit (Minn.)

Advertising Standards excluded advertising includes political candidates or elections, tobacco products, alcohol advertising without a responsible drinking message, or illegal products or services, to give some examples.



Peer Review – Utah Transit Authority

[Advertising policy](#) - The agency will not allow advertising on Authority vehicles, electronic media, or transit facilities that:
Promotes alcohol in a manner inconsistent with federal and state law



Milwaukee – Hops & Stops Promotion



BART Blog/Beer by BART

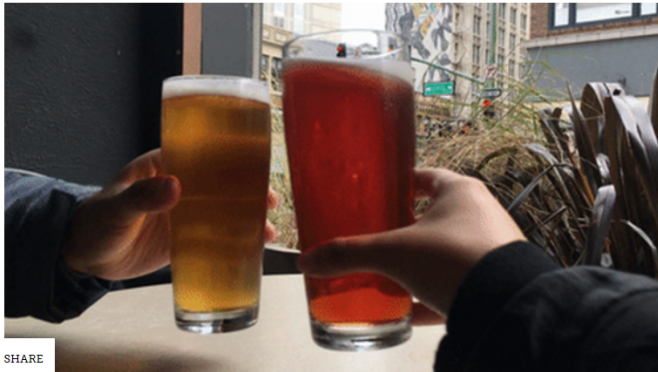


Try Thai, picnic spots or burritos

All Stations

List View

Go



SHARE

Cheers! BARTable breweries to try today

According to the California Craft Brewers Association, California is the birthplace of the craft beer movement, so it's no wonder that the Bay Area has an abundance of craft brewers creating cutting edge flavor profiles, experimenting with traditional European styles, and designing taprooms that are welcoming, kid-friendly, and food-focused. Many are located near BART stations, providing a transit-friendly solution for exploring some new brews.

Trending

BART updates related to the coronavirus (COVID-19)
 #virtuallyBARTable | Meet the creator behind LEGO BART Train
 From trash to treasure: East Bay Depot for Creative Reuse
 More banh mi for you and me

BART expanding Clipper-only sales at stations systemwide through 2020



Upcoming track work June 6-7: buses to replace trains between Rockridge and Lafayette



Beer To The People- New Regs By CA Department Of Alcoholic Beverage Control (ABC)

Bay Area Brewers Join The Craft Beer Tribes At The Great American Beer Festival 2019

Sierra Nevada's OG System: on the Road from GABF to SF Beer Week

Scout your BART adventure on the destination page!

Beer by BART, Alphabetical

Destinations

- 21st Amendment (San Leandro)
- 21st Amendment Pub (Montgomery)
- 47 Hills Brewing Co (San Bruno)
- Alamo Drafthouse (Bear vs. Bull) (24th St SF)
- Albany Taproom (El Cerrito Plaza)
- Ale Industries (Fruitvale)
- Amnesia (16th or 24th St SF) (CLOSED 2/29/20)
- Anchor and Hope Fish House (Montgomery)
- Ave Bar, The (Balboa Park)
- Bare Bottle Brewing Co. (24th St SF)

Bay Brewers Claim Awards at Inaugural California Craft Brewers Cup

Amburana Wood: Flavors from Brazil Reach the San Francisco Bay

Anchor Brewing Employees Vote To Unionize

Older posts



MARTA Bus Shelter - Atlanta



Denver RTD “Freeze the Keys” Promotion

← Tweet



Freeze the Keys with .@coorslight and RTD. Ring in the new year with a free ride on any RTD vehicle while you celebrate on New Year's Eve! Free rides from 7pm on 12/31 through 7am on 1/1. See details at bit.ly/2AVZHxC



Minneapolis

EAT & DRINK

Follow this light-rail beer crawl along the Green Line, from Minneapolis to St. Paul

Grab a brew at any — or many — of these 19 taprooms along the Green Line.

By Michael Agnew Special to the Star Tribune | JULY 23, 2019 — 10:21AM

GALLERY [GRID](#)

< 6/7 >



LEILA NAVIDI — STAR TRIBUNE

MINNEAPOLIS



AC Transit (Oakland)/Line 51 Partnership

SFGATE

NEWS

SPORTS

LOCAL

CULTURE

COMMUTING

FOOD + DRINK

Line 51 brewery opens in Oakland with a transit-inspired surprise in store for customers

By Dianne de Guzman, SFGATE Updated 6:05 pm PST, Friday, February 7, 2020



Photo: Douglas Zimmerman/SFGate.com



IMAGE 1 OF 30

[Buy Photo](#)

An authentic AC Transit bus is the most prominent feature of the Line 51 Brewery and Tasting Room, The Terminal, near Jack London Square, during their soft opening in Oakland, Calif., on Feb. 6, 2020.

Line 51 Brewing Company's tie to AC Transit is certainly apparent in its name, but the brewery's appreciation for public transportation takes on new heights with the soft opening of this Oakland brewery.

Ideas for Promotional Activities

- Free rides on New Year's Eve or other days (Fourth of July, Veteran's Day, etc.)
- Partner with companies offering weekend Trolley and craft beer and food tours
- Co-marketing partnership for community events such as West Coast Taco & Beer Festival
- Marketing partnership with the San Diego Brewers Guild to showcase transit near craft beer tasting rooms
- Karl Strauss Red Trolley Ale cross-promotion

Recommended Action

That the MTS Executive Committee forward a recommendation to the MTS Board of Directors to:

1. Approve the proposed revisions to MTS Board Policy No. 21 “MTS Revenue-Generating Display Advertising, Concessions, and Merchandise” (Attachment A) to remove the alcohol advertising prohibition on transit vehicles, trolley stations and transit centers; and
2. Direct staff to work with City of San Diego on amendments to applicable policies to allow alcohol advertising on bus shelters and benches within the City of San Diego.



**Metropolitan
Transit
System**

PUBLIC COMMENT
AI 4, 6/8/2023
No. in Queue:1

CALL – IN PUBLIC COMMENT

The Original Dra provided a public comment for agenda item #4. A paraphrased version of The Original Dra's statement will be reflected in the minutes.

PUBLIC SPEAKER DISCLAIMER

INSTRUCTIONS

This meeting is offered both in an in-person and virtual format. In-person speaker requests will be taken first. Speaking time will be limited to three minutes per person, unless specified by the Chairperson. Members of the public are permitted to make general public comments at the beginning of the agenda or make specific comments on any item in the agenda at the time the Board/Committee is considering the item during the meeting. Requests to speak will not be taken after the public comment period ends, unless under the Chair's discretion.

BOARD OF DIRECTORS MEETING

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MEETING RECORD

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<https://www.sdmts.com/about/meetings-and-agendas>.





**Metropolitan
Transit
System**

PUBLIC COMMENT
AI 4, 6/8/2023
No. in Queue:2

CALL – IN PUBLIC COMMENT

Leif Gensert, provided a public comment for agenda item #4. A paraphrased version of Gensert's statement will be reflected in the minutes.

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**Metropolitan
Transit
System**

PUBLIC COMMENT
AI 4, 6/8/2023
No. in Queue:3

CALL – IN PUBLIC COMMENT

Patrick Grove, provided a public comment for agenda item #4. A paraphrased version of Grove's statement will be reflected in the minutes.

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Agenda Item No. 5

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

June 8, 2023

SUBJECT:

Master Concessionaire Services – Contract Award (Mark Olson)

RECOMMENDATION:

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

- 1) Execute MTS No. G2653.0-23 (in substantially the same format as Attachment A), with BriceHouse Station LLC (BriceHouse), for Master Concessionaire Services for a six (6) year base period and two (2) 3-year options for a total of twelve (12) years; and
- 2) Exercise the option years at the CEO's discretion.

Budget Impact

This is a revenue-generating contract. MTS's revenue is based on a percentage split of the monthly/lease rate, advertising, and vending services as shown below:

Service	MTS revenue share	BriceHouse revenue share
Vending Services	35%	65%
Vending Advertising	55%-60%	40%-45%
Trolley Station Ad Panels	55%-60%	40%-45%
Large Format Advertising (i.e. Gaslamp Trolley Station, Pole Banners, Fence Banners, Wall Large Format)	55%-60%	40%-45%
Concessionaire Services	62%	38%

Staff estimates the revenue for the twelve (12) years to be \$15,468,783.12. Revenue estimates could be higher based on new advertising assets developed and implemented by BriceHouse and MTS.



DISCUSSION:

The Master Concessionaire provides oversight, professional concession, and advertising services for MTS at Trolley and Transit Stations as well as Gaslamp Square Park. The Master Concessionaire program first began in 2010, when MTS entered an agreement with The Kobey Corporation to provide oversight and management of agreements for concession sales, advertising, and special event activations at MTS's transit centers and Trolley stations. Kobey Corporation transferred its interest in the Master Concessionaire contract to BriceHouse in 2012.

The three main roles of the Master Concessionaire are:

1. **Concession services** - Concession services range from the creation, management and maintenance of standalone 3,000 square foot buildings, to semi-permanent 100 square foot booths, and 70 square foot temporary pop-up tent sites.
2. **Advertising services** - Advertising services currently include soliciting, printing and installing advertising on select MTS properties. This includes multi-face kiosks, pole banners, large format wall surfaces, and fence banners. In addition to managing these assets, the new Master Concessionaire is responsible for expanding advertising opportunities on Trolley and Transit Stations, and other properties to maximize non-fare revenue. The Master Concessionaire will develop a plan addressing the current advertising assets and developing ways MTS can create new revenue-generating assets.
3. **On-Property beverage sales** - On-property beverage sales services include vending machine placement, maintenance, repair and sales of non-alcoholic beverages and light snacks. These beverage sales locations help improve the customer experience where MTS does not have brick-and-mortar locations (i.e. A-Mart Stores at 12th & Imperial, Palomar, El Cajon, Old Town, and Lemon Grove Depot) that sell similar products.

The current Master Concessionaire agreement is set to expire on July 30, 2023.

On February 8, 2023, MTS issued a Request for Proposals (RFP) for a Master Concessionaire Services Contractor. Only one (1) proposal was received by the due date of March 17, 2023 from the following:

Proposer	Disadvantage Business Enterprise (DBE) Certification
BriceHouse Station LLC	N/A

MTS conducted two (2) post proposal surveys with prospective proposers requesting their reason(s) for not proposing, MTS received zero (0) responses. Therefore, MTS determined that neither the RFP nor MTS's procurement processes played a role in their decision not to propose, and staff proceeded with this as a competitive solicitation. BriceHouse's proposal was deemed responsive and responsible and evaluated by a committee comprised of representatives from the MTS Marketing, Finance, Rail, and Real Estate Departments. The proposal was evaluated on the following:

Qualifications of the Firm or Individual	15%
Staffing, Organization, and Management Plan	15%
Proposed Methodology and Work Plan	30%
Cost/Compensation/Financial Benefit	<u>40%</u>
Total	100%

The following table illustrates the initial scores:

PROPOSER	TOTAL AVG TECH SCORE	TOTAL AVG COST SCORE	TOTAL AVG SCORE (TOTAL POINTS POSSIBLE: 100)
BriceHouse	47.38	35.25	82.63

As a result of the initial review, MTS invited BriceHouse to participate in the interview process on April 26, 2023. Subsequent to the interview, the evaluation committee rescored BriceHouse's proposal as follows:

PROPOSER	TOTAL AVG TECH SCORE	TOTAL AVG COST SCORE	TOTAL AVG SCORE (TOTAL POINTS POSSIBLE: 100)
BriceHouse	49.25	35.25	84.50

Based on the initial scores and information gained during the interview, MTS requested BriceHouse submit a revised proposal. BriceHouse's revised proposal included the following:

- Transition proposal plan for vending services
- Proposal plan to include additional vending services on the Orange Line
- Key Performance Indicators (KPIs) for maintenance issues on all assets
- Proposed marketing budget to support local community programs
- Estimated date for the completion for the refresh/repair/replacement of the vending enclosures and existing advertising panels
- The possibility of MTS purchasing all assets from BriceHouse upon completion of the contract

After receiving and evaluating BriceHouse's revised proposal, the evaluation team did not rescore.

Based on the objectives of the procurement, consideration of the evaluation criteria, and BriceHouse's technical and cost proposals, the evaluation committee determined BriceHouse presented the best overall value to MTS.

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

- 1) Execute MTS No. G2653.0-23, with BriceHouse Station LLC (BriceHouse), for Master Concessionaire Services for a six (6) year base period and two (2) 3-year options for a total of twelve (12) years; and
- 2) Exercise the option years at the CEO's discretion.

Sharon Cooney
Chief Executive Officer

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

Attachments: A. Draft Agreement MTS Doc. G2653.0-23
B. Cost Form



Metropolitan Transit System

STANDARD AGREEMENT

FOR

MTS DOC. NO. G2653.0-23

MASTER CONCESSIONAIRE SERVICES

THIS AGREEMENT is entered into this _____ day of _____, 2023 in the State of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: BriceHouse Station LLC Address: 2550 Fifth Avenue, Suite 600
San Diego, CA 92103
City State Zip
 Form of Business: LLC
 (Corporation, Partnership, Sole Proprietor, etc.) Email: gbsaunders@bricehouse.com
 Telephone: _____
 Authorized person to sign contracts G. Bradford Saunders President/CEO
Name Title

The Contractor agrees to provide services as specified in the conformed Scope of Work/Technical Specification (Exhibit A), Contractor's Cost/Pricing Form (Exhibit B), and in accordance with the Standard Agreement, including Standard Conditions (Exhibit C), Federal Requirements (Exhibit D), and Forms (Exhibit E).

The contract term is for up to six (6) base years and six (6) 1-year options, exercisable at MTS's sole discretion, for a total of twelve (12) years. Base period shall be effective July 1, 2023 through June 30, 2029 and option years shall be effective July 1, 2029 through June 30, 2035, if exercised by MTS.

The revenue for the base years is estimated to be \$7,033,407.10 and \$8,435,376.02 for option years, for a total of \$15,468,783.12.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM	BRICEHOUSE STATION LLC
By: <u>Sharon Cooney, Chief Executive Officer</u>	By _____
Approved as to form:	Title: _____
By: <u>Karen Landers, General Counsel</u>	



	Vending Services		Vending Advertising	
Contract Year	Net MTS Revenue (Percentage)	Net MTS Revenue (Annual Estimated Amount \$)	Net MTS Revenue (Percentage)	Net MTS Revenue (Annual Estimated Amount \$)
Base Year One (1) (July 1, 2023 - June 30, 2024)	35.0%	\$ 36,066.07	55.0%	\$ 87,859.20
Base Year Two (2) (July 1, 2024 - June 30, 2025)	35.0%	\$ 36,066.07	55.0%	\$ 90,055.68
Base Year Three (3) (July 1, 2025 - June 30, 2026)	35.0%	\$ 39,560.86	55.0%	\$ 92,307.07
Base Year Four (4) (July 1, 2026 - June 30, 2027)	35.0%	\$ 39,560.86	60.0%	\$ 103,216.09
Base Year Five (5) (July 1, 2027 - June 30, 2028)	35.0%	\$ 39,560.86	60.0%	\$ 105,796.49
Base Year Six (6) (July 1, 2028 - June 30, 2029)	35.0%	\$ 43,516.94	60.0%	\$ 108,441.40
Base Year (Years 1-6) Subtotal		\$ 234,331.66		\$ 587,675.94
Option Year 1 (July 1, 2029 - June 30, 2030)	35.0%	\$ 43,516.94	60.0%	\$ 111,152.44
Option Year 2 (July 1, 2030 - June 30, 2031)	35.0%	\$ 43,516.94	60.0%	\$ 113,931.25
Option Year 3 (July 1, 2031 - June 30, 2032)	35.0%	\$ 43,516.94	60.0%	\$ 116,779.53
Option Year 4 (July 1, 2032 - June 30, 2033)	35.0%	\$ 43,516.94	60.0%	\$ 119,699.02
Option Year 5 (July 1, 2033 - June 30, 2034)	35.0%	\$ 43,516.94	60.0%	\$ 122,691.50
Option Year 6 (July 1, 2034 - June 30, 2035)	35.0%	\$ 43,516.94	60.0%	\$ 125,758.78
Option Years (1-6) Subtotal		\$ 261,101.67		\$ 710,012.52
GRAND TOTAL FOR 12 YEARS		\$ 495,433.33		\$ 1,297,688.46

	Trolley Station Ad Panels		Large Format Advertising	
Contract Year	Net MTS Revenue (Percentage)	Net MTS Revenue (Annual Estimated Amount \$)	Net MTS Revenue (Percentage)	Net MTS Revenue (Annual Estimated Amount \$)
Base Year One (1) (July 1, 2023 - June 30, 2024)	55.0%	\$ 409,233.00	55.0%	\$ 94,050.00
Base Year Two (2) (July 1, 2024 - June 30, 2025)	55.0%	\$ 419,463.83	55.0%	\$ 96,401.25
Base Year Three (3) (July 1, 2025 - June 30, 2026)	55.0%	\$ 429,950.42	55.0%	\$ 98,811.28
Base Year Four (4) (July 1, 2026 - June 30, 2027)	60.0%	\$ 480,762.74	60.0%	\$ 110,488.98
Base Year Five (5) (July 1, 2027 - June 30, 2028)	60.0%	\$ 492,781.81	60.0%	\$ 113,251.20
Base Year Six (6) (July 1, 2028 - June 30, 2029)	60.0%	\$ 505,101.36	60.0%	\$ 116,082.48
Base Year (Years 1-6) Subtotal		\$ 2,737,293.16		\$ 629,085.19
Option Year 1 (July 1, 2029 - June 30, 2030)	60.0%	\$ 517,728.89	60.0%	\$ 118,984.54
Option Year 2 (July 1, 2030 - June 30, 2031)	60.0%	\$ 530,672.11	60.0%	\$ 121,959.16
Option Year 3 (July 1, 2031 - June 30, 2032)	60.0%	\$ 543,938.92	60.0%	\$ 125,008.14
Option Year 4 (July 1, 2032 - June 30, 2033)	60.0%	\$ 557,537.39	60.0%	\$ 128,133.34
Option Year 5 (July 1, 2033 - June 30, 2034)	60.0%	\$ 571,475.82	60.0%	\$ 131,336.67
Option Year 6 (July 1, 2034 - June 30, 2035)	60.0%	\$ 585,762.72	60.0%	\$ 134,620.09
Option Years (1-6) Subtotal		\$ 3,307,115.85		\$ 760,041.95
GRAND TOTAL FOR 12 YEARS		\$ 6,044,409.01		\$ 1,389,127.14

	Concession Buildings	
Contract Year	Net MTS Revenue (Percentage)	Net MTS Revenue (Annual Estimated Amount \$)
Base Year One (1) (July 1, 2023 - June 30, 2024)	62.0%	\$ 439,833.16
Base Year Two (2) (July 1, 2024 - June 30, 2025)	62.0%	\$ 453,028.15
Base Year Three (3) (July 1, 2025 - June 30, 2026)	62.0%	\$ 466,619.00
Base Year Four (4) (July 1, 2026 - June 30, 2027)	62.0%	\$ 480,617.57
Base Year Five (5) (July 1, 2027 - June 30, 2028)	62.0%	\$ 495,036.09
Base Year Six (6) (July 1, 2028 - June 30, 2029)	62.0%	\$ 509,887.18
Base Year (Years 1-6) Subtotal		\$ 2,845,021.15
Option Year 1 (July 1, 2029 - June 30, 2030)	62.0%	\$ 525,183.79
Option Year 2 (July 1, 2030 - June 30, 2031)	62.0%	\$ 540,939.31
Option Year 3 (July 1, 2031 - June 30, 2032)	62.0%	\$ 557,167.49
Option Year 4 (July 1, 2032 - June 30, 2033)	62.0%	\$ 573,882.51
Option Year 5 (July 1, 2033 - June 30, 2034)	62.0%	\$ 591,098.99
Option Year 6 (July 1, 2034 - June 30, 2035)	62.0%	\$ 608,831.96
Option Years (1-6) Subtotal		\$ 3,397,104.04
GRAND TOTAL FOR 12 YEARS		\$ 6,242,125.19

Contract Year	Grand Total MTS Revenue
Base Year One (1) (July 1, 2023 - June 30, 2024)	\$ 1,067,041.43
Base Year Two (2) (July 1, 2024 - June 30, 2025)	\$ 1,095,014.98
Base Year Three (3) (July 1, 2025 - June 30, 2026)	\$ 1,127,248.63
Base Year Four (4) (July 1, 2026 - June 30, 2027)	\$ 1,214,646.24
Base Year Five (5) (July 1, 2027 - June 30, 2028)	\$ 1,246,426.46
Base Year Six (6) (July 1, 2028 - June 30, 2029)	\$ 1,283,029.37
Base Year (Years 1-6) Subtotal	\$ 7,033,407.10
Option Year 1 (July 1, 2029 - June 30, 2030)	\$ 1,316,566.61
Option Year 2 (July 1, 2030 - June 30, 2031)	\$ 1,351,018.77
Option Year 3 (July 1, 2031 - June 30, 2032)	\$ 1,386,411.01
Option Year 4 (July 1, 2032 - June 30, 2033)	\$ 1,422,769.20
Option Year 5 (July 1, 2033 - June 30, 2034)	\$ 1,460,119.92
Option Year 6 (July 1, 2034 - June 30, 2035)	\$ 1,498,490.49
Option Years (1-6) Subtotal	\$ 8,435,376.02
GRAND TOTAL FOR 12 YEARS	\$ 15,468,783.12

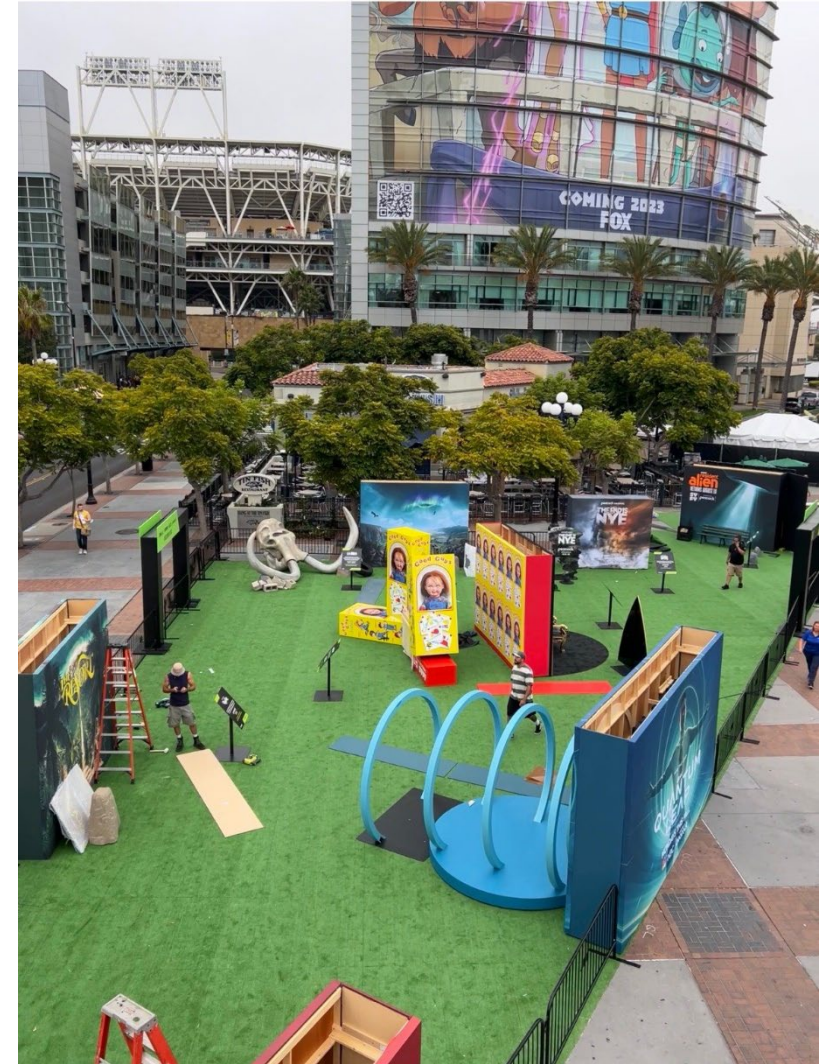
Master Concessionaire Services

Executive Committee

June 8, 2023

Background

- The Master Concessionaire provides oversight, professional concession and advertising services for MTS at all Trolley and Transit Stations as well as activations at areas such as the Gaslamp Trolley Square.
- Program began in 2010
- BriceHouse has been the MTS Master Concessionaire since 2012
- Current Contract is set to expire on July 31, 2023



Master Concessionaire Success

- Expanding concession options for riders



Master Concessionaire Success

- Expanding Trolley Station advertising program to generate non-fare revenue



Master Concessionaire Success

- Expanding Trolley Station advertising program –
 - Fence banners
 - Walls
 - Pole banners



Master Concessionaire Success



Vending Machine Enclosures



Trolley Station Ad Panels

Master Concessionaire Success

- Gaslamp Trolley Square Activations



Master Concessionaire Scope of Work

Three Primary Roles:

1. Concession services

- Manage day-to-day tenant activities

2. Advertising services

- Continue to grow portfolio
- Printing, installing, soliciting advertisers

3. On-Property Beverage Sales

- New role in contract
- Quality control of vending machines

Solicitation Process

➤ Procurement

On February 8, 2023, MTS issued a Request for Proposals (RFP) for a Master Concessionaire Services contractor. One (1) proposal was received by the due date of March 17, 2023 from the following:

1. BriceHouse Station LLC

MTS conducted post proposal surveys with prospective proposers requesting their reason(s) for not proposing, MTS received zero (0) responses.

Solicitation Process (cont.)

➤ Evaluations

- Selection committee - MTS Finance, Marketing, Real Estate, Rail departments.
- Proposal was evaluated on the following:

Qualifications of the Firm or Individual	15%
Staffing, Organization, and Management Plan	15%
Proposed Methodology and Work Plan	30%
Cost/Compensation/Financial Benefit	<u>40%</u>
Total:	100%

Solicitation Process (cont.)

- Initial Review:

PROPOSER	TOTAL AVG TECH SCORE	TOTAL AVG COST SCORE	TOTAL AVG SCORE (TOTAL POINTS POSSIBLE: 100)
BriceHouse	47.38	35.25	82.63

- After initial evaluations, interviews and subsequent negotiations:
 - BriceHouse presented the best overall value to MTS.

PROPOSER	TOTAL AVG TECH SCORE	TOTAL AVG COST SCORE	TOTAL AVG SCORE (TOTAL POINTS POSSIBLE: 100)
BriceHouse	49.25	35.25	84.50

Contract Term

- Begins August 1, 2023
- Contract Length: Six (6) base years with two (2) 3-year options

Revenue Contract Terms

Service	MTS revenue share	Estimated Net Revenue (Base Years)	Estimated Net Revenue (Option Years)
Vending Services	35%	\$234,331.66	\$261,101.67
Vending Advertising	55%-60%	\$587,675.94	\$710,012.52
Trolley Station Ad Panels	55%-60%	\$2,737,293.16	\$3,307,115.85
Large Format Advertising (i.e. Gaslamp Trolley Station, Pole Banners, Fence Banners, Wall Large Format)	55%-60%	\$629,085.19	\$760,041.95
Concessionaire Services	62%	\$2,845,021.15	\$3,397,104.04

Total Revenue Projections

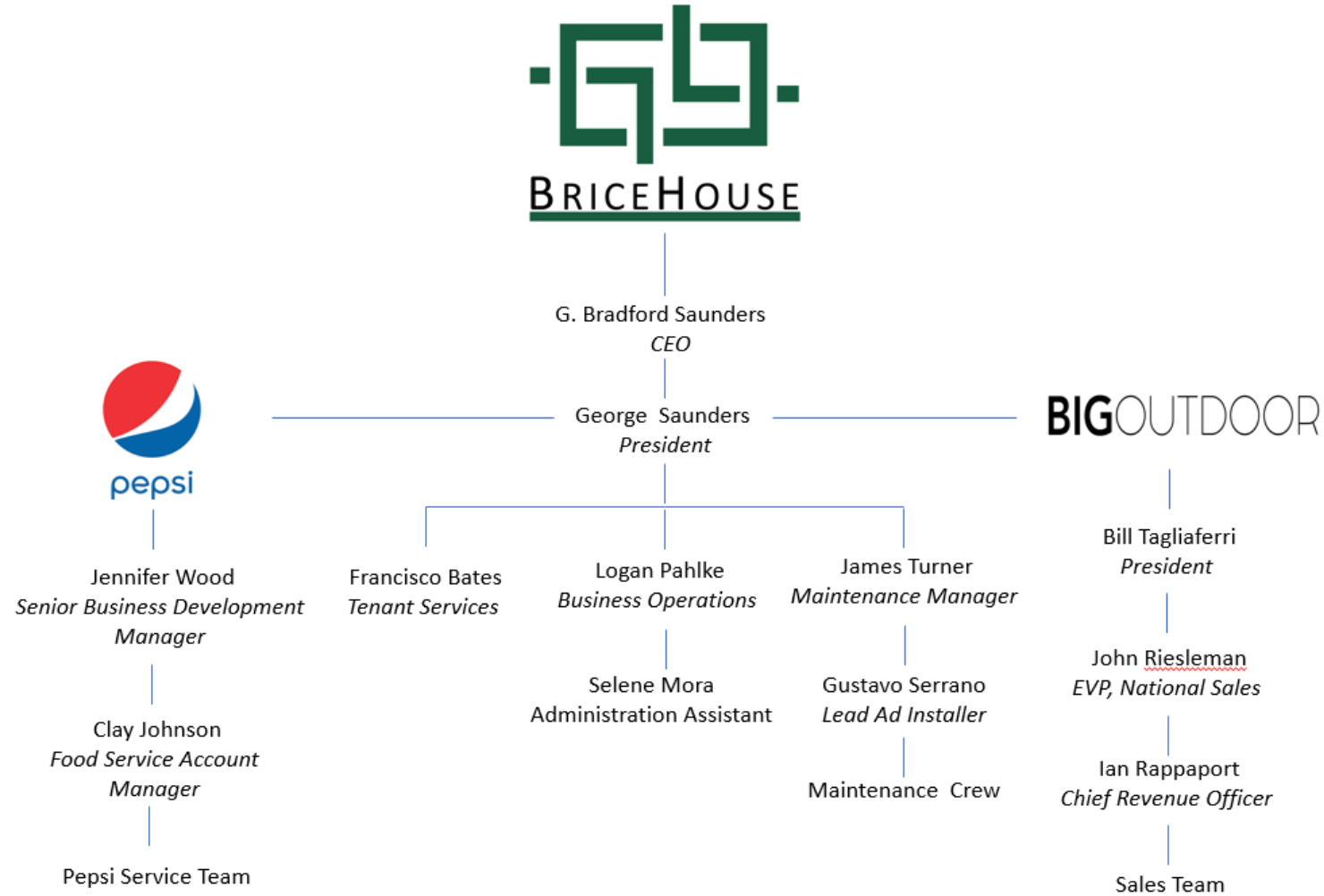
Grand Total MTS Revenue

- Base Term: \$7,033,407
- Option Years: \$8,435,376

Total Over 12 Years: **\$15,468,783**

- Projection doesn't include on expanding advertising opportunities

BriceHouse LLP



Continuity of Master Concessionaire Duties

BriceHouse will continue to be the primary contact for MTS tenants

- Nine (9) buildings (A-Mart markets)
- Three (3) booths
- Three (3) locations with pop-up tents
 - Old Town
 - San Ysidro
 - Otay Mesa



Strong Presence in South Bay/San Ysidro

BriceHouse brings strong knowledge/presence to South Bay communities

- 20 years focusing on border transit issues
- Border Transportation Council – President
- San Ysidro Improvement Corporation
- CBP Passenger Pedestrian Improvement Committee
- SDPD Southern Division Captains Advisory Board



On Property Beverage Sales – New Approach

System switch from Coke to Pepsi

- Reducing the number of vending machines from 50+ to 27
 - Focus on quality over quantity
- Still have good beverage access coverage across Trolley system
- 35% commission for MTS
- \$35,900 avg. annual revenue
- 200 cases donated annually for rider appreciation events



Advertising – Investing in Current Locations

- BriceHouse committing \$150,000 to refresh current ad displays
- Also committing \$750,000 to pilot digital kiosk program at five stations
- Invest in electrical infrastructure needed for ad displays on Mid-Coast Trolley stations
- Refresh/refurbish vending machine enclosures



Advertising – New Opportunities to Grow Revenue

- Growing MTS advertising revenue is important
- Identify new spaces to generate revenue
 - Grade separations
 - Retaining walls
 - Right of Way fencing



Executive Committee Action

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

- Execute MTS No. G2653.0-23 (in substantially the same format as Attachment A), with BriceHouse Station LLC (BriceHouse), for Master Concessionaire Services for a six (6) base year period and two (2) 3-year options; and
- Exercise the option years at the CEO's discretion.



**Metropolitan
Transit
System**

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AI 5, 6/8/2023
No. in Queue:1

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MEETING RECORD

A paraphrased version of this comment will be included in the minutes. The full comment can be heard by reviewing the recording posted on the respective meeting website:

<https://www.sdmts.com/about/meetings-and-agendas>.





Agenda Item No. 6

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM EXECUTIVE COMMITTEE

June 8, 2023

SUBJECT:

Gaslamp Quarter Trolley Station Digital Information Board Update (Mark Olson)

INFORMATIONAL ONLY

Budget Impact

The costs to construct and maintain the Digital Display Structure will be borne by Big Outdoor in exchange for the right to sell advertising on the Digital Display Structure during the share of voice display time not reserved for MTS exclusive use. MTS will receive additional annual revenue based on this advertising. MTS's revenue would be based upon an annual percentage share for any additional advertising revenue secured by Big Outdoor and MTS with a Minimum Annual Guarantee (MAG). MTS MAG revenue will be \$650,000 in the first year and escalate 2% in each subsequent year for MTS for the 20-year base term of the agreement for a total of \$15,793,300. MTS will also share in a percentage of revenue earned over and above the MAG. While the MAG offers a floor for revenue, MTS estimates net revenue over the 20-year base period could potentially reach more than \$37.1 million.

DISCUSSION:

MTS has collected approximately \$15-\$20 million annually in non-fare revenue over the past five (5) years by leveraging its assets for advertising and related purposes. This includes bus and Trolley advertising wraps, bench and shelter advertisements, naming rights agreements, on-property beverage sales, and more. Sustainable sources of non-fare revenue are even more critical now to help close the \$51 million annual budget deficit resulting from the pandemic.

On December 8, 2022 (AI 31), the MTS Board of Directors approved a License Agreement with Big Outdoor to construct and operate a digital information board at the Gaslamp Trolley Station for a base period of 20 years and two (2) five (5)-year options.

Since Board approval, Big Outdoor has been working with MTS staff and BriceHouse (MTS Master Concessionaire) to conduct surveying, stakeholder outreach, and other construction analysis to ensure the site is ready for construction.



Staff will provide the Executive Committee with an update of the Gaslamp Digital Information Board and obtain feedback about the architectural elements, surrounding landscape, renderings, dimensions, safety and wayfinding elements, and stakeholder outreach.

The Gaslamp Trolley Station sits between the San Diego Convention Center and the Gaslamp Quarter District, which is one of San Diego's premier entertainment, dining, shopping and nightlife destinations. The station supports the Trolley's Green Line, and is a popular station for those taking transit downtown for entertainment activities.

A Digital Information Board at this location has significant benefit for transit and for the surrounding community. It will allow MTS to:

- Promote MTS's transit services
- Provide wayfinding information for the surrounding entertainment area
- Share information about upcoming events in the local community
- Post Public Service Announcements, Amber Alerts and other public safety messages
- Package the digital information board into other agreement to activate the Gaslamp Square (i.e. Comic-Con)
- Provide a unique advertising location to attract conventions and other events that help the local economy
- Generate additional revenue to support public transit operations in MTS's service area

Sharon Cooney
Chief Executive Officer

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

Gaslamp Quarter Digital Information Board Renderings

Executive Committee

June 8, 2023

Digital Information Board Approval

- In December 2022, the MTS Board approved a license agreement with Big Outdoor to construct and operate a digital information board at the Gaslamp Trolley Station
- 20 year base period
- Two (2) five (5)-year options



License Agreement Key Terms

- Digital information board operating hours 6 a.m. to 12 a.m.
 - Static displays only from 11 p.m. to 12 a.m.
- MTS entitled to use 10% of the digital display time for MTS-related messaging
- 55-inch digital wayfinding kiosk at base for transit information



Key Terms - Revenue Share

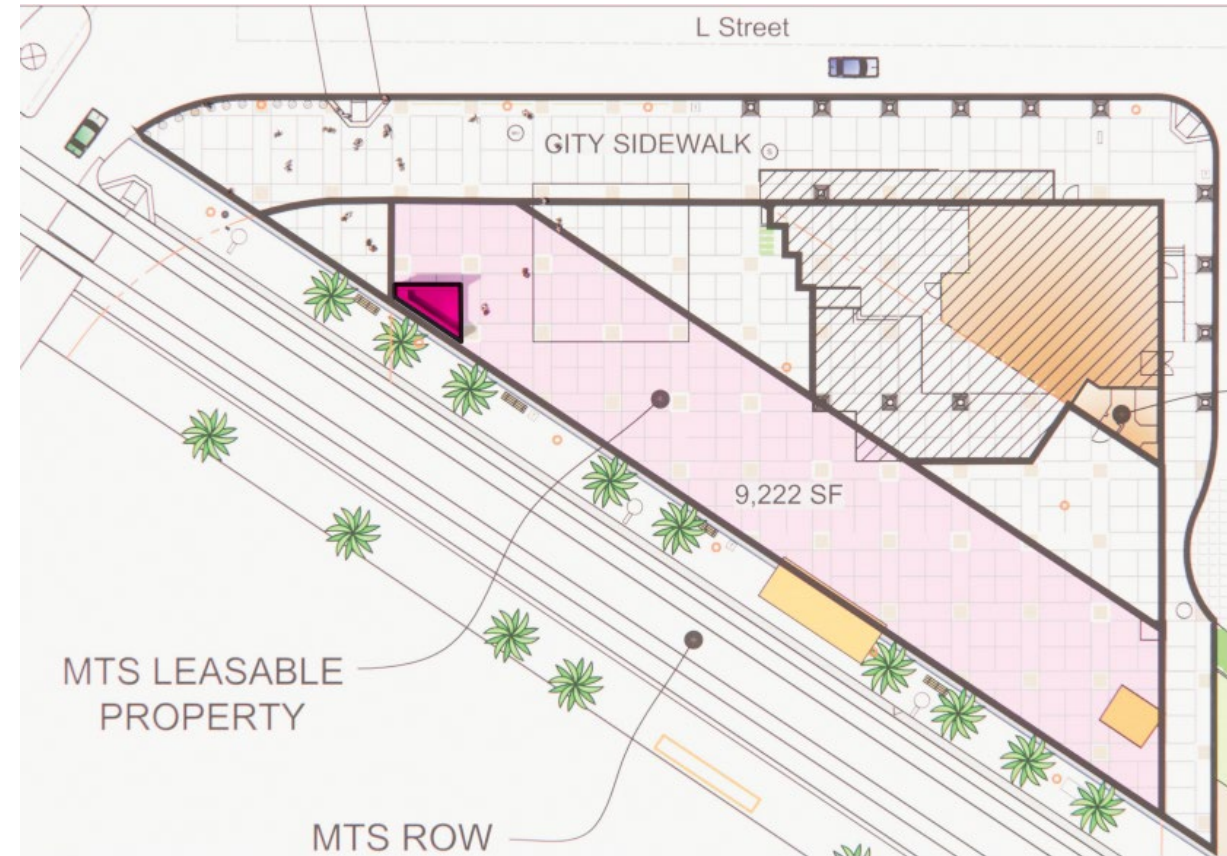
For MTS:

- Minimum Annual Guarantee \$650K in 2023 + 2% increase each year
- 55% revenue split Years 1-3
- 60% revenue split Years 4-8
- 65% revenue split Years 9-20
 - Option years would be at 65% revenue for MTS
- Total MTS revenue estimated to be more than \$37 million over 20 years

Economics Assumptions	
Revenue Growth Rate:	3.0%
Annual Gross Revenue:	\$2,200,000
Minimum Annual Guarantee:	\$650,000
MAG Escalation:	2.0%
Capex (Big Outdoor):	\$3,200,000

Digital Information Board Specs

- No more than 5,000 square feet on Trolley Station Property
- Minimum of 600 square feet of display area to meet revenue projections
- Displays anticipated approx. 20' x 30' in size
- Overall structure height approx. 40'-50'



Digital Information Board Footprint



Digital Information Board Conceptual Design

- Gaslamp Quarter look and feel
- Brick bases to match existing square
- Gaslamp-design pillars to support digital board



Digital Information Board Conceptual Design

- Looking southwest towards Trolley station/Convention Center
- Metal mesh on one side for branding and to allow air flow



Digital Information Board Conceptual Design

Looking east toward
Petco Park



Design Architect

- Kent Coston of Coston Architects
- Based in La Mesa
- Notable local projects:
 - San Diego Airport Concessions
 - Cucina Urbana
 - Club M – Grand Del Mar
 - Amaya La Jolla



Stakeholder Outreach

- Gaslamp Quarter Association
- Hard Rock Hotel
- Downtown San Diego Partnership
- San Diego Comic Con
- Howard Greenberg – building owner

Digital Information Board Benefits & Uses

- Generate a stable source of non-fare revenue to invest back into MTS transit service
- Promote MTS transit services
- Wayfinding information for surrounding entertainment area
- Share community event information
- Broadcast Amber Alerts, other PSAs

Thank you!

Questions/Discussion



**Metropolitan
Transit
System**

PUBLIC COMMENT
AI 6, 6/8/2023
No. in Queue:1

CALL – IN PUBLIC COMMENT

The Original Dra provided a public comment for agenda item #6. A paraphrased version of The Original Dra's statement will be reflected in the minutes.

PUBLIC SPEAKER DISCLAIMER

INSTRUCTIONS

This meeting is offered both in an in-person and virtual format. In-person speaker requests will be taken first. Speaking time will be limited to three minutes per person, unless specified by the Chairperson. Members of the public are permitted to make general public comments at the beginning of the agenda or make specific comments on any item in the agenda at the time the Board/Committee is considering the item during the meeting. Requests to speak will not be taken after the public comment period ends, unless under the Chair's discretion.

BOARD OF DIRECTORS MEETING

General Public Comment at the beginning of the agenda will be limited to five speakers with the standard three-minute limit, unless otherwise directed by the Chair. Additional speakers with general public comments will be heard at the end of the meeting.

MEETING RECORD

A paraphrased version of this comment will be included in the minutes. The full comment can be heard by reviewing the recording posted on the respective meeting website:

<https://www.sdmts.com/about/meetings-and-agendas>.





Board of Directors Draft Agenda

June 15, 2023 at 9:00 a.m.

In-Person Participation: James R. Mills Building, 1255 Imperial Avenue, 10th Floor Board Room, San Diego CA 92101

Teleconference Participation: (669) 444-9171; Webinar ID: 982 8803 2362, <https://zoom.us/j/98288032362>

NO.	ITEM SUBJECT AND DESCRIPTION	ACTION
1.	Roll Call	
2.	Public Comments This item is 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.	
CONSENT ITEMS		
3.	Approval of Minutes Action would approve the May 18, 2023 Board of Director meeting minutes and the June 8, 2023 Special Board of Directors meeting minutes.	Approve
4.	Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards and Payments	Informational
5.	Operations Budget Status Report for April 2023	Informational
6.	Rio Vista/Morena Wall Buttress Project Design – Work Order Agreement	Approve
7.	America Plaza Pedestrian Enhancements Project – Work Order Agreement Action would authorize the Chief Executive Officer (CEO) to execute Work Order WOA354-AE-23 to MTS Doc. No. PWL354.0-22 with Mott MacDonald, LLC (Mott) in the amount of \$555,542.74 for final design services, bid support, and Design Support During Construction (DSDC) for the America Plaza Pedestrian Enhancements Project.	



- 8. Regional Transit Management System (RTMS) Hardware/Software Support Agreement – Contract Award** Approve

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0754.0-23, with Conduent Transport Solutions, Inc., (Conduent), for the provision of RTMS software and vehicle hardware support services for a five-year base period, and two (2) one-year options, in the amount of \$6,393,823.
- 9. Janitorial Services – Contract Amendment** Approve

Action would 1) Ratify Amendment 1 to MTS Doc. No. G2613.0-22 with NMS Management Inc. (NMS), a Disadvantaged Business Enterprise (DBE), in the amount of \$84,761.88; 2) Ratify Amendment 2 to MTS Doc. No. G2613.0-22 with NMS, in the amount of \$63,238.90; and 3) Authorize the Chief Executive Officer (CEO) to execute Amendment 3 to MTS Doc. No. G2613.0-22 with NMS, in the amount of \$2,636,508.60, for a total of \$2,784,509.38.
- 10. Imperial Avenue Division (IAD) and Kearny Mesa Division (KMD) Restroom Rehabilitation – Work Order Agreement** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC324-28 under Job Order Contract (JOC) MTS Doc. No. PWG324.0-21 with ABC General Contracting, Inc. (ABCGC), in the amount of \$331,654.98, for rehabilitation of restrooms located at both the IAD and KMD.
- 11. Trolley Track Improvements – Contract Award** Approve

Action would authorize the Chief Executive Officer (CEO) to: 1) Execute the Base, Add Alternate 1 and Add Alternate 2 to MTS Doc. No. PWL366.0-23, with Balfour Beatty Infrastructure Inc. for Trolley Track Improvements in the amount of \$8,884,454.00; 2) Authorize the CEO to execute amendments or change orders up to a 20% contingency for this construction contract, bringing total expenditure authority to \$10,661,344.80.
- 12. Copley Park Division (CPD) Planning and Utilities Study - Work Order Agreement** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order WOA355-AE-16 under MTS Doc. No. PWL355.0-22 with Psomas in the amount of \$204,221.31 to perform a site planning study and a utilities study at the CPD.
- 13. Fiscal Year 2024 Transportation Development Act Claim** Approve

Action would adopt Resolution Nos. 23-06, 23-07, and 23-08 approving Fiscal Year (FY) 2024 Transportation Development Act (TDA) Article 4.0, 4.5, and 8.0 claims.
- 14. Armored Transport and Cash Handling Services – Contract Award** Approve

Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. No. G2711.0-23, with Sectran Security, Inc. (Sectran), for Armored Transport and Cash Handling Services for a five (5) base year period in the amount of \$693,288, and three (3) 1-year options; and 2) Exercise the option years at the CEO's discretion.

- | | |
|---|---------|
| 15. 2023 Transit and Intercity Rail Capital Program (TIRCP): Zero Emission Transit Enhancement 2.0 Project – Grant Award | Approve |
| 16. Microsoft Volume Licensing Agreement (VLA) – Contract Award | Approve |
| 17. Salary Survey Services – Contract Award | Approve |

DISCUSSION AND REPORT ITEMS

- | | |
|---|---------------|
| 18. San Diego Foundation Collaboration Agreement | Approve |
| 19. San Ysidro Project Update | Informational |
| 20. Trolley Extension to Tijuana | Informational |

OTHER ITEMS

- | | |
|---|---------------|
| 21. Chair’s Report | Informational |
| 22. Chief Executive Officer’s Report | Informational |
| 23. Board Member Communications | Informational |
| 24. 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. Subjects of previous hearings or agenda items may not again be addressed under Public Comments. | |

CLOSED SESSION

- | | |
|---|-----------------|
| 25. Closed Session – Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1)
Tyesha Harrison v. San Diego Metropolitan Transit System
WCAB Case No.: ADJ11699333 | Possible Action |
| 26. Closed Session – Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1)
Treasure Andrews vs. Sn Diego Metropolitan Transit System, et al (San Diego Superior Court Case No. 37-2018-00033322-CU-PA-CTL) | Possible Action |
| 27. Closed Session – Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1)
Terri Morris vs. San Diego Transit Corp, et al. (WCAB No. ADJ3103754) | Possible Action |

ADJOURNMENT

28. Next Meeting Date

The next Board of Director's meeting is scheduled for July 27, 2023 at 9:00am.

29. Adjournment



DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 4

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
BOARD OF DIRECTORS

June 15, 2023

SUBJECT:

Semiannual Uniform Report of Disadvantaged Business Enterprise (DBE) Awards and Payments

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

As a Federal Transit Administration (FTA) grantee, San Diego Metropolitan Transit System (MTS) complies with the federal regulations set forth in 49 CFR Part 26 regarding participation by DBEs in the U.S. Department of Transportation (DOT) Program.

I. Goals of MTS's DBE Program

The goals of MTS's race-neutral DBE program are:

1. to ensure nondiscrimination in the award and administration of DOT-assisted contracts;
2. to create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. to ensure that the DBE program is narrowly tailored in accordance with applicable law;
4. to ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. to help remove barriers to the participation of DBEs in DOT-assisted contracts;
6. to assist the development of firms that can compete successfully in the marketplace outside of the DBE program; and
7. to provide appropriate flexibility to recipients of federal financial assistance in establishing and providing opportunities for DBEs.



II. MTS's DBE Triennial Overall Goal for FFY 2022-2024

The DBE regulations require MTS to prepare a DBE Triennial Overall Goal. The DBE Triennial Overall Goal is established upon the number of ready, willing, and able DBE contractors within MTS's geographic market area that are available to bid on MTS's federally assisted procurements (excludes transit vehicle procurements). For FFY 2022-2024 (October 1, 2021 to September 30, 2024), MTS's aspirational DBE Overall Goal is **6.3%** on federally funded contracts.

III. Participation by certified DBEs

For purposes of reporting DBE participation to the FTA, MTS may only count participation by certified DBE contractors. In order to be certified as a DBE through the California Unified Certification Program, contractors must:

- (1) have a majority owner who is **socially and economically disadvantaged** (Native Americans, African Americans, Hispanics, Asian-Pacific, Subcontinent Asian Americans and women are currently presumed to be socially and economically disadvantaged by the DOT);
- (2) the majority owner must have a personal net worth of less than **\$1,320,000**; and
- (3) the business must be a **small business** and, for *most* types of businesses, have average annual gross receipts less than **\$26,290,000**.

Per DOT DBE Regulations, MTS *may not* count participation from certified minority owned businesses (MBE), disabled veteran owned businesses (DVBE), women owned businesses (WBE), small businesses (SB), lesbian gay bisexual transgender owned businesses (LGBTBE), or persons with disabilities businesses (PDBE) (collectively referred to as SBEs) toward meeting its DBE Triennial Overall Goal. Nonetheless, MTS encourages participation from, conducts outreach to, and tracks awards to SBEs.

IV. Race-Neutral Outreach Measures to Increase DBE and SBE Participation

A race-neutral DBE program means that there are no DBE contract specific goals and no advantages provided to interested DBE contractors when submitting bids or proposals. Successful bidders are chosen using race-neutral means, generally through a low-bid or best-value procurement process.

To increase DBE participation on MTS's federally assisted procurements, as well as SBE participation on all MTS's contracts, MTS conducts outreach to DBEs and SBEs in an effort to inform them of upcoming MTS procurements. The following are some of the race-neutral measures MTS has implemented:

1. outreach to new vendors to discuss the benefits of DBE, MBE, DVBE, WBE, SB, PDBE and/or LGBTBE certification and what qualifications are necessary to become certified, as some may already qualify;
2. outreach to vendors requesting that they register on PlanetBids so they can receive automatic notification of upcoming MTS formal procurements;

3. for small purchase procurements in which MTS must seek out three (3) bids, MTS aims to advertise more of these procurement on PlanetBids so as to increase the potential of DBEs, and SBEs learning of the procurement, if such a contractor is available to perform the work;
4. for small purchase procurements in which MTS must seek out three (3) bids, seeking at least one (1) of those bids from a DBE or SBE, if available; and
5. attend and actively promote small business conferences and programs to alert DBEs and SBEs of upcoming MTS contracting opportunities and to educate about MTS's DBE program.

MTS was able to attend the following events since November 2022:

- Small Business Development Center (SBDC) - Meet the Buyers Connecting with Contracts: Celebrating National Veteran's Month on 11/30/2022;
- SBDC - 1st Connecting with Contracts of 2023; honoring Black History Month on 2/23/2023;
- California Department of Transportation (Caltrans) - Local Small Business Council Meeting on 2/28/2023; and
- SBDC - Annual State of California Procurement Expo Celebrating SBDC Day on 3/15/2023

MTS also continued to attend San Diego Public Agency Consortium bi-monthly meetings, virtually. At these meetings, San Diego County public agencies discussed upcoming planned virtual outreach events amongst the members and best practices regarding their agency's DBE and SB programs.

V. Federally Funded Procurements

Only contracts awarded and paid by MTS using federal funds (or a portion of federal funds) are reported to the FTA per DOT DBE Regulations. MTS generally reserves federal funds for transit vehicle procurements, transit facility improvements, state-of-good-repair vehicle or system preventative maintenance projects, and contracted fixed route and paratransit bus services. MTS generally uses local and state funds for capital projects (e.g. construction, engineering), administrative costs and other expenses (e.g. marketing expenses, land management, office supplies).

VI. Summary of Semi-Annual DBE Report Achievement (Federal Funds Only)

The FTA Semi-Annual Report for October 1, 2022 to March 31, 2023 is the third of six reports in the triennial period of FFY 2022-2024.

a. Contracts Awarded

For this reporting period, MTS **achieved** its DBE Triennial Overall Goal of 6.3% for contracts awarded. MTS achieved **44.73%** DBE participation for contracts awarded, as shown below in Table 1.

Table 1: Federal Contracts Awarded

Federal Contract Awards/Commitments				Goal
REPORTING PERIOD	Total Federal \$	DBE \$	DBE %	vs 6.3%
Federal Funds: Oct 1 2022 to Mar 31 2023	\$17,806,277.45	\$7,965,351.88	44.73%	+38.43%

The main reason for why MTS was able to meet its DBE Triennial Overall Goal for contracts awarded was due to awarding a large contract to a DBE firm. MTS awarded 6-year base contract for janitorial services within light rail vehicles and various MTS administrative and maintenance buildings to **NMS Management**, a **DBE**, in the amount of \$9,898,214.91 (80% federally funded).

b. Contracts Open

For this reporting period, MTS **did not achieve** its DBE Triennial Overall Goal of 6.3% for contracts opened. MTS achieved **1.92%** DBE participation for contracts open, as shown below in Table 2.

Table 2: Federal Contracts Open

Federal Contracts Open/Payments During Reporting Period				Goal
REPORTING PERIOD	Total Federal \$	DBE \$	DBE %	vs 6.3%
Federal Funds: Oct 1 2022 to Mar 31 2023	\$34,301,542.92	\$669,146.34	1.95%	-4.35%

The main reason why MTS was not able to meet its DBE Triennial Overall Goal for contracts opened was due to payments to **Transdev**, a **non-DBE**, for fixed route services in the amount of \$28,140,407.81 (69% federally funded) paid between October 1 2022 to March 31, 2023. These large payments to Transdev are diluting the substantial dollars being paid out to **NMS Management**, a **DBE** firm, for janitorial services, in the amount of \$772,258.14 (80% federally funded), paid between October 1 2022 to March 31, 2023.

c. Contracts Completed

For this reporting period, MTS **did not achieve** its DBE Triennial Overall Goal of 6.3% for contracts completed. MTS achieved **1.69%** DBE participation for contracts completed, as shown below in Table 3.

Table 3: Federal Contracts Completed

Federal Contracts Completed/Total Payments				Goal
REPORTING PERIOD	Total Federal \$	DBE \$	DBE %	vs 6.3%
Federal Funds: Oct 1 2022 to Mar 31 2023	\$3,353,815.09	\$56,815.56	1.69%	-4.61%

The main reasons for why MTS was not able to meet its DBE Triennial Overall Goal for contracts completed was due to closing out various large contracts, which includes but is not

limited to: transit power substation installations to **Mid-Coast Transit Constructors**, a **non-DBE**, payments during the life of the contract totaling \$2,984,262.26 (34% federally funded); and RTMS radio site hardware refresh services to **Motorola Solutions**, a **non-DBE**, payments during the life of the contract totaling \$3,244,487.00 (27% federally funded). These large payments and others diluted the dollars paid to DBEs on completed contracts, including a completed contract to **Pridestaff**, a **DBE** firm, for temporary staffing services, payments during the life of the contract totaling \$42,688.78 (80% federally funded).

Please note, MTS decides contract performance periods based on MTS business and operational needs. Every reporting period will differ on the number, type and dollar amount of contracts closed out.

VII. Summary of Achievement Toward Meeting MTS's DBE Triennial Overall Goal

While the specific DBE participation rate for each six (6) month reporting period may fluctuate, the goal of the MTS DBE program is to achieve the 6.3% DBE Triennial Overall Goal as an average for the FFY 2022-2024 triennial period. Despite having three (3) more reporting periods left in the triennial period, MTS has **achieved** its DBE Triennial Overall Goal of 6.3% for FFY 2022-2024, thus far. MTS achieved **25.42%** DBE participation for FFY 2022-2024 thus far, as shown below in Table 4.

Table 4: DBE Achievement for FFY 2022-2024

DBE Achievement for FFY 2022-2024				
FFY	Reporting Period	Total Federal Awarded	Total DBE Awarded	DBE %
FFY 2022	Oct 1 21 to Mar 31 22	\$7,843,315.85	\$234,599.40	2.99%
FFY 2022	April 1 22 to Sept 30 22	\$6,977,851.08	\$92,523.71	1.33%
FFY 2023	Oct 1 22 to Mar 31 23	\$17,806,277.45	\$7,965,351.88	44.73%
FFY 2023	April 1 23 to Sept 30 23	<i>Not yet completed</i>		
FFY 2024	Oct 1 23 to Mar 31 24			
FFY 2024	April 1 24 to Sept 30 24			
Achievement Toward Meeting FFY 2022-2024 DBE Triennial Overall Goal of 6.3% (FFY 2022-2024 Total DBE Awarded ÷ FFY 2022-2024 Total Fed Awarded)		IN PROGRESS: 25.42% Achieved 25.42% <i>thus far</i> towards DBE Overall Triennial Goal of 6.3%		

VIII. Summary of DBE, WBE, MBE, DVBE, PDBE, LGBTBE and SB Participation for all Contracts (Regardless of Funding Source)

Although MTS may not count participation of MBE, DVBE, WBE, SB, PDBE and LGBTBE (collectively referred to as SBEs) towards achievement of its DBE Overall Triennial Goal, MTS does record the participation of these businesses to gauge the success of its program to foster small business participation. MTS encourages the participation of DBEs and SBEs on all of its contracts, no matter the funding source.

MTS's DBE and SBE participation rates for the reporting period, *using both local and federal funds*, are included below in Table 5.

Table 5: All Contracts Awarded (All Funding Sources)

All Contract Awards/Commitments (All Funding Sources)					
REPORTING PERIOD	Total \$	DBE \$	DBE %	SBE \$ (MBE, DVBE, WBE, SB, PDBE and LGBTBE)	SBE %
Total Funds: Oct 1 2022 to Mar 31 2023	\$67,365,767.07	\$10,440,863.02	15.50%	\$12,221,020.20	18.14%

To highlight on of the many SBE achievements MTS had this reporting period, MTS awarded a contract to **Comfort Mechanical**, a **SB**, for SDSU tunnel safety equipment maintenance in the amount of \$807,341.00 (80% federally funded). To compare MTS's current achievements with past reporting periods, enclosed is a History of Semi-Annual Reports (Attachment B).

/S/ Sharon Cooney _____
Sharon Cooney
Chief Executive Officer

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

Attachment: A. History of Semi-Annual DBE Reports

MTS History of DBE Semi Annual Reports
Contract Awards/Commitments*

Contract Awards/Commitments*								
	Federal DBE GOAL	REPORTING PERIOD	TOTAL DOLLARS AWARDED (fed & local)	Total DBE \$\$	Total DBE %	Total SBE \$\$	Total SBE %	
FFY16	3.75%	Oct 1 15 to Mar 31 16	\$ 63,883,438.52	\$ 298,902.02	0.47%	\$ 2,929,504.04	4.59%	
		Apr 1 16 to Sept 30 16	\$ 32,178,592.14	\$ 976,115.34	3.03%	\$ 996,434.97	3.10%	
FFY17**		Oct 1 16 to Mar 31 17	\$ 92,516,929.91	\$ 5,611,166.70	6.07%	\$ 3,735,641.71	4.04%	
		Apr 1 17 to Sept 30 17	\$ 40,939,010.42	\$ 478,288.92	1.17%	\$ 1,622,764.06	3.96%	
FFY18		Oct 1 17 to Mar 31 18	\$ 31,874,559.08	\$ 754,167.60	2.37%	\$ 3,002,750.48	9.42%	
		Apr 1 18 to Sept 30 18	\$ 68,024,202.91	\$ 1,725,734.24	2.54%	\$ 4,982,014.37	7.32%	
FFY16-18		3.75%	Oct 1, 2015 thru Sept 30, 2018 (6 semi-annual reports)	\$ 329,416,732.98	\$ 9,844,374.82	2.99%	\$ 17,269,109.63	5.24%
FFY19		2.9%	Oct 1 18 to Mar 31 19	\$ 73,790,097.91	\$ 606,817.10	0.82%	\$ 5,715,068.36	7.75%
	Apr 1 19 to Sept 30 19		\$ 40,005,268.47	\$ 6,243,719.33	15.61%	\$ 1,796,894.06	4.49%	
FFY20	Oct 1 19 to Mar 31 20		\$ 52,022,126.82	\$ 4,330,163.32	8.32%	\$ 4,831,911.79	9.29%	
	Apr 1 20 to Sept 30 20		\$ 230,588,830.67	\$ 636,712.08	0.28%	\$ 2,322,909.77	1.01%	
	Apr 1 20 to Sept 30 20 w/o First Transit contract (*for reference only*)		\$ 47,280,121.00	\$ 636,712.08	1.35%	\$ 2,322,909.77	4.91%	
FFY21	Oct 1 20 to Mar 31 21		\$ 546,248,722.19	\$ 428,054.08	0.08%	\$ 5,511,166.79	1.01%	
	Oct 1 20 to Mar 31 21 w/o Transdev contract (*for reference only*)		\$ 39,863,273.69	\$ 428,054.08	1.07%	\$ 5,511,166.79	13.83%	
	Apr 1 21 to Sept 30 21		\$ 96,111,004.32	\$ 461,370.54	0.48%	\$ 44,133,244.11	45.92%	
FFY19-21	2.9%	Oct 1, 2018 thru Sept 30, 2021 (6 semi-annual reports)	\$ 1,038,766,050.38	\$ 12,706,836.45	1.22%	\$ 64,311,194.88	6.19%	
		Oct 1, 2018 thru Sept 30, 2021 (6 semi-annual reports) w/o First Transit or Transdev contract (*for reference only*)	\$ 349,071,892.21	\$ 12,706,836.45	3.64%	\$ 64,311,194.88	18.42%	
FFY22	6.3%	Oct 1 21 to Mar 31 22	\$ 58,074,628.88	\$ 637,356.70	1.10%	\$ 6,907,845.36	11.89%	
		Apr 1 22 to Sept 30 22	\$ 45,351,112.49	\$ 670,801.19	1.48%	\$ 1,810,431.39	3.99%	
FFY23		Oct 1 22 to Mar 31 23	\$ 67,365,767.07	\$ 10,440,863.02	15.50%	\$ 12,221,020.20	18.14%	
FFY24		Oct 1 23 to Mar 31 24	In Progress					
FFY24		Apr 1 24 to Sept 30 24						
FFY22-24	6.3%	Oct 1, 2021 thru Sept 30, 2024 (6 semi-annual reports IN PROGRESS)	\$ 170,791,508.44	\$ 11,749,020.91	6.88%	\$ 20,939,296.95	12.26%	

	<u>Federal DBE GOAL</u>	<u>REPORTING PERIOD</u>	<u>Total Federal \$\$</u>	<u>Federal DBE \$\$</u>	<u>Federal DBE %</u>	<u>Federal SBE \$\$</u>	<u>Federal SBE %</u>
FFY16	3.75%	Oct 1 15 to Mar 31 16	\$ 4,094,298.13	\$ 11,859.89	0.29%	\$ 246,645.99	6.02%
		Apr 1 16 to Sept 30 16	\$ 6,418,545.41	\$ 255,760.97	3.98%	\$ 148,325.08	2.31%
FFY17**		Oct 1 16 to Mar 31 17	\$ 19,827,518.60	\$ 3,781,098.94	19.07%	\$ 196,188.57	0.99%
		Apr 1 17 to Sept 30 17	\$ 3,326,175.53	\$ 31,444.62	0.95%	\$ 405,594.52	12.19%
FFY18		Oct 1 17 to Mar 31 18	\$ 5,888,603.26	\$ 107,876.47	1.83%	\$ 716,139.92	12.16%
		Apr 1 18 to Sept 30 18	\$ 5,453,720.86	\$ 977,533.90	17.92%	\$ 267,303.01	4.90%
FFY16-18	3.75%	Oct 1, 2015 thru Sept 30, 2018 (6 semi-annual reports)	\$ 45,008,861.79	\$ 5,165,574.79	11.48%	\$ 1,980,197.09	4.40%
FFY19	2.9%	Oct 1 18 to Mar 31 19	\$ 8,603,476.55	\$ 204,022.26	2.37%	\$ 182,110.81	2.12%
		Apr 1 19 to Sept 30 19	\$ 9,005,016.32	\$ 3,884,727.66	43.14%	\$ 644,406.58	7.16%
FFY20		Oct 1 19 to Mar 31 20	\$ 7,065,591.07	\$ 84,861.22	1.20%	\$ 1,309,065.78	18.53%
		Apr 1 20 to Sept 30 20	\$ 130,881,224.89	\$ 135,337.29	0.10%	\$ 242,071.52	0.18%
		Apr 1 20 to Sept 30 20 w/o First Transit contract (*for reference only*)	\$ 14,306,408.31	\$ 135,337.29	0.95%	\$ 242,071.52	1.69%
FFY21		Oct 1 20 to Mar 31 21	\$ 182,514,682.65	\$ 45,759.00	0.03%	\$ 369,213.11	0.20%
		Oct 1 20 to Mar 31 21 w/o Transdev contract (*for reference only*)	\$ 1,059,896.95	\$ 45,759.00	4.32%	\$ 369,213.11	34.83%
		Apr 1 21 to Sept 30 21	\$ 14,952,198.32	\$ 44,380.72	0.30%	\$ 712,640.36	4.77%
FFY19-21	2.9%	Oct 1, 2018 thru Sept 30, 2021 (6 semi-annual reports)	\$ 353,022,189.80	\$ 4,399,088.15	1.25%	\$ 3,459,508.16	0.98%
		Oct 1, 2018 thru Sept 30, 2021 (6 semi-annual reports) w/o First Transit or Transdev contract (*for reference only*)	\$ 54,992,587.52	\$ 4,399,088.15	8.00%	\$ 3,459,508.16	6.29%
FFY22	6.3%	Oct 1 21 to Mar 31 22	\$ 7,843,315.85	\$ 234,599.40	2.99%	\$ 760,885.51	9.70%
		Apr 1 22 to Sept 30 22	\$ 6,977,851.08	\$ 92,523.71	1.33%	\$ 231,078.11	3.31%
FFY23		Oct 1 22 to Mar 31 23	\$ 17,806,277.45	\$ 7,965,351.88	44.73%	\$ 1,029,876.32	5.78%
FFY24		Oct 1 23 to Mar 31 24 Apr 1 24 to Sept 30 24	In Progress				
FFY22-24	6.3%	Oct 1, 2021 thru Sept 30, 2024 (6 semi-annual reports IN PROGRESS)	\$ 32,627,444.38	\$ 8,292,474.99	25.42%	\$ 2,021,839.94	6.20%

	<u>Federal DBE GOAL</u>	<u>REPORTING PERIOD</u>	<u>Total Local \$\$</u>	<u>Local DBE \$\$</u>	<u>Local DBE %</u>	<u>Local SBE \$</u>	<u>LOCAL SBE %</u>
FFY16	3.75%	Oct 1 15 to Mar 31 16	\$ 59,789,140.39	\$ 287,042.13	0.48%	\$ 2,682,858.05	4.49%
		Apr 1 16 to Sept 30 16	\$ 25,760,046.73	\$ 720,354.37	2.80%	\$ 848,109.89	3.29%
FFY17**		Oct 1 16 to Mar 31 17	\$ 72,689,411.31	\$ 1,830,067.76	2.52%	\$ 3,539,453.14	4.87%
		Apr 1 17 to Sept 30 17	\$ 37,612,834.89	\$ 446,844.30	1.19%	\$ 1,217,169.54	3.24%
FFY18		Oct 1 17 to Mar 31 18	\$ 25,985,955.82	\$ 646,291.13	2.49%	\$ 2,286,610.56	8.80%
		Apr 1 18 to Sept 30 18	\$ 62,570,482.05	\$ 748,200.34	1.20%	\$ 4,714,711.36	7.54%
FFY16-18	3.75%	Oct 1, 2015 thru Sept 30, 2018 (6 semi-annual reports)	\$284,407,871.19	\$ 4,678,800.03	1.65%	\$ 15,288,912.54	5.38%
FFY19	2.9%	Oct 1 18 to Mar 31 19	\$ 65,186,621.36	\$ 402,794.84	0.62%	\$ 5,532,957.55	8.49%
		Apr 1 19 to Sept 30 19	\$ 31,000,252.15	\$ 2,358,991.67	7.61%	\$ 1,152,487.48	3.72%
FFY20		Oct 1 19 to Mar 31 20	\$ 44,956,535.75	\$ 4,245,302.10	9.44%	\$ 3,522,846.01	7.84%
		Apr 1 20 to Sept 30 20	\$ 99,707,605.78	\$ 501,374.79	0.50%	\$ 2,080,838.25	2.09%
		Apr 1 20 to Sept 30 20 w/o First Transit contract (*for reference only*)	\$ 32,973,712.69	\$ 501,374.79	1.52%	\$ 2,080,838.25	6.31%
FFY21		Oct 1 20 to Mar 31 21	\$ 363,734,039.54	\$ 382,295.08	0.11%	\$ 5,141,953.68	1.41%
		Oct 1 20 to Mar 31 21 w/o Transdev contract (*for reference only*)	\$ 38,803,376.74	\$ 382,295.08	0.99%	\$ 5,141,953.68	13.25%
		Apr 1 21 to Sept 30 21	\$ 81,158,806.00	\$ 416,989.82	0.51%	\$ 43,420,603.75	53.50%
FFY19-21	2.9%	Oct 1, 2018 thru Sept 30, 2021 (6 semi-annual reports)	\$ 685,743,860.58	\$ 8,307,748.30	1.21%	\$ 60,851,686.72	8.87%
		Oct 1, 2018 thru Sept 30, 2021 (6 semi-annual reports) w/o First Transit or Transdev contract (*for reference only*)	\$ 294,079,304.69	\$ 8,307,748.30	2.83%	\$ 60,851,686.72	20.69%
FFY22	6.3%	Oct 1 21 to Mar 31 22	\$ 50,231,313.03	\$ 402,757.30	0.80%	\$ 6,146,959.85	12.24%
		Apr 1 22 to Sept 30 22	\$ 38,373,261.41	\$ 578,277.48	1.51%	\$ 1,579,353.28	4.12%
FFY23		Oct 1 22 to Mar 31 23	\$ 49,559,489.62	\$ 2,475,511.14	5.00%	\$ 11,191,143.88	22.58%
FFY24		Oct 1 23 to Mar 31 24	In Progress				
		Apr 1 24 to Sept 30 24					
FFY22-24	6.3%	Oct 1, 2021 thru Sept 30, 2024 (6 semi-annual reports IN PROGRESS)	\$ 138,164,064.06	\$ 3,456,545.92	2.50%	\$ 18,917,457.01	13.69%

*Transit Vehicle Procurements (buses, trolleys) from Transit Vehicle Manufacturers (TVM) are not included in this Report per DOT DBE Regulations. TVMs have their own DBE Program, Goals and Reporting requirements. Inventory procurements are also not included. Only at time an inventory item is issued from store room will the federal/local breakdown be known, not at the time of purchase. *

In FY17, MTS began using the U.S. Small Business Administration Database, which provides a listing of Small Businesses. This Database tracks firms in which revenues and/or number of employees do not exceed the North American Industry Classification System (NAICS) code's small business size standards, which is used to determine whether a DBE is a small business or not.



**Metropolitan
Transit
System**

DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 5

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

June 15, 2023

SUBJECT:

Operations Budget Status Report for April 2023

INFORMATIONAL ONLY

Budget Impact

None.

DISCUSSION:

This report summarizes the year-to-date operating results for April 2023 compared to the Fiscal Year (FY) 2023 amended budget for the San Diego Metropolitan Transit System (MTS). Attachment A-1 combines the operations', administrations' and other activities' results for April 2023. Attachment A-2 details the April 2023 combined operations' results and Attachments A-3 to A-7 present budget comparisons for each MTS operation. Attachment A-8 details budget comparisons for MTS Administration, and Attachment A-9 provides April 2023 results for MTS's other activities (For Hire Vehicle Administration (FHV)/San Diego and Arizona Eastern Railway Company (SD&AE)).

MTS NET-OPERATING SUBSIDY RESULTS

As indicated within Attachment A-1, for the year-to-date period ending April 2023, MTS's net-operating income favorable variance totaled \$3,024,000 (1.3%). Operations produced a \$929,000 (0.4%) favorable variance and the administrative/other activities areas were favorable by \$2,095,000.

MTS COMBINED RESULTS

Operating Revenues. Year-to-date combined revenues through April 2023 were \$76,378,000 compared to the year-to-date budget of \$75,676,000, representing a \$702,000 (0.9%) favorable variance. Year-to-date passenger revenue was unfavorable to budget by \$993,000 (-1.7%) through April. Passenger revenue was \$11,831,000 (26.4%) higher than the prior year.

Other operating revenue was favorable by \$1,694,000 (9.4%), primarily due to favorable interest income.

Operating Expenses. Year-to-date combined expenses through April 2023 were \$309,752,000 compared to the budget of \$312,075,000, resulting in a \$2,323,000 (0.7%) favorable variance.

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San Diego 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 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. MTS is also the For-Hire Vehicle administrator for nine cities.



Personnel Costs. Year-to-date personnel-related costs totaled \$135,924,000, compared to a budgetary figure of \$135,641,000, producing an unfavorable variance of \$284,000 (-0.2%). This is primarily due to unfavorable health and welfare expenses in Bus.

Outside Services and Purchased Transportation. Outside services in total through April 2023 were \$103,221,000, compared to a budget of \$105,211,000, resulting in a favorable variance of \$1,990,000 (1.9%). This is primarily due to favorable purchased transportation costs for both fixed route service as well as paratransit service. Purchased transportation for fixed route services are favorable due to a combination of service levels, liquidated damages, and standby hours. Purchased transportation costs for paratransit services are favorable primarily due to passenger demand being lower than the targets included in the midyear budget.

Materials and Supplies. Total year-to-date materials and supplies expenses were \$13,622,000, compared to a budgetary figure of \$13,626,000, resulting in a favorable variance of \$4,000. This is primarily due to favorable revenue vehicle parts and supplies within Bus operations, being mostly offset by unfavorable revenue vehicle parts within Trolley operations

Energy. Total year-to-date energy costs were \$44,637,000, compared to the budget of \$45,087,000, resulting in a favorable variance of \$450,000 (1.0%). This is primarily due to favorable rates versus budget. CNG is favorable due to both rate and consumption, and is expected to continue to be favorable through the rest of the fiscal year as the commodity rate continues to decrease.

Risk Management. Total year-to-date expenses for risk management were \$6,171,000 compared to the budget of \$6,224,000, resulting in a favorable variance totaling \$53,000 (0.8%).

General and Administrative. The year-to-date general and administrative costs were \$4,837,000 through April 2023, compared to a budget of \$4,923,000, resulting in a favorable variance of \$86,000 (1.7%). This is primarily due to favorable Pronto fare materials and credit card fees.

Vehicle and Facility Leases. The year-to-date vehicle and facilities leases costs were \$1,339,000 compared to the budget of \$1,363,000, resulting in a favorable variance of \$24,000 (1.8%).

YEAR-TO-DATE SUMMARY

The April 2023, year-to-date net-operating income totaled a favorable variance of \$3,024,000 (1.3%). These factors include favorable variances in other operating revenue, outside services, materials and supplies, energy, risk management, general and administrative, and vehicle/facility leases, partially offset by unfavorable passenger revenue and personnel costs.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

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

Attachment: A. Comparison to Budget

MTS
CONSOLIDATED

COMPARISON TO BUDGET - FISCAL YEAR 2023

APRIL 30, 2023

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	VAR. %
Passenger Revenue	\$ 56,565	\$ 57,558	\$ (993)	-1.7%
Other Revenue	19,812	18,118	1,694	9.4%
Total Operating Revenue	\$ 76,378	\$ 75,676	\$ 702	0.9%
Personnel costs	\$ 135,924	\$ 135,641	\$ (284)	-0.2%
Outside services	103,221	105,211	1,990	1.9%
Materials and supplies	13,622	13,626	4	0.0%
Energy	44,637	45,087	450	1.0%
Risk management	6,171	6,224	53	0.8%
General & administrative	4,837	4,923	86	1.7%
Vehicle/facility leases	1,339	1,363	24	1.8%
Administrative Allocation	0	0	0	0.0%
Total Operating Expenses	\$ 309,752	\$ 312,075	\$ 2,323	0.7%
Operating Income (Loss)	\$ (233,375)	\$ (236,399)	\$ 3,024	1.3%
Total Non-Operating Activities	817	296	521	176.0%
Income (Loss) before Capital Contributions	\$ (232,558)	\$ (236,103)	\$ 3,545	-1.5%

OPERATIONS
CONSOLIDATED

COMPARISON TO BUDGET - FISCAL YEAR 2023

APRIL 30, 2023

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	VAR. %
Passenger Revenue	\$ 56,565	\$ 57,558	\$ (993)	-1.7%
Other Revenue	839	801	39	4.8%
Total Operating Revenue	\$ 57,405	\$ 58,359	\$ (954)	-1.6%
Personnel costs	\$ 113,951	\$ 113,741	\$ (210)	-0.2%
Outside services	85,130	86,682	1,552	1.8%
Materials and supplies	13,578	13,589	11	0.1%
Energy	43,639	44,072	434	1.0%
Risk management	5,394	5,427	33	0.6%
General & administrative	770	830	60	7.2%
Vehicle/facility leases	1,153	1,157	4	0.3%
Administrative Allocation	26,169	26,169	0	0.0%
Total Operating Expenses	\$ 289,782	\$ 291,666	\$ 1,884	0.6%
Operating Income (Loss)	\$ (232,377)	\$ (233,306)	\$ 929	0.4%
Total Non-Operating Activities	140	175	(35)	-20.1%
Income (Loss) before Capital Contributions	\$ (232,237)	\$ (233,132)	\$ 894	-0.4%

OPERATIONS

BUS - DIRECTLY OPERATED (SAN DIEGO TRANSIT CORP.)

COMPARISON TO BUDGET - FISCAL YEAR 2023

APRIL 30, 2023

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	VAR. %
Passenger Revenue	\$ 15,794	\$ 16,129	\$ (335)	-2.1%
Other Revenue	55	27	27	100.0%
Total Operating Revenue	\$ 15,848	\$ 16,156	\$ (308)	-1.9%
Personnel costs	\$ 70,799	\$ 70,602	\$ (196)	-0.3%
Outside services	1,719	1,797	77	4.3%
Materials and supplies	5,385	5,606	221	3.9%
Energy	9,181	9,745	564	5.8%
Risk management	2,226	2,317	91	3.9%
General & administrative	353	371	18	4.7%
Vehicle/facility leases	353	341	(12)	-3.6%
Administrative Allocation	5,230	5,230	0	0.0%
Total Operating Expenses	\$ 95,246	\$ 96,008	\$ 762	0.8%
Operating Income (Loss)	\$ (79,398)	\$ (79,852)	\$ 454	0.6%
Total Non-Operating Activities	(142)	(113)	(29)	25.4%
Income (Loss) before Capital Contributions	\$ (79,540)	\$ (79,965)	\$ 425	-0.5%

OPERATIONS
RAIL (SAN DIEGO TROLLEY INC.)
COMPARISON TO BUDGET - FISCAL YEAR 2023
APRIL 30, 2023
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	VAR. %
Passenger Revenue	\$ 21,795	\$ 22,469	\$ (674)	-3.0%
Other Revenue	785	773	11	1.5%
Total Operating Revenue	\$ 22,580	\$ 23,242	\$ (662)	-2.9%
Personnel costs	\$ 42,433	\$ 42,439	\$ 6	0.0%
Outside services	6,857	6,749	(108)	-1.6%
Materials and supplies	8,126	7,923	(203)	-2.6%
Energy	23,520	23,567	47	0.2%
Risk management	3,152	3,095	(58)	-1.9%
General & administrative	399	437	38	8.8%
Vehicle/facility leases	499	512	13	2.5%
Administrative Allocation	18,694	18,694	(0)	0.0%
Total Operating Expenses	\$ 103,681	\$ 103,416	\$ (266)	-0.3%
Operating Income (Loss)	\$ (81,101)	\$ (80,173)	\$ (928)	-1.2%
Total Non-Operating Activities	20	27	(6)	-24.0%
Income (Loss) before Capital Contributions	\$ (81,081)	\$ (80,147)	\$ (934)	1.2%

OPERATIONS

BUS - CONTRACTED SERVICES (FIXED ROUTE)

COMPARISON TO BUDGET - FISCAL YEAR 2023

APRIL 30, 2023

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	VAR. %
Passenger Revenue	\$ 18,012	\$ 17,997	\$ 15	0.1%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 18,012	\$ 17,997	\$ 15	0.1%
Personnel costs	\$ 573	\$ 560	\$ (14)	-2.4%
Outside services	65,520	66,157	637	1.0%
Materials and supplies	67	60	(6)	-10.8%
Energy	10,119	9,867	(253)	-2.6%
Risk management	-	-	-	-
General & administrative	5	6	1	21.6%
Vehicle/facility leases	15	18	3	18.2%
Administrative Allocation	1,909	1,909	0	0.0%
Total Operating Expenses	\$ 78,209	\$ 78,578	\$ 369	0.5%
Operating Income (Loss)	\$ (60,196)	\$ (60,580)	\$ 384	0.6%
Total Non-Operating Activities	-	-	-	-
Income (Loss) before Capital Contributions	\$ (60,196)	\$ (60,580)	\$ 384	-0.6%

OPERATIONS

BUS - CONTRACTED SERVICES (PARATRANSIT)

COMPARISON TO BUDGET - FISCAL YEAR 2023

APRIL 30, 2023

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	VAR. %
Passenger Revenue	\$ 964	\$ 963	\$ 1	0.1%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 964	\$ 963	\$ 1	0.1%
Personnel costs	\$ 146	\$ 140	\$ (6)	-4.1%
Outside services	10,772	11,718	946	8.1%
Materials and supplies	-	-	-	-
Energy	818	893	75	8.4%
Risk management	15	15	-	0.0%
General & administrative	13	15	3	16.9%
Vehicle/facility leases	285	286	0	0.1%
Administrative Allocation	335	335	0	0.0%
Total Operating Expenses	\$ 12,385	\$ 13,403	\$ 1,018	7.6%
Operating Income (Loss)	\$ (11,420)	\$ (12,440)	\$ 1,020	8.2%
Total Non-Operating Activities	-	-	-	-
Income (Loss) before Capital Contributions	\$ (11,420)	\$ (12,440)	\$ 1,020	-8.2%

OPERATIONS
CORONADO FERRY

COMPARISON TO BUDGET - FISCAL YEAR 2023

APRIL 30, 2023

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	VAR. %
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	-	-	-	-
Total Operating Revenue	\$ -	\$ -	\$ -	-
Personnel costs	\$ -	\$ -	\$ -	-
Outside services	261	261	-	0.0%
Materials and supplies	-	-	-	-
Energy	-	-	-	-
Risk management	-	-	-	-
General & administrative	-	-	-	-
Vehicle/facility leases	-	-	-	-
Administrative Allocation	-	-	-	0.0%
Total Operating Expenses	\$ 261	\$ 261	\$ -	0.0%
Operating Income (Loss)	\$ (261)	\$ (261)	\$ -	0.0%
Total Non-Operating Activities	261	261	-	0.0%
Income (Loss) before Capital Contributions	\$ -	\$ -	\$ -	-

ADMINISTRATION
CONSOLIDATED

COMPARISON TO BUDGET - FISCAL YEAR 2023

APRIL 30, 2023

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	VAR. %
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	18,061	16,433	1,628	9.9%
Total Operating Revenue	\$ 18,061	\$ 16,433	\$ 1,628	9.9%
Personnel costs	\$ 21,570	\$ 21,488	\$ (81)	-0.4%
Outside services	18,073	18,492	419	2.3%
Materials and supplies	44	37	(7)	-19.1%
Energy	993	1,009	16	1.6%
Risk management	714	725	11	1.5%
General & administrative	4,008	4,031	23	0.6%
Vehicle/facility leases	175	192	17	8.8%
Administrative Allocation	(26,185)	(26,185)	0	0.0%
Total Operating Expenses	\$ 19,391	\$ 19,789	\$ 398	2.0%
Operating Income (Loss)	\$ (1,330)	\$ (3,356)	\$ 2,026	60.4%
Total Non-Operating Activities	911	121	790	652.5%
Income (Loss) before Capital Contributions	\$ (419)	\$ (3,235)	\$ 2,816	-87.0%

OTHER ACTIVITIES

CONSOLIDATED

COMPARISON TO BUDGET - FISCAL YEAR 2023

APRIL 30, 2023

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	VAR. %
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	912	884	28	3.1%
Total Operating Revenue	\$ 912	\$ 884	\$ 28	3.1%
Personnel costs	\$ 404	\$ 412	\$ 7	1.8%
Outside services	18	37	19	51.8%
Materials and supplies	0	0	0	21.6%
Energy	6	6	0	1.9%
Risk management	64	73	9	12.2%
General & administrative	59	62	3	4.7%
Vehicle/facility leases	11	15	3	21.6%
Administrative Allocation	17	17	(0)	0.0%
Total Operating Expenses	\$ 580	\$ 621	\$ 41	6.6%
Operating Income (Loss)	\$ 332	\$ 263	\$ 69	26.2%
Total Non-Operating Activities	(234)	-	(234)	-
Income (Loss) before Capital Contributions	\$ 99	\$ 263	\$ (165)	-62.5%



**Metropolitan
Transit
System**

DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 6

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

June 15, 2023

SUBJECT:

Rio Vista/Morena Wall Buttress Project Design – Work Order Agreement

**AGENDA ITEM WILL
BE PROVIDED
BEFORE BOARD
MEETING**





DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 7

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

June 15, 2023

SUBJECT:

America Plaza Pedestrian Enhancements Project – Work Order Agreement

RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Work Order WOA354-AE-23 to MTS Doc. No. PWL354.0-22 (in substantially the same format as Attachment A) with Mott MacDonald, LLC (Mott) in the amount of \$555,542.74 for final design services, bid support, and Design Support During Construction (DSDC) for the America Plaza Pedestrian Enhancements Project.

Budget Impact

The total cost of this contract is estimated to be \$555,542.74. This project is funded by MTS Capital Improvement Program (CIP) 2009108001 – America Plaza Pedestrian Enhancements – Design.

DISCUSSION:

As part of its grant application to the State of California for the Transit and Intercity Rail Capital Program (TIRCP), MTS identified a need to improve pedestrian connections between America Plaza and Santa Fe Depot. As a gateway to San Diego for travelers arriving downtown by passenger rail, or by bus from the airport, the America Plaza/Santa Fe Depot station area is a critical transportation center for the region. The existing public walkways and wayfinding do not adequately accommodate pedestrian demand today. The improvements for this project are focused on Kettner Boulevard, within City of San Diego right-of-way. Pedestrian travel through this busy connection point, which has grown due to the Mid-Coast Trolley extension opening in 2021, is further increasing the need for the project. The State of California awarded MTS just over \$4.2 million for the project in a 2018 TIRCP Grant.

On February 11, 2021 (AI 14), the Board authorized a work order for Mott to perform design services for the America Plaza Pedestrian Enhancements project. During the course of design and through design submittal comments back from the City of San Diego, additional design effort was necessary. Mott had to provide additional outside agency coordination, increase the amount of plan sheets, revise the signaling plan, add traffic control plans and phasing, and



incorporate the City's required Best Management Practices ("BMPs") for stormwater. As such, various amendments were approved after that date to reflect additional time needed to complete the design. In addition, DSDC services were not included in the original contract.

Today's proposed action will approve a new, additional work order to Mott to finalize the design, obtain City approval, and support the bid and construction phase for additional work related to this project. Because the original On-Call A&E Design Services panel has expired and been replaced with a new competitively bid panel, the additional work order will be issued to Mott under the new contract.

On September 15, 2021, MTS issued a solicitation for On-Call Architecture and Engineering (A&E) Design Services by Requesting Statements of Qualifications (RFSQ) from firms with expertise in a variety of A&E design and related consulting services separated into the following three (3) categories:

- Category A: Comprehensive/Full Service - Five (5) prime contracts
- Category B: Small Business (SB) Set Aside - Three (3) prime contracts awarded to a certified SB or a Disadvantage Business Enterprise (DBE) certified firm (which is also considered to be an SB)
- Category C: Specialty Prime – Up to Five (5) specialty service contracts

As a result of the RFSQ, seven (7) firms were selected to perform various A&E services. For projects requiring A&E Services, work orders will be issued to these firms.

MTS staff reviewed the approved A&E firms in Category A, and utilizing a direct award process, selected Mott to perform the requisite services. Mott had previously completed a significant portion of this project. Based on the level of effort and the design work involved for this project, staff determined the contract price to be fair and reasonable.

Under today's proposed work order, Mott will finalize the design, obtain City approval, and support the bid and construction phase for additional work related to this project.

The Work Order and amendments issued to Mott under MTS's prior on-call panel process are summarized below:

Work Order No.	Purpose	Amount	Board Approval Date
WOA1951-AE-63	Original Work Order	\$759,728.11	2/11/23, Item 14
WOA1951-AE-63.01	Amendment 1 – No Cost Time Extension	\$0.00	Approved by the CEO 3/16/22
WOA1951-AE-63.02	Amendment 2 - No Cost Time Extension	\$0.00	Approved by the CEO 10/25/22
WOA1951-AE-63.03	Amendment 3 – No Cost Time Extension	\$0.00	Approved by the CEO 2/14/23
WOA354-AE-23	New work order agreement under new A&E master agreement for additional DSDC and design services.	\$555,542.74	Today's proposed action
Total		\$1,315,270.85	

For this work order, Mott will be using the following subconsultants:

Firm Name	Classification	Value of Services
Estrada Land Planning	DBE	\$23,307.56
Aguirre & Associates	DBE	\$17,725.66
Ninyo & Moore	Minority Owned Business Enterprise (MBE)	\$9,030.68
STC Traffic	SB	\$96,895.14
Fehr & Peers	None	\$13,132.30

Therefore, staff recommends that the MTS Board authorize the CEO to execute Work Order WOA354-AE-23 to MTS Doc. No. PWL354.0-22 (in substantially the same format as Attachment A) with Mott in the amount of \$555,542.74 for final design services, bid support and DSDC for the America Plaza Pedestrian Enhancements Project.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

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

Attachments: A. Draft Work Order WOA354-AE-23
B. Cost Form



Metropolitan Transit System

Att.A, AI 7, 06/15/23

June 15, 2023

MTS Doc. No. PWL354.0-22
Work Order No. WOA354-AE-23

Ms. Bethany J. Garretson, PE
Vice President
Mott MacDonald, LLC
401 B Street, Suite 1520
San Diego, CA 92101

Dear Ms. Garretson:

Subject: WORK ORDER WOA354-AE-23, TO MTS DOC. NO. PWL354.0-22, GENERAL
ENGINEERING SERVICES FOR DESIGN SERVICES FOR AMERICA PLAZA/SANTA FE
DEPOT PEDESTRIAN ENHANCEMENTS

This letter shall serve as our agreement for Work Order WOA354-AE-23 to MTS Doc. No. PWL354.0-22, for engineering services for MTS Yard Issues.

SCOPE OF SERVICES

Provide design services for the America Plaza/Santa Fe Depot Pedestrian Enhancements project. Work provided under this Work Order will be performed in accordance with the attached Scope of Services (Attachment A).

SCHEDULE

The Scope of Services, as described above, shall be for a period of twenty (20) months from the date of the Notice to Proceed.

PAYMENT

Payment shall be based on actual costs in the amount not to exceed \$555,542.74 without prior authorization of MTS (Attachment B).

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

Ms. Bethany J. Garretson, PE , Vice President
Mott MacDonald, LLC

Date: _____

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



**ATTACHMENT A
SCOPE OF SERVICES**

DRAFT

MTS Doc. No. PWL354.0-22

Work Order No. WOA354-AE-23

Project Title: America Plaza/Santa Fe Depot Pedestrian Enhancements Design Services During Construction**I. PROJECT DESCRIPTION**

This work order is a continuation of the work completed under MTS Work Order WOA1951-AE-63, "America Plaza/Santa Fe Depot Pedestrian Enhancements Final Design." These two stations together represent the primary mass transportation portal to downtown San Diego for visitors, residents, and commuters.

At present, this major regional hub generally operates as a set of co-located individual components. While Amtrak, Coaster, Green Line Trolley, and outbound Rapid services all serve Santa Fe Depot, the Blue Line Trolley and inbound Rapid services serve America Plaza Trolley Station. In practice, the independent operations create difficulty for patrons making transfers between services. Passengers wishing to make connections at Santa Fe Depot are required to activate either a mid-block pedestrian signal or a traffic signal at the Kettner / Broadway intersection to cross Kettner Boulevard. Often passengers have less than four minutes to make transit connections between stations, which incentivizes them to cross Kettner Boulevard either against the signal or outside the crosswalk limits.

II. EXPECTED RESULTS

The primary goal of this project is to complete the bid and construction phases of roadway improvements to enhance the safety of transit passengers and other pedestrians traveling between Santa Fe Depot and America Plaza.

III. SCOPE OF WORK

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

Task 1 - Project Management and Coordination

- 1.1 Project Management – Provide project management services including the requirements for invoicing, scheduling, monthly project progress reports, and administration of the Consultant's team. throughout the assumed 20-month duration of this work order.
- 1.2 Project Coordination with MTS – Provide coordination with MTS and between MTS and outside stakeholders throughout the assumed 20-month duration of this work order.
- 1.3 Meeting Coordination – Consultant will arrange and facilitate interagency meetings, the pre-bid meeting, and other project-related meetings as requested by MS. Consultant shall prepare meeting agendas, meeting minutes, necessary supplemental materials, and meeting sign-in sheets for all meetings.

Original work order assumed a schedule of nine months. This amendment provides an additional 18 months of meeting coordination.

- Bus shelter detail sheet
- Additional signing & striping sheet
- Additional traffic signal sheet
- Additional erosion control plan sheet
- Traffic control plans for five additional sheets
- Construction staging plans
- Construction schedule
- Plats and legal descriptions for Temporary Construction Easements (TCEs)

- 1.4 Quality Assurance / Quality Control – Consultant will perform QA and QC on all deliverables added to the scope of the project after the approval of the original work order at 90% and 100% milestone submittals. These include:

- Water Pollution Control Plan (WPCP)
- Existing and proposed curb utilization plans

Task 2 – Outside Agency Coordination and Approvals

- 2.1 Agency and Stakeholder Coordination – Consultant will coordinate with City of San Diego's Development Services Department (DSD), the Downtown Partnership, the owners of Santa Fe Depot, and utility owners during the bid and construction phases of the project.

This amendment provides preparation, attendance, and meeting minutes for an additional 10 meetings with City of San Diego's Development Services Department (DSD), the Downtown Partnership to determine maintenance responsibilities and costs associated with landscaping and water quality basin, and the City Traffic Safety and Traffic Signal Operations groups to verify resolution of comments. It also includes additional email and phone communications with these parties between meetings.

- 2.2 As-builts and Existing Document Review – Original work order included requesting and gathering mapping for improvements and utilities from City of San Diego, MTS, Santa Fe Depot, the developer of the hotel on the SE corner of Kettner/B St., and utility owners. It also included the preparation of CAD base maps incorporating this as-built information.

This amendment provides additional coordination with SANDAG, their design consultants, Dig Alert, and utility companies to obtain and evaluate as-built drawings and mapping, as well as resolving conflicts between mapping sources.

Task 3 – Construction Procurement Bid Phase Support

- 3.1 Responses to Bidder Questions – Consultant shall assist MTS with the construction procurement by responding to bidder comments and pre-bid RFIs during the bidding phase.
- 3.2 Division 1 Specifications – Consultant shall prepare any sections or front-end Division 1 information required to adhere to the MTS standard IFB language.
- 3.3 Constructability Review Response – MTS has retained a construction manager (CM) for the project, who will perform a constructability review of the PS&E package following the 100% submittal. The design team will review the comments received, prepare a comment response log, participate in a comment resolution meeting with the CM, and incorporate comments into construction documents as directed by the MTS project manager.
If changes resulting from the constructability review are required after the construction plans have been approved by City of San Diego, the design team will prepare revised versions of all affected sheets and submit a construction change for review and approval by the City. This amendment assumes preparation of one construction change including up to five revised plan sheets and includes QA/QC.
- 3.4 Prepare Addenda – Consultant will assist MTS with the preparation of revisions to construction documents and/or verbiage for up to three addenda to be issued to bidders during the procurement of construction services. This task includes QA/QC of all revised documents.

Task 4 – Design Support During Construction (DSDC)

The following scope assumes a 12-month construction duration.

- 4.1 Weekly Construction Meetings – Consultant will attend construction progress meetings (virtual) at the request of the MTS Project Manager. Regular attendees will include Consultant PM and Design Manager (DM). Additional design team representatives will attend when requested depending on progress and phase of construction.
- 4.2 Review and Approve Submittals – At the direction of MTS or the MTS Construction Management (CM) Team, Consultant will review and take appropriate action in respect to Contractor-prepared submittals required by the specifications, including shop drawings, product catalog cut sheets, certificates of compliance, samples, and other data which the Contractor is required to submit, but only for conformance with the information given in the contract documents. Such review and responsive 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 of each submittal. The completed review will include a review stamp indicating results of the review with notes for additional action by the Contractor as may be deemed necessary. This task assumes the Consultant will review up to 20 contractor submittals.
- 4.3 Respond to Requests for Information (RFI) – At the direction of MTS or the MTS CM Team, Consultant will review and respond to Construction Contractor RFIs. Issue necessary clarifications and interpretations of the contract documents, as appropriate. Any orders authorizing variations from the contract documents will be made by the MTS CM Team. This task assumes the Consultant will review and respond to up to 40 RFIs.
- 4.4 Field Observations – At the direction of MTS or the MTS CM Team, Consultant will perform site visits to assist responding to RFIs, gather data for developing Construction Change Orders (CCOs), or to perform other specific tasks such as observation of change in condition, contractor implementation for substitution, field verifications, pre-testing and in-service testing, etc. This task includes up to 12 field visits during construction.
- 4.5 Prepare Design Revisions/Design Change Notices (DCNs) – Consultant will prepare revisions to design plans and technical specifications as directed. Consultant will work with MTS and the MTS CM Team to assess the purpose for implementing a potential change, develop an appropriate solution, and develop corresponding revisions to the design plans and technical 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, Consultant will develop cost estimates to coincide with the proposed changes. Design revisions will be transmitted in PDF file format. This task includes the preparation of up to five design revisions affecting no more than 20 plan sheets, and QA/QC of all revised sheets.
- 4.6 Punchlist and Closeout Activities
 - 4.6.1 Punchlist / Closeout – As the project nears Substantial Completion, the Consultant will assist the CM team in preparing a punchlist of items to be addressed by the Contractor. Assistance with the punchlist will entail site walks as directed by MTS and/or the MTS CM Team.
 - 4.6.2 Project As-built Drawings – Once the CM team verifies the accuracy and completion of Contractor's as-built redlines and they are transmitted to the design team, Consultant will prepare draft and final as-built drawings to be reviewed and approved by MTS. As-built plans prepared under this Work Order will not include any work performed by the Construction contractor subsequent to Completion of Work. This task includes QA/QC of draft and final as-built drawings.

Task 5 – Survey and Geotechnical Engineering

- 5.1 Field Visits – Field visits were not included in the original work order. This amendment includes two field visits to verify locations of existing utilities, amenities, and street furniture, as well as one field visit with MTS Marketing staff to finalize wayfinding sign locations and details.
- 5.2 Topographic and Boundary Survey – Original work order included ground and boundary survey on Kettner Boulevard between Broadway and B Street.
This amendment provides additional field survey for locations of proposed wayfinding signage.

Task 6 – Final Design, Specifications, and Estimate

- 6.1 Civil – Roadway and General Design – Engineering and preparation of additional plan sheets, reports, and documents required by DSD including:
 - a. Existing Curb Utilization Plan
 - b. Proposed Curb Utilization Plan
 - c. Bus Shelter Detail
- 6.2 Civil – Grading and Drainage Design – No additional work.
- 6.3 Civil – Erosion Control Design – During the first cycle of DSD's review of the project, they identified the need for an additional phase of erosion control. Consultant will prepare an additional plan sheet depicting this additional phase.
- 6.4 Civil – Utilities Design – No additional work.
- 6.5 Structural Design – No additional work.
- 6.6 Landscape and Irrigation Design – No additional work.
- 6.7 Traffic Signal Design – Additional traffic signal modification plan sheet to accommodate two additional traffic signal phases requested by City of San Diego.
- 6.8 Street Lighting Design – No additional work.
- 6.9 Signing & Striping Design – Additional City of San Diego plan sheet to identify sizes and locations of wayfinding signs outside of the project footprint.
- 6.10 Wayfinding Design – Additional plan updates to address changing direction from MTS Marketing.
- 6.11 Temporary Traffic Control Design – The original work order included the preparation of plans for three (3) phases of traffic control. Following plan review and discussions with City of San Diego, an additional five (5) phases of traffic control will be required.
- 6.12 Construction Schedule and Staging Design – Preparation of a preliminary construction schedule and plans detailing the anticipated work to be completed for up to eight (8) stages of construction.
- 6.13 Engineer's Opinion of Probable Cost – Calculation of quantities and associated costs corresponding to additional plan sheets and improvements.
- 6.14 Specifications – Preparation of specification sections corresponding to additional plan sheets.

- 6.15 Water Pollution Control Plan (WPCP) – During the first cycle of DSD’s review of the project, they identified the need for a WPCP. Consultant will prepare the plan per the latest version of the City’s Storm Water Standards.
- 6.16 Plats and Legal Descriptions – The construction of the proposed improvements will require the acquisition of temporary construction easements for work along the edge of the street right-of-way. Consultant will prepare plats and legal descriptions to facilitate the negotiation of these acquisitions.

IV. PERIOD OF PERFORMANCE

The anticipated duration of this task order is 37 months from NTP.

V. DELIVERABLES

MTS expects to receive the following deliverables produced over the course of this project:

Task 1

- Monthly Invoices and Status Reports for 20 months of reporting
- Meeting Agendas, Minutes, and Sign-in Sheets

Task 2

- None

Task 3

- Partial Division 1 specifications, as needed
- Up to five updated plan sheets in PDF format, as needed
- Comment review log for constructability review
- Updated construction documents for up to three addenda, as needed

Task 4

- Stamped submittal reviews
- Responses to RFIs
- Field notes as needed
- Revisions to design plans and technical specifications with corresponding cost estimates, as needed
- Punchlist
- Draft and final as-built drawings

Task 5

- Point file for additional survey

Task 6

- One PDF copy and one full-size mylar copy of additional plan sheets to be submitted to the City of San Diego
- One PDF copy of additional IFC plan sheets
- One PDF copy of Water Pollution Control Plan
- One PDF copy of preliminary construction schedule
- One PDF copy of construction staging plans
- Comment review log for constructability review

VI. SCHEDULE OF SERVICES/MILESTONES/DELIVERABLES

A. Schedule

Task No.	Task	Due Date or Begin / End Dates*
1	Project Management	NTP / NTP + 18 months
2.1	Outside Agency/ Stakeholder Coordination	NTP / NTP + 18 months
3.1	Responses to bidder questions	NTP + 2 months / NTP + 4 months
3.2	Division 1 specifications	NTP + 2 months / NTP + 4 months
3.3	Constructability review response	NTP + 1 month / NTP + 2 months
3.4	Prepare Addenda	NTP + 2 months / NTP + 4 months
4.1	DSDC – Weekly Construction Meetings	NTP + 6 months / NTP + 18 months
4.2	DSDC – Submittal Review	NTP + 6 months / NTP + 18 months
4.3	DSDC – Respond to RFIs	NTP + 6 months / NTP + 18 months
4.4	DSDC – Field Visits	NTP + 6 months / NTP + 18 months
4.5	DSDC – Design Revisions / DCNs	NTP + 6 months / NTP + 18 months
4.6	DSDC – Punchlist / Closeout / As-builts	NTP + 18 months / NTP + 20 months
5.1	Field Visits	NTP / NTP + 2 months
5.2	Topographic and Boundary Survey	NTP / NTP + 2 months
6.1 – 6.11	Multidisciplinary Design / Plans	NTP / NTP + 2 months
6.12	Construction Schedule & Staging Plan	NTP / NTP + 2 months
6.13	Engineer's Opinion of Probable Cost (OPC)	NTP / NTP + 2 months
6.14	Specifications	NTP / NTP + 2 months
6.15	Water Pollution Control Plan	NTP / NTP + 2 months
6.16	Plats & Legal Descriptions	NTP / NTP + 2 months

*Durations provided in working days

B. Milestones/Deliverables Schedule

Task	Milestone/Deliverable	Due Date*
1.1	Progress Reports	Monthly
1.3	Meeting Agenda / Minutes	Monthly / As Needed
3.1	Partial Division 1 specifications	NTP + 2 months / NTP + 4 months
3.2	Updated plan sheets	NTP + 2 months / NTP + 4 months
3.3	Constructability Review Comment Responses and Updated Plans	NTP + 1 month / NTP + 2 months
3.4	Updated construction documents for bid addenda	NTP + 2 months / NTP + 4 months
4.2	Submittal Reviews	Within 10 days of receipt
4.3	Responses to RFIs	Within 5 days of receipt
4.4	Field Meeting Notes	Within 5 days of meeting
4.5	Design Revisions	Varies based on complexity/ coordination needs

4.6.1	Punchlist	Within 10 days of substantial completion
4.6.2	Draft As-Built Drawings	Within 15 days of receipt of redlines
4.6.2	Final As-Built Drawings	Within 5 days of receipt of review comments
5.2	Survey Data Files	NTP + 2 months
6.1 – 6.11	Updated / Approved Drawings	NTP + 2 months
6.12	Construction Schedule	NTP + 1 month
6.12	Construction Staging Plans	NTP + 2 months
6.13	Updated Engineer's OPC	NTP + 2 months
6.14	Updated Specifications	NTP + 2 months
6.15	Water Pollution Control Plan	NTP + 2 months
6.16	Approved Plats & Legal Descriptions	NTP + 2 months

*Durations provided in working days

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

- As-built records of design plans, geotechnical investigations, as-builts, design reports, land surveys and prior inspection reports in electronic format.
- Train and bus operation requirements during construction.

VIII. SPECIAL CONDITIONS

Specific assumptions are included within the scope items. Additional assumptions include the following:

- Design shall comply with City of San Diego Street Design Manual (March 2017), MTS Designing for Transit Manual (February 2018) and any other criteria and/or guidance for the Authority having Jurisdiction
- Design drawings shall be developed to comply with the City of San Diego CADD standards
- City of San Diego review period of 30 calendar days
- Traffic Index to be provided by City of San Diego
- New streetlights will not require additional feeds or coordination with SDG&E. All relocated and new lights will be connected to existing streetlight circuits.
- Over the shoulder review with MTS and the City of San Diego
- Eight (8) stages of construction are assumed for traffic control.

The following items are excluded from this Scope of Work:

- Basis of Design Document
- Environmental documents/reports
- Construction Permits
- Drainage Report
- Soil horticultural analysis and/or testing
- Traffic signal coordination timing plans
- Fiber splice diagrams
- Temporary signals
- One review cycle for each deliverable. Review comments will be compiled by MTS's review team and sent to Consultant.
- MTS will obtain necessary permits, pay permit fees, and facilitate communication of field work with stakeholders.
- MTS will prepare general conditions, assemble bid package, and distribute the invitation to bid.
- Stormwater Pollution Prevention Plan (SWPPP)

IX. MTS ACCEPTANCE OF SERVICES:

Contractor shall not be compensated at any time for unauthorized work outside of this Work Order. Contractor 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 Contractor provides final service(s) or final work product(s) which are found to be unacceptable due to Contractors and/or Contractors subcontractors negligence and thus not 100% complete by MTS' Project Manager, Contractor 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. Contractor 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 construction management and/or implementation phases associated with the services rendered by the Contractor, if MTS finds any work product provided by Contractor to be deficient and the deficiently delays any portion of the project, Contractor 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:

- Revising provided documents

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

XI. DELIVERABLE REQUIREMENTS

Contractor 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 Contractor to any third party.

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

Contractor'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. Contractor shall maintain backup copies of all data conveyed to MTS.

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

XII. PRICING

Pricing shall be firm and fixed for the duration of the Work Order and any subsequent Change Orders/Amendments to the Work Order. There shall be no escalation of rates or fees allowed.

XIII. ADDITIONAL INFORMATION

List additional information as applicable to the specific Work Order scope of services.

XIV. PREVAILING WAGE

Prevailing wage rates apply to certain personnel for these services? Yes ☐ No ☒

**ATTACHMENT B
NEGOTIATED FEE PROPOSAL**

DRAFT

Work Order Estimate Summary

Att.A, AI 7, 06/15/23

MTS Doc. No. **PWL354.0-22**

Work Order No. **WOA354-AE-23**

Attachment: **B**

Work Order Title: **America Plaza Pedestrian Enhancements Final Design and DSDC**

Table 1 - Cost Codes Summary (Costs & Hours)

Item	Cost Codes	Cost Codes Description	Total Costs
1		America Plaza / Santa Fe Depot Pedestrian Enhancement	\$555,542.74
2			

Totals = **\$555,542.74**

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

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1	Task 1	Project Management and Coordination	422	\$86,591.94
2	Task 2	Outside Agency Coordination and Approvals	364	\$71,022.48
3	Task 3	Construction Procurement Bid Phase	125	\$24,696.78
4	Task 4	Design Support During Construction (DSDC)	1089	\$220,903.80
5	Task 5	Survey and Geotechnical Engineering	80	\$13,686.68
6	Task 6	Final Design, Specifications, and Estimate	850	\$138,641.06

Totals = **2,930.0** **\$555,542.74**

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

(If Applicable, Select One)				Consultant	Labor Hrs	Total Costs
DBE	DVBE	SBE	Other			
				Mott MacDonald	1,874	\$393,566.92
x		x		Estrada Land Planning	148	\$23,307.56
				Ninyo & Moore	52	\$9,030.68
		x		STC Traffic, Inc.	622	\$96,895.14
x				Aguirre & Associates	126	\$19,610.14
				Fehr & Peers	100	\$13,132.30

Totals = **2,922.0** **\$555,542.74**

Work Order Estimate
Summary

Att.A, AI 7, 06/15/23

Total Hours =			1,132		Consultant/Subconsultant: Mott MacDonald										MTS Doc. No.: PWL354.0-22	
Total Costs =			\$255,025.28		Work Order Title: America Plaza Pedestrian Enhancements Final Design and DSDC										Work Order No.: WOA354-AE-23	
					Attachment: B											

Work Order Estimate Summary

Att.A, AI 7, 06/15/23

Consultant/ Subconsultant: **Mott MacDonald**

Contract No: **PWL354.0-22**

Task Order No. **WOA354-AE-23**

Work Order Title: **America Plaza Pedestrian Enhancements Final Design and DSDC**

Attachment: **B**

TASKS/WBS (1-5)													
ODC Item	Description	Unit	Unit Cost	Task 1		Task 2		Task 3		Task 4		Task 5	
				Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage	mi	\$0.655							500	\$327.50		
2	Printing	LS	\$100.00										
3	Shipping	LS	\$25.00										
4	Parking	hr	\$4.00							40	\$160.00		
5													
6													
7													
8													
9													
10													
Subtotal =						Subtotal =				Subtotal =			
										Subtotal =		\$487.50	

TASKS/WBS (6-10)													
ODC Item	Description	Task 6		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Totals	
		Quantity	Total									Quantity	Total
1	Mileage											500	\$327.50
2	Printing												
3	Shipping												
4	Parking											40	\$160.00
5													
6													
7													
8													
9													
10													
Subtotal =				Subtotal =				Subtotal =				Subtotal =	
												Totals =	
												\$487.50	

Work Order Estimate
Summary

Att.A, AI 7, 06/15/23

Total Hours =		742	Consultant/Subconsultant:		Mott MacDonald										MTS Doc. No.:	#REF!
Total Costs =		\$138,356.14	Work Order Title:		America Plaza Pedestrian Enhancements Final Design and DSDC										Work Order No.:	#REF!
			Attachment:		B											
Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Project Manager - Principal	Principal Engineer - Rail & Transit	Senior project Engineer - Utilities/Civil	Senior Project Engineer - Rail & Transit	Project Engineer - Estimator	Engineer 3	Engineer 4 - Rail Systems	Principal Engineer - Structural	Senior CAD	Principal Engineer - Fire and Life Safety	Admin	Total Hours	Totals
				\$ 301.19	\$ 282.75	\$ 198.23	\$ 190.55	\$ 159.82	\$ 106.03	\$ 152.90	\$ 233.58	\$ 146.52	\$ 298.12	\$ 89.13		
1	Task 1	Project Management and Coordination														
	1.1	Project Management		24			8							60	92	\$14,100.76
	1.2	Project Coordination with MTS		24			8								32	\$8,752.96
	1.3	Meeting Coordination														
	1.4	Quality Assurance / Quality Control		6	8	8	10	4			4				40	\$9,134.08
		ODCs														
		Subtotals (Hours) =		54	8	8	26	4			4			60	164	\$31,987.80
		Subtotals (Costs) =		\$16,264.26	\$2,262.00	\$1,585.84	\$4,954.30	\$639.28			\$934.32			\$5,347.80	164	\$31,987.80
2	Task 2	Outside Agency Coordination and Approvals														
	2.1	Agency and Stakeholder Coordination		30			30		20	20					100	\$19,930.80
	2.2	As-builts and Document Collection and Review		4					16	10					30	\$4,430.24
		ODCs														
		Subtotals (Hours) =		34			30		36	30					130	\$24,361.04
		Subtotals (Costs) =		\$10,240.46			\$5,716.50		\$3,817.08	\$4,587.00					130	\$24,361.04
3	Task 3	Construction Procurement Bid Phase Support														
		Procurement Support		-8		-40						-16			-64	(\$12,683.04)
		Subtotals (Hours) =		-8		-40						-16			-64	(\$12,683.04)
		Subtotals (Costs) =		-\$2,409.52		-\$7,929.20						-\$2,344.32			-64	(\$12,683.04)
5	Task 5	Survey and Geotechnical Engineering														
	5.1	Field Visits		4					8	4					16	\$2,664.60
	5.2	Topographic and Boundary Survey					2			2					4	\$686.90
		ODCs	\$185.50													\$185.50
		Subtotals (Hours) =	N/A	4			2		8	6					20	\$3,537.00
		Subtotals (Costs) =		\$1,204.76			\$381.10		\$848.24	\$917.40					20	\$3,537.00
6	Task 6	Final Design, Specifications, and Estimate														
	5.1	Civil - Roadway and General Design		10	2	2	40		40	30					124	\$20,424.06
	5.7	Traffic Signal Design					2								2	\$381.10
	5.9	Signing & Striping Design		8			2		12	8					30	\$5,286.18
	5.10	Wayfinding Design		8					20	12	10				50	\$8,700.72
	5.11	Temporary Traffic Control Design					2								2	\$381.10
	5.12	Construction Schedule and Staging Design		6	4	4	4	8		44		20	40		130	\$27,354.62
	5.13	Engineer's Opinion of Probable Cost		4	4	4	8		16	4					40	\$6,961.16
	5.14	Specifications		4	2	2	20	8		8	8				52	\$10,348.12
	5.15	Water Pollution Control Plan (WPCP)		4	2	2	30			12					50	\$9,718.02
	5.16	Plats & Legal Descriptions								4		8			12	\$1,783.76
		Subtotals (Hours) =	N/A	44	14	14	108	16	88	122	18	28	40		492	\$91,338.84
		Subtotals (Costs) =		\$13,252.36	\$3,958.50	\$2,775.22	\$20,579.40	\$2,557.12	\$9,330.64	\$18,653.80	\$4,204.44	\$4,102.56	\$11,924.80		492	\$91,338.84
Totals (Summary) =																
Total (Hours) =				128	22	-18	166	20	132	158	22	12	40	60	742	
Total (Costs) =				\$38,552.32	\$6,220.50	-\$3,568.14	\$31,631.30	\$3,196.40	\$13,995.96	\$24,158.20	\$5,138.76	\$1,758.24	\$11,924.80	\$5,347.80		\$138,541.64

Work Order Estimate Summary

Att.A, AI 7, 06/15/23

Consultant/ Subconsultant: **Mott MacDonald**

Contract No: **#REF!**

Task Order No. **#REF!**

Work Order Title: **America Plaza Pedestrian Enhancements Final Design and DSDC**

Attachment: **B**

TASKS/WBS (1-5)													
ODC Item	Description	Unit	Unit Cost	Task 1		Task 2		Task 3		Task 4		Task 5	
				Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage	mi	\$0.655					100	\$65.50				
2	Printing	LS	\$100.00										
3	Shipping	LS	\$25.00										
4	Parking	hr	\$4.00					30	\$120.00				
5													
6													
7													
8													
9													
10													
Subtotal =						Subtotal =				Subtotal =			
									\$185.50				

TASKS/WBS (6-10)													
ODC Item	Description	Task 6		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Totals	
		Quantity	Total									Quantity	Total
1	Mileage											100	\$65.50
2	Printing												
3	Shipping												
4	Parking											30	\$120.00
5													
6													
7													
8													
9													
10													
Subtotal =				Subtotal =				Subtotal =				Subtotal =	
												Totals =	
												\$185.50	

Work Order Estimate
Summary

Total Hours =

126

Total Costs =

\$19,610.14

Consultant/Subconsultant: Aguirre & Associates

MTS Doc. No.: G1951.0-17

Work Order No.: WOA1951-AE-63

Work Order Title: America Plaza Pedestrian Enhancements Final Design

Attachment: B

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Chainman (Prevailing Wage)	Party Chief (Prevailing Wage)	Principal Land Surveyor	Survey Technician						Total Hours	Totals	Percent of Total	
															Hours	Costs
1	Task 1	Project Management and Coordination														
	1.4	Quality Assurance / Quality Control				4	2						6	\$951.82		
		ODCs														
		Subtotals (Hours) =				4	2						6	\$951.82		
		Subtotals (Costs) =				\$746.72	\$205.10						6	\$951.82	5%	5%
5	Task 5	Survey and Geotechnical Engineering														
	3.2	Topographic and Boundary Survey		8	20	16	16						60	\$10,149.68		
		ODCs														
		Subtotals (Hours) =		8	20	16	16						60	\$10,149.68		
		Subtotals (Costs) =		\$1,552.80	\$3,969.20	\$2,986.88	\$1,640.80						60	\$10,149.68	48%	52%
6	Task 6	Final Design, Specifications, and Estimate														
	4.16	Plats & Legal Descriptions				28	32						60	\$8,508.64		
		ODCs														
		Subtotals (Hours) =	N/A			28	32						60	\$8,508.64		
		Subtotals (Costs) =				\$5,227.04	\$3,281.60						60	\$8,508.64	48%	43%
Totals (Summary) =													126	\$19,610.14		
Total (Hours) =													126			
Total (Costs) =														\$19,610.14		
Percentage of Total (Hours) =													100%			
Percentage of Total (Costs) =														100%		

Work Order Estimate
Summary

Att.A, AI 7, 06/15/23

Total Hours =

181

Total Costs =

\$27,156.80

Consultant/Subconsultant: Estrada Land Planning

MTS Doc. No.: PWL354.0-22

Work Order No.: WOA354-AE-23

Work Order Title: America Plaza Pedestrian Enhancements Final Design and DSDC

Attachment: B

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Project Manager	Architect - 3	Architect - Sr	CADD - 3	Admin - Sr					Total Hours	Totals	Percent of Total	
															Hours	Costs
				\$ 259.21	\$ 139.30	\$ 150.56	\$ 81.68	\$ 152.51								
1	Task 1	Project Management and Coordination														
	1.1	Project Management		12		4							12	\$3,110.52		
	1.2	Project Coordination with MTS		2		4							6	\$1,120.66		
		ODCs														
		Subtotals (Hours) =		14		4							18	\$4,231.18		
		Subtotals (Costs) =		\$3,628.94		\$602.24							18	\$4,231.18	10%	16%
2	Task 2	Outside Agency Coordination and Approvals														
	2.1	Agency and Stakeholder Coordination				8							8	\$1,204.48		
		ODCs														
		Subtotals (Hours) =				8							8	\$1,204.48		
		Subtotals (Costs) =				\$1,204.48							8	\$1,204.48	4%	4%
3	Task 3	Construction Procurement Bid Phase														
	3.1	Responses to Bidder Questions				8							8	\$1,204.48		
	3.2	Division 1 Specifications														
	3.3	Constructability Review Response		2		4	8						30	\$1,774.10		
	3.4	Prepare Addenda														
		ODCs														
		Subtotals (Hours) =		2		12	8						38	\$2,978.58		
		Subtotals (Costs) =		\$518.42		\$1,806.72	\$653.44						38	\$2,978.58	21%	11%
4	Task 4	Design Support During Construction (DSDC)														
	4.1	Weekly Construction Meetings		20		20							40	\$8,195.40		
	4.2	Review and Approve Submittals				10							10	\$1,505.60		
	4.3	Respond to RFIs				20							20	\$3,011.20		
	4.4	Field Observations				12							12	\$1,806.72		
	4.5	Prepare Design Revisions / Design Change Notices				5	10						15	\$1,569.60		
	4.6	Punchlist and Closeout Activities														
	4.6.1	Punchlist / Closeout				8							8	\$1,204.48		
	4.6.2	Project As-Built Drawings				5	7						12	\$1,324.56		
		ODCs	\$125.00											\$125.00		
		Subtotals (Hours) =	N/A	20		80	17						117	\$18,742.56		
		Subtotals (Costs) =	\$125.00	\$5,184.20		\$12,044.80	\$1,388.56						117	\$18,742.56	65%	69%
		Totals (Summary) =											181	\$27,156.80		
		Total (Hours) =		36		104	25						181			
		Total (Costs) =	\$125.00	\$9,331.56		\$15,658.24	\$2,042.00							\$27,156.80		
		Percentage of Total (Hours) =	N/A	20%		57%	14%						100%			
		Percentage of Total (Costs) =	0%	34%		58%	8%							100%		

Work Order Estimate Summary

Att.A, AI 7, 06/15/23

Consultant/ Subconsultant: **Estrada Land Planning**

Contract No: **PWL354.0-22**

Task Order No. **WOA354-AE-23**

Work Order Title: **America Plaza Pedestrian Enhancements Final Design and DSDC**

Attachment: **B**

TASKS/WBS (1-5)													
ODC Item	Description	Unit	Unit Cost	Task 1		Task 2		Task 3		Task 4		Task 5	
				Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage	mi	\$0.655										
2	Printing	LS	\$100.00							1	\$100.00		
3	Shipping	LS	\$25.00							1	\$25.00		
4	Parking	hr	\$4.00										
5													
6													
7													
8													
9													
10													
Subtotal =						Subtotal =				Subtotal =			
										Subtotal =		\$125.00	

TASKS/WBS (6-10)													
ODC Item	Description	Task 6		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Totals	
		Quantity	Total									Quantity	Total
1	Mileage												
2	Printing											1	\$100.00
3	Shipping											1	\$25.00
4	Parking												
5													
6													
7													
8													
9													
10													
Subtotal =				Subtotal =				Subtotal =				Subtotal =	
												Totals =	
												\$125.00	

Work Order Estimate
Summary

Total Hours =

-33

Total Costs =

(\$3,849.24)

Consultant/Subconsultant:

Estrada Land Planning

MTS Doc. No.:

#REF!

Work Order No.:

#REF!

Work Order Title:

America Plaza Pedestrian Enhancements Final Design and DSDC

Attachment:

B

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Principal	Senior Landscape Architect	Senior Landscape Designer	Designer / CADD Specialist						Total Hours	Totals	Percent of Total	
				\$ 241.28	\$ 132.68	\$ 114.02	\$ 76.03								Hours	Costs
1	Task 1	Project Management and Coordination														
	1.1	Project Management			12								12	\$1,592.16		
	1.2	Project Coordination with MTS														
	1.3	Meeting Coordination			12								12	\$1,592.16		
	1.4	Quality Assurance / Quality Control														
		ODCs														
Subtotals (Hours) =					24							24	\$3,184.32			
Subtotals (Costs) =					\$3,184.32							24	\$3,184.32	-73%	-83%	
2	Task 2	Outside Agency Coordination and Approvals														
	2.1	Agency and Stakeholder Coordination			20								20	\$2,653.60		
	2.2	As-builts and Document Collection and Review														
		ODCs														
Subtotals (Hours) =					20							20	\$2,653.60			
Subtotals (Costs) =					\$2,653.60							20	\$2,653.60	-61%	-69%	
3	Task 3	Construction Procurement Support														
	3.1	Procurement Support		-2	-35	-40							-77	(\$9,687.16)		
		ODCs														
Subtotals (Hours) =				N/A	-2	-35	-40					-77	(\$9,687.16)			
Subtotals (Costs) =					-\$482.56	-\$4,643.80	-\$4,560.80					-77	(\$9,687.16)	233%	252%	

Work Order Estimate
Summary

Total Hours =
Total Costs =

100

\$13,132.30

Consultant/Subconsultant: Fehr & Peers

Work Order Title: #REF!

MTS Doc. No.: #REF!
Work Order No.: #REF!
Attachment: B

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Admin Asst	Engineer II	Principal	Senior Planner III	Work Order Manager					Total Hours	Totals	Percent of Total	
				\$ 89.18	\$ 110.73	\$ 297.22	\$ 166.46	\$ 138.21							Hours	Costs
2	Task 2	Outside Agency Coordination and Approvals														
	2.1	Agency and Stakeholder Coordination					8	8					16	\$2,437.36		
	2.2	As-builts and Document Collection and Review														
		ODCs														
Subtotals (Hours) =							8	8					16	\$2,437.36		
Subtotals (Costs) =							\$1,331.68	\$1,105.68					16	\$2,437.36	16%	19%
3	Task 3	Construction Procurement Bid Support														
		Procurement Support		-2	-4	-2	-4	-4					-16	(\$2,434.40)		
Subtotals (Hours) =			N/A	-2	-4	-2	-4	-4					-16	(\$2,434.40)		
Subtotals (Costs) =				-\$178.36	-\$442.92	-\$594.44	-\$665.84	-\$552.84					-16	(\$2,434.40)	-16%	-19%
6	Task 6	Final Design, Specifications, and Estimate														
	6.3	Signing & Striping Design			30	2		10					42	\$5,298.44		
	6.5	Wayfinding Design			24	4		12					40	\$5,504.92		
	6.8	Engineer's Opinion of Probable Cost			2			2					4	\$497.88		
	6.10	Constructability Review Response			8		4	2					14	\$1,828.10		
Subtotals (Hours) =			N/A		64	6	4	26					100	\$13,129.34		
Subtotals (Costs) =					\$7,086.72	\$1,783.32	\$665.84	\$3,593.46					100	\$13,129.34	100%	100%
Totals (Summary) =													100	\$13,132.30		
Total (Hours) =				-2	-4	-2	4	4								
Total (Costs) =				-\$178.36	-\$442.92	-\$594.44	\$665.84	\$552.84								
Percentage of Total (Hours) =			N/A	-2%	-4%	-2%	4%	4%								
Percentage of Total (Costs) =				-1%	-3%	-5%	5%	4%							0%	

Work Order Estimate
Summary

Total Hours =

52

Total Costs =

\$9,030.68

Consultant/Subconsultant:

Ninyo & Moore

MTS Doc. No.:

PWL354.0-22

Work Order No.:

WOA354-AE-23

Work Order Title:

America Plaza Pedestrian Enhancements Final Design and DSDC

Attachment:

B

Item TASKS/WBS TASKS/WBS Description

ODCs (See Attachment)	Engineer - Principal (Geotech)	Engineer - 2 (Geotech)	Environment alist - 2	Environment alist - 1	CADD - 2	Admin - 2	Admin - 3			Total Hours	Totals	Percent of Total	
	\$ 229.71	\$ 125.63	\$ 119.13	\$ 89.97	\$ 98.68	\$ 72.33	\$ 97.98					Hours	Costs

4	Task 4	Design Support During Construction (DSDC)											
	4.1 Weekly Construction Meetings		8								8	\$1,837.68	
	4.2 Review and Approve Submittals		4	16							20	\$2,928.92	
	4.3 Respond to RFIs		4	12							16	\$2,426.40	
	4.4 Field Observations		8								8	\$1,837.68	
	4.5 Prepare Design Revisions / Design Change Notices												
	4.6 Punchlist and Closeout Activities												
	4.6.1 Punchlist / Closeout												
	4.6.2 Project As-Built Drawings												
	ODCs												

Subtotals (Hours) =	N/A	24	28								52	\$9,030.68	
Subtotals (Costs) =		\$5,513.04	\$3,517.64								52	\$9,030.68	100% 100%

Totals (Summary) =

Total (Hours) =

Total (Costs) =

Percentage of Total (Hours) =

Percentage of Total (Costs) =

N/A

24 28
\$5,513.04 \$3,517.64
46% 54%
61% 39%

52	\$9,030.68
----	------------

52
\$9,030.68

100%

100%

Work Order Estimate Summary

Att.A, AI 7, 06/15/23

Consultant/ Subconsultant: **Ninyo & Moore**

Contract No: **PWL354.0-22**

Task Order No. **WOA354-AE-23**

Work Order Title: **America Plaza Pedestrian Enhancements Final Design and DSDC**

Attachment: **B**

TASKS/WBS (1-5)													
ODC Item	Description	Unit	Unit Cost	Task 1		Task 2		Task 3		Task 4		Task 5	
				Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage	mi	\$0.655										
2	Printing	LS	\$100.00										
3	Shipping	LS	\$25.00										
4	Parking	hr	\$4.00										
5													
6													
7													
8													
9													
10													
Subtotal =						Subtotal =				Subtotal =			

TASKS/WBS (6-10)													
ODC Item	Description	Task 6		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Totals	
		Quantity	Total									Quantity	Total
1	Mileage												
2	Printing												
3	Shipping												
4	Parking												
5													
6													
7													
8													
9													
10													
Subtotal =				Subtotal =				Subtotal =				Subtotal =	
				Subtotal =				Subtotal =				Totals =	

Work Order Estimate
Summary

Total Hours =
Total Costs =

366

\$62,675.06

Consultant/Subconsultant:

STC Traffic, Inc.

MTS Doc. No.:

PWL354.0-22

Work Order No.:

WOA354-AE-23

Attachment:

B

Work Order Title:

America Plaza Pedestrian Enhancements Final Design and DSDC

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Contract Manager	Project Manager	Engineer - Sr	Engineer - 3	Engineer - 2	Engineer - 1				Total Hours	Totals	Percent of Total	
				\$ 278.90	\$ 180.65	\$ 161.86	\$ 129.52	\$ 109.83	\$ 91.04						Hours	Costs
1	Task 1	Project Management and Coordination														
	1.1	Project Management		8	20								28	\$5,844.20		
		ODCs	\$60.00											\$60.00		
		Subtotals (Hours) =		8	20								28	\$5,904.20		
		Subtotals (Costs) =	\$60.00	\$2,231.20	\$3,613.00								28	\$5,904.20	8%	9%
2	Task 2	Outside Agency Coordination and Approvals														
	2.1	Agency and Stakeholder Coordination		4	8		8						20	\$3,596.96		
		ODCs														
		Subtotals (Hours) =		4	8		8						20	\$3,596.96		
		Subtotals (Costs) =		\$1,115.60	\$1,445.20		\$1,036.16						20	\$3,596.96	5%	6%
3	Task 3	Survey and Geotechnical Engineering														
	3.1	Responses to Bidder Questions		2	16	4	8						30	\$5,131.80		
	3.2	Division 1 Specifications														
	3.1	Constructability Review Response			8	8		16					32	\$4,497.36		
	3.2	Prepare Addenda		2	4			8					14	\$2,159.04		
		ODCs														
		Subtotals (Hours) =		4	28	12	8	24					76	\$11,788.20		
		Subtotals (Costs) =		\$1,115.60	\$5,058.20	\$1,942.32	\$1,036.16	\$2,635.92					76	\$11,788.20	21%	19%
4	Task 4	Final Design, Specifications, and Estimate														
	4.1	Weekly Construction Meetings		4	18								22	\$4,367.30		
	4.2	Review and Approve Submittals			20								20	\$3,613.00		
	4.3	Respond to RFIs		4	26								30	\$5,812.50		
	4.4	Field Observations			48								48	\$8,671.20		
	4.5	Prepare Design Revisions / Design Change Notices		2	20		60						82	\$11,942.00		
	4.6	Punchlist and Closeout Activities														
	4.6.1	Punchlist / Closeout			20								20	\$3,613.00		
	4.6.2	Project As-Built Drawings				20							20	\$3,237.20		
		ODCs	\$129.50											\$129.50		
		Subtotals (Hours) =	N/A	10	152	20	60						242	\$41,385.70		
		Subtotals (Costs) =	\$129.50	\$2,789.00	\$27,458.80	\$3,237.20	\$7,771.20						242	\$41,385.70	66%	66%
Totals (Summary) =													366	\$62,675.06		
Total (Hours) =													366			
Total (Costs) =														\$62,675.06		
Percentage of Total (Hours) =													100%			
Percentage of Total (Costs) =														100%		

Work Order Estimate Summary

Att.A, AI 7, 06/15/23

Consultant/ Subconsultant: **STC Traffic, Inc.**

Contract No: **PWL354.0-22**

Task Order No. **WOA354-AE-23**

Work Order Title: **America Plaza Pedestrian Enhancements Final Design and DSDC**

Attachment: **B**

TASKS/WBS (1-5)													
ODC Item	Description	Unit	Unit Cost	Task 1		Task 2		Task 3		Task 4		Task 5	
				Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage	mi	\$0.655							100	\$65.50		
2	Printing	LS	\$100.00										
3	Shipping	LS	\$15.00	4	\$60.00								
4	Parking	hr	\$4.00							16	\$64.00		
5													
6													
7													
8													
9													
10													
Subtotal =				\$60.00		Subtotal =				Subtotal =		\$129.50	

TASKS/WBS (6-10)													
ODC Item	Description	Task 6		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Totals	
		Quantity	Total									Quantity	Total
1	Mileage											100	\$65.50
2	Printing												
3	Shipping											4	\$60.00
4	Parking											16	\$64.00
5													
6													
7													
8													
9													
10													
Subtotal =				Subtotal =				Subtotal =				Subtotal =	
												Totals =	
												\$189.50	

Work Order Estimate
Summary

Total Hours =
Total Costs =

256

\$34,220.08

Consultant/Subconsultant: STC Traffic, Inc.

MTS Doc. No.: #REF!
Work Order No.: #REF!

Work Order Title: #REF!

Attachment: B

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Principal Manager	Project Manager	Project Engineer	Project Engineer	Associate Engineer					Total Hours	Totals	Percent of Total	
				\$ 238.32	\$ 154.10	\$ 119.70	\$ 119.70	\$ 98.82							Hours	Costs
1	Task 1	Project Management and Coordination														
	1.1	Project Management			16								16	\$2,465.60		
		ODCs														
		Subtotals (Hours) =			16								16	\$2,465.60		
		Subtotals (Costs) =			\$2,465.60								16	\$2,465.60	6%	7%
2	Task 2	Outside Agency Coordination and Approvals														
	2.1	Agency and Stakeholder Coordination		2	24	16							42	\$6,090.24		
	2.2	As-builts and Document Collection & Review														
		ODCs														
		Subtotals (Hours) =		2	24	16							42	\$6,090.24		
		Subtotals (Costs) =		\$476.64	\$3,698.40	\$1,915.20							42	\$6,090.24	16%	18%
6	Task 6	Final Design, Specifications, and Estimate														
	4.2	Traffic Signal Design		4	4	10							18	\$2,766.68		
	4.4	Temporary Traffic Control Design		8	30	40		60					138	\$17,246.76		
	4.8	Engineer's Opinion of Probable Cost		2	4			8					14	\$1,883.60		
	4.10	Constructability Review Response		4	8			16					28	\$3,767.20		
		Subtotals (Hours) =	N/A	18	46	50		84					198	\$25,664.24		
		Subtotals (Costs) =		\$4,289.76	\$7,088.60	\$5,985.00		\$8,300.88					198	\$25,664.24	77%	75%
		Totals (Summary) =											256	\$34,220.08		
		Total (Hours) =		20	86	66		84					256			
		Total (Costs) =		\$4,766.40	\$13,252.60	\$7,900.20		\$8,300.88						\$34,220.08		
		Percentage of Total (Hours) =	N/A	8%	34%	26%		33%					100%			
		Percentage of Total (Costs) =		14%	39%	23%		24%						100%		

Work Order Estimate Summary

Att.B, AI 7, 06/15/23

MTS Doc. No. **PWL354.0-22**

Work Order No. **WOA354-AE-23**

Attachment: **B**

Work Order Title: **America Plaza Pedestrian Enhancements Final Design and DSDC**

Table 1 - Cost Codes Summary (Costs & Hours)

Item	Cost Codes	Cost Codes Description	Total Costs
1		America Plaza / Santa Fe Depot Pedestrian Enhancement	\$555,542.74
2			

Totals = **\$555,542.74**

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

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1	Task 1	Project Management and Coordination	422	\$86,591.94
2	Task 2	Outside Agency Coordination and Approvals	364	\$71,022.48
3	Task 3	Construction Procurement Bid Phase	125	\$24,696.78
4	Task 4	Design Support During Construction (DSDC)	1089	\$220,903.80
5	Task 5	Survey and Geotechnical Engineering	80	\$13,686.68
6	Task 6	Final Design, Specifications, and Estimate	850	\$138,641.06

Totals = **2,930.0** **\$555,542.74**

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

(If Applicable, Select One)				Consultant	Labor Hrs	Total Costs
DBE	DVBE	SBE	Other			
				Mott MacDonald	1,874	\$393,566.92
x		x		Estrada Land Planning	148	\$23,307.56
				Ninyo & Moore	52	\$9,030.68
		x		STC Traffic, Inc.	622	\$96,895.14
x				Aguirre & Associates	126	\$19,610.14
				Fehr & Peers	100	\$13,132.30

Totals = **2,922.0** **\$555,542.74**

B-1



DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 8

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

June 15, 2023

SUBJECT:

**Regional Transit Management System (RTMS) Hardware/Software Support Agreement –
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. B0754.0-23 (in substantially the same format as Attachment A), with Conduent Transport Solutions, Inc., (Conduent), for the provision of RTMS software and vehicle hardware support services for a five-year base period, and two (2) one-year options, in the amount of \$6,393,823.

Budget Impact

The total cost of this contract is estimated to be \$6,393,823, which is comprised of a five-year base cost at \$4,265,222, two one-year options cost at \$1,890,601, as needed materials at \$70,000, and as needed repair labor at \$168,000 (to be paid as needed for repairs when the licensed software is not the cause of the problem).

MTS and the North County Transit District (NCTD) share the costs of the support agreement through a Memorandum of Understanding (MOU) MTS Doc. No. G0699.0-02. MTS's costs for the agreement will be funded by the Information Technology Department's annual maintenance budget 661010-571250. The shared costs are calculated based on the number of revenue vehicles operated annually. Under this formula, NCTD pays approximately 20% of the costs each year.

DISCUSSION:

RTMS is a sophisticated vehicle-tracking and communications system that provides performance and security/safety monitoring of transit vehicles. It is currently being used to support operations of most MTS and NCTD fixed-route services.

RTMS includes the major components:

1. Radio system
2. Computer-aided dispatch software
3. On-board vehicle hardware



Conduent is the only company who can maintain and repair its own proprietary software and hardware. There are no other companies who have the expertise, knowledge, or materials to repair the hardware components; nor do any other companies have access to the software source code to make changes.

Under MTS Policy No. 52, "Procurement of Goods and Services", Section 52.3 - Procurement Methods – Full and Open Competition, Subsection F - Noncompetitive Procurement: Sole Source, MTS may utilize a documented Sole Source procurement method when the goods or services it needs are available from only one responsible and responsive source and no other goods or services will satisfy its requirements.

Additionally, in accordance with FTA Circular 4220.1F, Chapter VI - Procedural Guidance for Open Market Procurements, "Patents or Restricted Data Rights", MTS can engage in a sole source award with Conduent as patent and data rights exist for RTMS related software and on-board vehicle hardware support services.

Conduent's cost proposal is shown below. By comparison to MTS's Independent Cost Estimate (ICE) at \$6,928,435, a savings of \$534,612, staff deems the cost to be fair and reasonable.

Year	Period	Support Cost	% Increase
Base Year 1	7/1/23 – 6/30/24	\$803,374	
Base Year 2	7/1/24 – 6/30/25	\$827,475	3%
Base Year 3	7/1/25 – 6/30/26	\$852,299	3%
Base Year 4	7/1/26 – 6/30/27	\$877,868	3%
Base Year 5	7/1/27 – 6/30/28	\$904,205	3%
Option Year 1	7/1/28 – 6/30/29	\$931,331	3%
Option Year 2	7/1/29 – 6/30/30	\$959,271	3%
Total Support Agreement (Base & Option Years)		\$6,155,823	

Estimated Materials Cost (To be used as needed)	\$70,000	
Estimated Labor Cost (To be used as needed)	\$168,000	

Total 7 Year Agreement Not-to-Exceed	\$6,393,823	
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Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute MTS Doc. No. B0754.0-23 (in substantially the same format as Attachment A), with Conduent, for the provision of RTMS software and vehicle hardware support services for a five-year base period, and two (2) one-year options, in the amount of \$6,393,823.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

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

Attachments: A. Draft Agreement, MTS Doc. No. B0754.0-23
B. Cost Proposal

SCHEDULE II. - PERIOD OF PERFORMANCE AND CHARGES

For Hardware and Software Support Services

Period of Performance	Annual Cost
Year 1	July 1, 2023 – June 30, 2024 \$803,374
Year 2	July 1, 2024 – June 30, 2025 \$827,475
Year 3	July 1, 2025 – June 30, 2026 \$852,299
Year 4	July 1, 2026 – June 30, 2027 \$877,868
Year 5	July 1, 2027 – June 30, 2028 \$904,205
Option Year 1	July 1, 2028 – June 30, 2029 \$931,331
Option Year 2	July 1, 2029 – June 30, 2030 \$959,271

Total Hardware and Software Support Services for 5 base years: \$4,265,221

Total Hardware and Software Support Services for 2 option years: \$1,890,602

50% of the annual fee is due July 1st and 50% of the annual fee is due on January 1st of each support year. Conduent will invoice MTS June 1st and December 1st.

If MTS chooses to increase quantities of any of the hardware components covered under this agreement, Conduent will negotiate with MTS on a mutually agreed upon change in support costs for each new item, considering any new warranties.

If MTS chooses to decrease quantities of any of the hardware components covered under this agreement, Conduent will negotiate with MTS on a mutually agreed upon change in support costs for each item.

Time and Material Efforts: \$300.00 U.S. per Hour (T&M rate) onsite or offsite (see Exhibit A).

MTS estimates it will use 560 hours over the seven year term for a total of \$168,000.

Other charges: as stated in Agreement. Materials cost over the seven years is estimated at \$70,000.

The overall total for this agreement shall not exceed \$6,393,823.



**Metropolitan
Transit
System**

DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 9

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

June 15, 2023

SUBJECT:

Janitorial Services – Contract Amendment

RECOMMENDATION:

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

- 1) Ratify Amendment 1 to MTS Doc. No. G2613.0-22 with NMS Management Inc. (NMS), a Disadvantaged Business Enterprise (DBE), in the amount of \$84,761.88 (Attachment A);
- 2) Ratify Amendment 2 to MTS Doc. No. G2613.0-22 with NMS, in the amount of \$63,238.90 (Attachment B); and
- 3) Authorize the Chief Executive Officer (CEO) to execute Amendment 3 to MTS Doc. No. G2613.0-22 with NMS, in the amount of \$2,636,508.60 (in substantially the same format as Attachment C), for a total of \$2,784,509.38.

Budget Impact

The total budget for this project is estimated to be \$12,597,962.35, which includes the total costs for Amendments 1, 2 and 3 not-to-exceed in the amount of \$2,784,509.38. This project is funded by the Light Rail Vehicle (LRV) Operations Budget 350016-571210.

Description	Amount
Current Board Approved Amount	\$9,813,452.97
<i>Ratify Amendment 1</i>	<i>\$84,761.88</i>
<i>Ratify Amendment 2</i>	<i>\$63,238.90</i>
<i>Subtotal</i>	<i>\$9,961,453.75</i>
<i>Today's Board Action - Approve Draft Amendment 3</i>	<i>\$2,636,508.60</i>
New Board Approved Amount	\$12,597,962.35



DISCUSSION:

On December 8, 2022 (AI 8), the MTS Board approved a contract with NMS Management to provide janitorial services for San Diego Transit Corporation (SDTC), San Diego Trolley Inc. (SDTI) buildings, and the LRV fleet. Should there be new locations or additional services required, MTS amends the contract in order to ensure they are included. The contract is for a 6-year period, effective from January 1, 2023 through December 31, 2028.

Background

In the summer of 2022, MTS partnered with Pueblo Planning, a social justice-oriented community engagement firm, to conduct a social equity listening tour to identify the needs and priorities within our service area. Reviewing the data collected from the Social Equity Learning Tour prompted staff to reevaluate current cleaning methods and the condition of the LRV fleet while in service throughout the day. The staff recommended placing additional personnel in the field at key locations so that each train interior was cleaned more frequently throughout the day.

MTS Board Policy No. 41 gives the CEO spending authority up to \$150,000.00. Under this authority, the CEO authorized Amendments 1 and 2:

1. Ratify Amendment 1:

A 3-month trial period began on February 1, 2023 through April 30, 2023, to expand the cleaning for the LRVs. The trial was to add additional hours during LRVs layover and to add additional stations.

A. Additional Hours

The Contractor shall furnish staff to clean LRVs during a layover for an additional 4 hours daily, in addition to the time required in the base Scope of work, to cover a service period of 6:30 a.m.– 7:00 p.m. (originally 8:30 a.m. – 5:00 p.m.), seven (7) days per week.

B. Additional Stations

The Contractor shall furnish staff to clean LRVs as they layover from 6:30 a.m.– 7:00 p.m., seven (7) days per week (Note: these locations may adjust over time to support MTS' operational needs) for the additional stations below:

- I. Santee Station
- II. Arnele or El Cajon Station

2. Ratify Amendment 2:

The Amendment was to extend the 3-month trial an additional two (2) more months, continuing from May 1, 2023 through June 30, 2023, due to the success of expanding the LRV cleaning services. In addition, to find a solution for odors in the LRVs, NMS would mop the LRV interior floors using a suitable applicator with fast-drying deodorant cleaner designed to neutralize odors that may be related to smoke, urine, or feces. Also,

odor-absorbing or deodorizing media shall be installed on each LRV in a discrete location and replaced routinely during servicing.

3. Approve Amendment 3:

The six months of trial proved to be effective and has been met with positive feedback from MTS personnel in the field and our passengers. On May 16, 2023, MTS requested a quote from NMS to implement the expanded services for the remainder of the term of the Agreement. NMS provided an initial quote of \$2,672,062.52. After MTS's initial review, staff requested for revised pricing. In response, NMS's Best and Final Offer (BAFO) was in the amount of \$2,636,508.60, which is \$35,553.92 lower than initial pricing, and is a cost savings for MTS. Based on staff's internal analysis, staff deems NMS's BAFO to be fair and reasonable.

MTS will continue receiving the services for the entire Agreement term.

Therefore, staff recommends that the MTS Board of Directors:

- 1) Ratify Amendment 1 to MTS Doc. No. G2613.0-22 with NMS, a DBE, in the amount of \$84,761.88 (Attachment A);
- 2) Ratify Amendment 2 to MTS Doc. No. G2613.0-22 with NMS, in the amount of \$63,238.90 (Attachment B); and
- 3) Authorize the CEO to execute Amendment 3 to MTS Doc. No. G2613.0-22 with NMS, in the amount of \$2,636,508.60 (in substantially the same format as Attachment C), for a total of \$2,784,509.38

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

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

Attachments: A. Amendment 1, MTS Doc. No. G2613.1-22
B. Amendment 2, MTS Doc. No. G2613.2-22
C. Draft Amendment 3, MTS Doc. No. G2613.3-22



Amendment 1

Date: January 30, 2023

MTS Doc No. G2613.1-22

Janitorial Services (SDTI & SDTC)

NMS Management, Inc.
David M. Guaderrama
Director of Business Development
155 West 35th St. Suite A
National City CA, 91950

This shall serve as Amendment No.1 to the original agreement G2613.0-22 as further described below.

SCOPE

Pursuant to the contract Scope of Work, section B.2.7, the San Diego Metropolitan Transit System (MTS) shall include a 3-month trial (approximately from February 1, 2023 through April 30, 2023) to expand the cleaning of the Light Rail Vehicles (LRVs) terminal stations as shown below:

1. Additional Hours

Contractor shall furnish staff to clean LRVs during layover for an additional 4 hours daily, in addition to the time required in the base Scope of work, so as to cover a service period of 6:30 a.m.– 7:00 p.m. (originally 8:30 a.m. – 5:00 p.m.), seven (7) days per week (*Note: these locations may adjust over time to support MTS operational needs*):

- a. One (1) Person at “12th and Imperial Station”
- b. One (1) person at “Courthouse Station”
- c. One (1) person at “San Ysidro Station”
- d. One (1) person at “UTC Station”

2. Additional Stations

Contractor shall furnish the following staff to clean LRVs as they layover from 6:30 a.m.– 7:00 p.m., seven (7) days per week (*Note: these locations may adjust over time to support MTS’ operational needs*) for the additional stations below:

- a. One (1) person at Santee Station
- b. One (1) person at Arnele or El Cajon Station



SCHEDULE

The 3-month trial period under this Amendment shall be effective approximately February 1, 2023, to April 30, 2023.

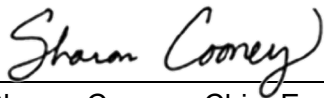
There are no changes to the term of the overall agreement, which remains valid through December 31, 2028.

PAYMENT

This contract amendment shall authorize additional costs not-to-exceed \$84,761.88. The total value of this contract, including this amendment, shall be in the amount of \$9,898,214.85 (\$9,813,452.97 for the current contract plus \$84,761.88 for this amendment). This amount shall not be exceeded without prior written approval from MTS.

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

Sincerely,



Sharon Cooney, Chief Executive Officer

Agreed:



David M. Guaderrama, Director of
Business Development
NMS Management, Inc.

Date: 1/31/23

Attachment: A. NMS Quote dated 1/26/23

**Additional Services for Light Rail Vehicles Janitorial Services
For Additional Terminal Porters**

NMS PROPOSAL

Dated: 01/26/2023

YEAR 1

02/01/23-12/31/23

Additional: Daily LRV Cleaning at Terminal Station Tasks	Positions	Labor Ea.	Day per week	Schedule	Monthly Cost
GREEN LINE: 12th and Imperial (Bayside) Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 2,825.40
GREEN LINE: Santee	T. Porter	8.00	7	6:30am-3:30pm	\$ 5,650.79
GREEN LINE: Santee	T. Porter	4.00	7	3:00pm-7:00pm	\$ 2,825.40
ORANGE LINE: Courthouse Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 2,825.40
BLUE LINE: UTC Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 2,825.40
BLUE LINE: San Ysidro Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 2,825.40
ORANGE LINE: El Cajon Station	T. Porter	8.00	7	6:30am-3:30pm	\$ 5,650.79
ORANGE LINE: El Cajon Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 2,825.40

Sub-Total Cost Per Month \$ 28,253.96

February 2023	March 2023	April 2023
\$ 2,825.40	\$ 2,825.40	\$ 2,825.40
\$ 5,650.79	\$ 5,650.79	\$ 5,650.79
\$ 2,825.40	\$ 2,825.40	\$ 2,825.40
\$ 2,825.40	\$ 2,825.40	\$ 2,825.40
\$ 2,825.40	\$ 2,825.40	\$ 2,825.40
\$ 2,825.40	\$ 2,825.40	\$ 2,825.40
\$ 5,650.79	\$ 5,650.79	\$ 5,650.79
\$ 2,825.40	\$ 2,825.40	\$ 2,825.40

\$ 28,253.96 \$ 28,253.96 \$ 28,253.96

Total \$84,761.88



Amendment 2

Date: April 18, 2023

MTS Doc No. G2613.2-22

Janitorial Services (SDTI & SDTC)

NMS Management, Inc.
David M. Guaderrama
Director of Business Development
155 West 35th St. Suite A
National City CA, 91950

This shall serve as Amendment No.2 to the original agreement G2613.0-22 as further described below.

SCOPE

Pursuant to the contract Scope of Work, section B.2.7, the San Diego Metropolitan Transit System (MTS) shall continue the trial period of expanded services for an additional 2-month period (approximately from May 1, 2023 through June 30, 2023) to expand the cleaning of the Light Rail Vehicles (LRVs) terminal stations as shown below:

1. Additional Hours

Contractor shall furnish staff to clean LRVs during layover for an additional 4 hours daily, in addition to the time required in the base Scope of work, so as to cover a service period of 6:30 a.m.– 7:00 p.m. (originally 8:30 a.m. – 5:00 p.m.), seven (7) days per week (*Note: these locations may adjust over time to support MTS operational needs*):

- a. One (1) Person at “12th and Imperial Station”
- b. One (1) person at “Courthouse Station”
- c. One (1) person at “San Ysidro Station”
- d. One (1) person at “UTC Station”

2. Additional Stations

Contractor shall furnish the following staff to clean LRVs as they layover from 6:30 a.m.– 7:00 p.m., seven (7) days per week (*Note: these locations may adjust over time to support MTS’ operational needs*) for the additional stations below:

- a. One (1) person at Santee Station
- b. One (1) person at Arnele or El Cajon Station



3. Additional Service at Stations

Contractor staff at the Terminal Stations shall mop the LRV interior floors using a suitable applicator with fast-drying deodorant cleaner designed to neutralize odors that may be related to smoke, urine, or feces. Selected product shall be approved by the MTS project manager. Odor-absorbing or deodorizing media shall also be installed on each LRV in a discrete location and replaced routinely as needed during servicing.

SCHEDULE

The 2-month trial period under this Amendment shall be effective approximately May 1, 2023, to June 30, 2023.

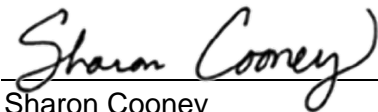
There are no changes to the term of the overall agreement, which remains valid through December 31, 2028.

PAYMENT

This contract amendment shall authorize additional costs not-to-exceed \$63,238.90. The total value of this contract, including this amendment, shall be in the amount of \$9,961,453.75 (\$9,898,214.85 for the current contract plus \$63,238.90 for this amendment). This amount shall not be exceeded without prior written approval from MTS.

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

Sincerely,



Sharon Cooney
Chief Executive Officer

Agreed:



David M. Guaderrama
Director of Business Development
NMS Management, Inc.

Date: 5/1/23

Attachment: A. NMS Quote dated 4/18/23



MANAGEMENT, INC.
The Environmental Care Specialist

Att.B, AI 9, 06/15/23

4/18/2023

Andy Goddard
Superintendent of LRV Maintenance
Metropolitan Transit System
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101

SUBJECT: NMS PROPOSAL TO EXTEND PORTER SERVICES AT MTS TERMINAL STATIONS

Mr. Goddard,

On behalf of NMS Management, I wish to thank you for allowing me to provide you with this proposal to extend the Terminal Porter services at the MTS Terminal Stations. We at NMS view such contracts as a partnership between our company and our esteemed government agency clients. We are proud to provide cost-effective, highly responsive and quality services and we value being a distinguished member of your team.

The enclosed proposal is to extend the Terminal Porter Services at the multiple Terminal Stations. The proposed price is inclusive of the additional supplies that are required for the disposable wet-jet pads and floor cleaning chemical, as well as the aroma blocks that are being used in every LRV that our Porter enters. We have also included extra supervision but this cost will be taken out of our G&A.

Should you have any questions regarding the contents of this proposal and the attached price quote, or should you feel the need for clarification, please feel free to call me at (619) 425-0440 or I can be reached by email at nmsmanagement@msn.com.

Respectfully,

David M. Guaderrama
NMS Management, Inc.
Director of Business Development

**Additional Services for Light Rail Vehicles Janitorial Services
For Additional Terminal Porters**

Att.B, AI 9, 06/15/23
REQUEST FOR PROPOSAL
Dated: 04/17/2023

					2 MONTH PERIOD	
Additional: Daily LRV Cleaning at Terminal Station Tasks	Positions	Labor Ea.	Day per week	Schedule	May 2023	June 2023
GREEN LINE: 12th and Imperial (Bayside) Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 3,228.73	\$ 3,228.73
GREEN LINE: Santee	T. Porter	8.00	7	6:30am-3:00pm	\$ 6,123.53	\$ 6,123.53
GREEN LINE: Santee	T. Porter	4.00	7	3:00pm-7:00pm	\$ 3,228.73	\$ 3,228.73
ORANGE LINE: Courthouse Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 3,228.73	\$ 3,228.73
BLUE LINE: UTC Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 3,228.73	\$ 3,228.73
BLUE LINE: San Ysidro Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 3,228.73	\$ 3,228.73
ORANGE LINE: El Cajon Station	T. Porter	8.00	7	6:30am-3:00pm	\$ 6,123.53	\$ 6,123.53
ORANGE LINE: El Cajon Station	T. Porter	4.00	7	3:00pm-7:00pm	\$ 3,228.73	\$ 3,228.73
Sub-Total Cost Per Month					\$ 31,619.45	\$ 31,619.45

Scope of work:

B.2.7 CLEANING LRVs AT TERMINAL STATION (TO BE DONE DAILY)

The Contractor shall furnish the following staff to clean LRVs as they layover from 8:30 a.m. – 5:00 p.m., seven (7) days per week (These locations may adjust over time to support MTS operational needs): **Times adjusted effective February 01, 2023**

- One (1) person at “12th & Imperial Station”
- One (1) person at “Courthouse Station”
- One (1) person at “San Ysidro Station”
- One (1) person at “UTC Station”
- One (1) person at “El Cajon Station) ***Effective January 1, 2024

The cleaner’s duties shall include picking up trash, sweeping floors, and removing graffiti (magic marker) when necessary.

If there is a spill made on the LRV, the cleaner will have all materials and supplies to clean up any spill, including bodily fluids.

On rainy days, the cleaner will be responsible to mop up excessive water on the floor inside the LRV. When mopping floors, Contractor must have “wet floor” or “caution” safety signs to alert others and avoid slip and falls.

The Contractor will be provided with a storage area for the employees supplies.

*****Additional Terminal Station added, effective February 01, 2023**



Metropolitan Transit System

Amendment 3

Date: June 15, 2023

MTS Doc No. G2613.3-22

Janitorial Services (SDTI & SDTC)

NMS Management, Inc.
David M. Guaderrama
Director of Business Development
155 West 35th St. Suite A
National City CA, 91950

This shall serve as Amendment No.3 to the original agreement G2613.0-22 as further described below.

SCOPE

Pursuant to the contract Scope of Work, section B.2.7, the San Diego Metropolitan Transit System (MTS) shall implement the expansion of Day Porter services for the Light Rail Vehicles (LRV) fleet as outlined below.

1. Additional Hours

Contractor shall furnish staff to clean LRVs during layover for an additional 4 hours daily, in addition to the time required in the base Scope of work, so as to cover a service period of 6:30 a.m.– 7:00 p.m. (originally 8:30 a.m. – 5:00 p.m.), seven (7) days per week (Note: these locations may adjust over time to support MTS operational needs):

- a. One (1) Person at “12th and Imperial Station”
- b. One (1) person at “Courthouse Station”
- c. One (1) person at “San Ysidro Station”
- d. One (1) person at “UTC Station”
- e. One (1) person at “Arnele or El Cajon Station” (effective January 1, 2024)

2. Additional Stations

Contractor shall furnish the following staff to clean LRVs as they layover from 6:30 a.m.– 7:00 p.m., seven (7) days per week (Note: these locations may adjust over time to support MTS' operational needs) for the additional stations below:

- a. One (1) person at Santee Station
- b. One (1) person at Arnele or El Cajon Station
- c. One (1) person at America Plaza Station



3. Additional Service at Stations

Contractor's staff at the Terminal Stations shall mop the interior of the LRVs using an appropriate applicator and a fast-drying deodorant cleaner that is specifically designed to neutralize odors that may be associated with smoke, urine, or feces. The selection of the cleaning product shall be subject to approval by the MTS project manager. Additionally, the installation of odor-absorbing or deodorizing media on each LRV, in a discreet location, shall be carried out, and routine replacement of such media shall be performed during servicing, as required. Consideration shall be given due to time constraints related to transit schedules. Any necessary adjustments to these procedures due to time constraints shall be communicated between the parties involved to ensure effective odor control measures. These modifications shall not impact the quality standards and obligations outlined in this contract.

SCHEDULE

These expanded services will be implemented effective July 1, 2023, for the remainder of the term of this contract.

There are no changes to the term of the overall agreement, which remains valid through December 31, 2028.

PAYMENT

This contract amendment shall authorize additional costs not-to-exceed \$2,636,508.60. The total value of this contract, including this amendment, shall be in the amount of \$12,597,962.35 (\$9,961,453.75 for the current contract plus \$2,636,508.60 for this amendment). This amount shall not be exceeded without prior written approval from MTS.

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

Sincerely,

Agreed:

Sharon Cooney, Chief Executive Officer

David M. Guaderrama, Director of
Business Development
NMS Management, Inc.

Date: _____

Attachment: A. Bid Form

**** Fill in the blue cells ****

		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
		July 1, 2023 through December 31, 2023 (6-Months)	YR 2024 (12-Months)	YR 2025 (12-Months)	YR 2026 (12-Months)	YR 2027 (12-Months)	YR 2028 (12-Months)
	Janitorial Day Porter	Monthly Cost	Monthly Cost	Monthly Cost	Monthly Cost	Monthly Cost	Monthly Cost
1	12th / Imp -- Add 4 Hours	\$ 3,228.73	\$ 3,374.02	\$ 3,525.85	\$ 3,684.52	\$ 3,850.32	\$ 4,023.59
	Courthouse -- Add 4 Hours	\$ 3,228.73	\$ 3,374.02	\$ 3,525.85	\$ 3,684.52	\$ 3,850.32	\$ 4,023.59
	San Ysidro -- Add 4 Hours	\$ 3,228.73	\$ 3,374.02	\$ 3,525.85	\$ 3,684.52	\$ 3,850.32	\$ 4,023.59
	UTC -- Add 4 Hours	\$ 3,228.73	\$ 3,374.02	\$ 3,525.85	\$ 3,684.52	\$ 3,850.32	\$ 4,023.59
2	El Cajon or Arnele						
	YR 1 - 12 Hours and YRs 2-6 - 4 Hours)	\$ 9,352.26	\$ 3,374.02	\$ 3,525.85	\$ 3,684.52	\$ 3,850.32	\$ 4,023.59
	Santee -- 12 Hours	\$ 9,352.26	\$ 9,773.11	\$ 10,212.90	\$ 10,672.48	\$ 11,152.74	\$ 11,654.62
	America Plaza -- 12 Hours	\$ 9,352.26	\$ 9,773.11	\$ 10,212.90	\$ 10,672.48	\$ 11,152.74	\$ 11,654.62
JANITORIAL DAY PORTER COST PER YEAR		\$ 245,830.20	\$ 436,995.84	\$ 456,660.60	\$ 477,210.72	\$ 498,684.96	\$ 521,126.28



DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 10

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
BOARD OF DIRECTORS

June 15, 2023

SUBJECT:

Imperial Avenue Division (IAD) and Kearny Mesa Division (KMD) Restroom Rehabilitation –
Work Order Agreement

RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC324-28 under Job Order Contract (JOC) MTS Doc. No. PWG324.0-21 (in substantially the same format as Attachment A) with ABC General Contracting, Inc. (ABCGC), in the amount of \$331,654.98, for rehabilitation of restrooms located at both the IAD and KMD.

Budget Impact

The total cost for this work order is estimated at \$331,654.98. Under separate MTS Doc No. L1282.0-16, with The Gordian Group, MTS will pay a 1.95% JOC software license fee in the amount of \$6,467.27. This project is funded through the San Diego Transit Corporation (SDTC) Operating Facility Maintenance Budget 331014-571142 – Construction Services.

DISCUSSION:

The current restrooms at the IAD service lanes, KMD service lanes, as well as the KMD maintenance area were constructed over 20 years ago, and have become antiquated and beyond a state of good repair. They are used daily by hundreds of employees and have reached the end of their useful life. Examples of the current conditions in the facilities include loose and deteriorating toilet partitions, existing sinks and toilets that are heavily worn out and damaged, broken or missing wall tile throughout, and inadequate Heating, Ventilation and Air Conditioning (HVAC) ventilation. This general rehabilitation and repair project will ensure employees have safe, secure, clean, and private restrooms for daily use.

The IAD and KMD Restroom Rehabilitation project generally consists of bringing the four (4) restrooms into a state of good repair by replacing all fixtures and accessories in the restrooms, replacing all flooring, painting all surfaces, replacing the toilet partitions, and updating the HVAC system.



On October 6, 2020, MTS issued an Invitation for Bids (IFB) seeking a contractor to provide JOC building and facilities construction services that primarily consists of repair, remodeling, or other repetitive work, and general building and facility contracting services. These services include, but are not limited to, demolition, maintenance, and modification of existing buildings and facilities, as well as any 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.

Nine (9) bids were received and MTS determined that ABCGC was the lowest responsive and responsible bidder. On December 10, 2020 (AI 11), the MTS Board authorized the CEO to execute MTS Doc. No. PWG324.0-21 with ABCGC for General Building Construction Services.

Today's proposed action would issue a work order to ABCGC under this JOC master agreement. Pricing for this repair work order was reviewed and determined to be fair and reasonable. ABCGC will be providing all materials, labor, and equipment for the restroom and locker room rehabilitation. Work is expected to be completed by August 30, 2023. The A&S Flooring (a Minority Owned Business Enterprise (MBE) and Small Business (SB)), Inc., Harborside Construction, Inc., Janus Corporation, Performance Plumbing & Mechanical, and The Doctor of Electricity will be used as subcontractors for this work order.

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute Work Order MTSJOC324-28 under JOC MTS Doc. No. PWG324.0-21 (in substantially the same format as Attachment A) with ABCGC, in the amount of \$331,654.98, for rehabilitation of restrooms located at both the IAD and KMD.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

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

Attachments: A. Draft Work Order MTS DOC No. JOC324-28



Metropolitan Transit System

JOB ORDER CONTRACT WORK ORDER

PWG324.0-21
CONTRACT NUMBER

MTSJOC324-28
WORK ORDER NUMBER

THIS AGREEMENT is entered into this _____ day of _____ 2023, in the state of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: ABC General Contractor, Inc. Address: 3120 National Avenue

Form of Business: Corporation San Diego, CA 92113
(Corporation, partnership, sole proprietor, etc.)

Telephone: 619.937.1010

Authorized person to sign contracts: Travis Brozowski President
Name Title

Pursuant to the existing Job Order Contract (MTS Doc. No. PWG324.0-21), MTS issues a Work Order to Contractor to complete the detailed Scope of Work (attached as Exhibit A.), the Cost Breakdown for the Scope of Work (attached as Exhibit B.), and the subcontractor listing form applicable to this Work Order (attached as Exhibit C.)

TOTAL PAYMENTS TO CONTRACTOR SHALL NOT EXCEED \$331,654.98

<u>SAN DIEGO METROPOLITAN TRANSIT SYSTEM</u>	<u>ABC GENERAL CONTRACTOR, INC.</u>
By: <u>Sharon Cooney, Chief Executive Officer</u>	Firm: _____
Approved as to form:	By: _____ Signature
By: <u>Karen Landers, General Counsel</u>	Title: _____



EXHIBIT A
(Scope of Work)



San Diego Metropolitan Transit System

1255 Imperial Ave
San Diego, California 92101

Final Scope of Work

Date: 5/12/2023

Job Order Contracting

To:

From:

Contract No: PWG324.0-21

Job Order No: MTSJOC324-28

Job Order Title: IAD & KMD Restroom Rehab

Location: IAD
100 16th St.
San Diego, CA 92101

Brief Scope of Work: Rehabilitation and upgrade of select existing restroom facilities at IAD&KMD

The following items detail the scope of work as discussed at the site. All requirements necessary to accomplish the items set forth below shall be considered part of this scope of work.

SECTION 7- SCOPE OF WORK/MINIMUM TECHNICAL SPECIFICATIONS

SECTION 7-1 GENERAL

Due to frequent high-traffic use of restrooms at various locations at both IAD and KMD, the restrooms have become outdated and worn to a point where they need to be updated/renovated.

All 10 restrooms will have similar scopes, with slight differences. The 4 locations are: Service lane restrooms at IAD (2), service lane restrooms at KMD (2), and maintenance restrooms at KMD (2). Lead and ACM testing has been carried out at all locations and the results of those tests are attached.

All work is to occur within IAD- 100 16th St, San Diego, CA 92101 and KMD- 4630 Ruffner St, San Diego, CA 92111.

SECTION 7-2 STAGING

Contractor is to keep and store all materials and equipment within the work area as possible. Any further staging would have to be coordinated with the MTS Project Manager. There may be some available space within or adjacent to the various restroom locations. All property stored onsite is the responsibility of the contractor and MTS shall not be held liable for any and all equipment, material, tools, etc.

SECTION 7-3 TEMP FACILITIES

The contractor is to provide their own temporary restrooms and wash facilities as needed. Contractor is responsible for temp power and water.

SECTION 7-4 SAFETY AND ACCESS

Diligent caution must be taken during the undertaking of this work. All work will occur within active bus yards that are 24hr. operating facilities. Key personnel will be granted badges for access. Only vehicles necessary for the performance of the work shall be parked within the yard adjacent to the various restroom locations.

A hazmat test was conducted and the results are attached. All of the ceramic wall tile at all locations are high in concentrations of lead. All local, state, and federal lead safe work practices must be observed while removing tile. The underlayment below the wall tiles is also hot with "trace amounts" of asbestos. Under local, state, and federal law, any ACM that is to be disturbed or removed, must be done so by a certified asbestos abatement contractor.

SECTION 7-5 WASTE

The contractor is responsible for legally disposing of any and all waste in relation to the work. The contractor shall not use any onsite receptacles to dispose of material generated during the performance of this contract. Contractor is responsible for general cleanup at the end of each work day.

SECTION 7-6 SCHEDULE AND SEQUENCING

All work shall be completed within sixty (60) calendar days from issuance of Notice to Proceed. It is assumed there will be some lead time for some items, which is included in the duration. The work shall commence once all material is available and the work can proceed without stoppages. Contractor will supply a schedule and phasing plans so as to not take down all bathrooms at the same time.

SECTION 7-7 DETAILED SCOPE OF WORK:**IAD & KMD Restroom Rehab**

The scope for the service lane restrooms will be the same. Contractor will demo all existing lighting, accessories, and finishes to stud. Protect hard lid in place. Contractor will provide and install new 12x24 tile on floor and 4' up walls with Schluter edge. Provide alt. price to cover new drywall with FRP vs. painted drywall. Prep/prime/paint all new drywall and existing hard lid. Contractor will provide and install new toilets/urinals with new cleanouts. Provide and install new floor drain covers. Provide and install new wall mounted sinks with lever faucets

and cleanouts. Provide and install access panels and shutoffs at new toilets/urinals. Provide and install new Bobrick stainless steel framed mirrors, soap dispensers (2 per sink, 1 for standard soap, 1 for heavy duty grease remover soap), and recessed paper towel and waste receptacle with large capacity bin. Provide and install new stainless-steel partitions in current configuration. Provide and install new LED lighting fixtures with occupancy sensors. Paint/refinish existing exterior doors and frames/ repair replace hardware as needed. Existing outlets in restrooms to be safe-ed off and abandoned in place. Finishes TBD. Contractor to verify condition of exhaust fans. (rehab vs. replace?)

The scope for the KMD maintenance restrooms is as follows: Contractor will demo all existing lighting, accessories, and finishes to stud. Protect hard lid in place. Contractor will provide and install new 12x24 tile on floor and 4' up walls with Schluter edge. Install/finish new drywall above tile. Prep/prime/paint all new drywall and existing hard lid. Contractor will provide and install new toilets/urinals with new cleanouts. Provide and install new floor drain covers. Provide and install new wall mounted sinks with lever faucets and cleanouts. Provide and install access panels and shutoffs at new toilets/urinals. Provide and install new Bobrick stainless steel framed mirrors, soap dispensers (2 per sink, 1 for standard soap, 1 for heavy duty grease remover soap), and recessed paper towel and waste receptacle with large capacity bin. Provide and install new stainless-steel partitions in current configuration. Provide and install new ADA grab bars. Provide and install new partition mounted TP and sanitary seat cover dispenser. For women's restroom, provide and install new partition mounted TP, sanitary seat cover dispenser, and sanitary napkin disposal. Provide and install new LED lighting fixtures with occupancy sensors. Paint/refinish existing exterior doors and frames/ repair replace hardware as needed. Existing outlets in restrooms to be safe-ed off and abandoned in place. Finishes TBD.

Finishes/paint TBD. All plumbing lines to be inspected and cleaned as necessary prior to installation of new fixtures. Material specs are attached. All material assumes "or approved equal"

Eli Belknap, Manager of Capital Projects

Date

Noah Cappadocia, Project Manager

Date

EXHIBIT B (Cost Breakdown)

Price Proposal Detail Report

By Division

Version: 2.0

Approved

Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

Division		Install Total	NPP Total	Demo Total	Division Total
01	General Requirements	\$25,057.41	\$0.00	\$0.00	\$25,057.41
02	Existing Conditions	\$69,191.34	\$0.00	\$0.00	\$69,191.34
09	Finishes	\$129,598.11	\$0.00	\$7,381.66	\$136,979.77
10	Specialties	\$52,256.81	\$0.00	\$3,917.44	\$56,174.25
22	Plumbing	\$42,175.10	\$0.00	\$2,077.11	\$44,252.21
Line Count: 45			Proposal Total:		\$331,654.98

The Percentage of Non Pre-Priced on this Proposal: 0.0%

Price Proposal Detail Report

By Division

Version: 2.0

Approved

Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101

Contractor: ABC General Inc.

Contract Number: PWG324.0-21

Contract Name: JOC Building and Facilities Construction Services. - Option 2

01 General Requirements								\$25,057.41
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Record #	CSI Number	Description	Type	Quantity	Unit Price	UOM	Factor	Line Total
1	012223000155	Up To 2,000 CFM, Portable Negative Air Machine	Installation	36.00	\$317.68	WK	1.0715	\$12,254.19
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	WK	1.0715	\$0.00
Includes Labor No			Includes Equipment No			Includes Materials Yes		

User Note: 6 weeks per restroom location x 2 each

Item Note:

Total:								\$12,254.19
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2	012223001327	6 CY Rear Dump Truck With Full-Time Truck Driver	Installation	12.00	\$995.74	DAY	1.0715	\$12,803.22
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	DAY	1.0715	\$0.00
Includes Labor Yes			Includes Equipment No			Includes Materials Yes		

User Note: 2 days (dump trips) per restroom

Item Note:

Total:								\$12,803.22
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02 Existing Conditions								\$69,191.34
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Record #	CSI Number	Description	Type	Quantity	Unit Price	UOM	Factor	Line Total
3	028233000073	>25 To 500 SF, Gypsum Wall Board (Or Backer Board) With Ceramic Tile And Mastic, Asbestos Abatement And Disposal	Installation	2,400.00	\$25.23	SF	1.0715	\$64,881.47
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SF	1.0715	\$0.00
Includes Labor Yes			Includes Equipment Yes			Includes Materials Yes		

Total:								\$64,881.47
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* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

Version: 2.0

Approved

Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

4	028233000099	Up To 100 SF, Single Layer Or First Of Multiple Layers, Floor Tile Or Linoleum, Asbestos Abatement And Disposal	Installation	6.00	\$670.38	SET	1.0715	\$4,309.87
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SET	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$4,309.87
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09 Finishes	\$136,979.77
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Record #	CSI Number	Description	Type	Quantity	Unit Price	UOM	Factor	Line Total
5	090120910003	>2 To 4 SF, Cut And Patch Hole In Gypsum Board To Match Existing	Installation	240.00	\$13.65	SF	1.0715	\$3,510.23
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SF	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$3,510.23
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6	090160910012	Grinding Of Existing Concrete Floor Prior To Installation Of Flooring	Installation	1,300.00	\$7.60	SY	1.0715	\$10,586.42
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SY	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials No				

Total:	\$10,586.42
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7	090160910013	Chemical Prepare Existing Concrete Floor Prior To Installation Of Flooring	Installation	1,300.00	\$6.64	SY	1.0715	\$9,249.19
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SY	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$9,249.19
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* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

Version: 2.0

Approved

Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

8	090190520015	Scrape, Repair And Sand Severely Damaged Drywall Surfaces, Surface Preparation	Installation	5,000.00	\$0.87	SF	1.0715	\$4,661.03
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SF	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$4,661.03
9	090190520019	Hand Scraping And Sanding, Metal Surfaces, Surface Preparation	Installation	1,300.00	\$0.50	SF	1.0715	\$696.48
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SF	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment No	Includes Materials No				
Total:								\$696.48
10	090561130003	>200 To 500 SF, Water Vapor Emission Control System (Koester VAP 1-2001)	Installation	1,300.00	\$10.46	SF	1.0715	\$14,570.26
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	1300.000000	\$0.00	SF	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$14,570.26
11	092313000017	Smooth Finish Two Coats Gypsum Plaster On Walls	Installation	3,700.00	\$5.36	SF	1.0715	\$21,249.99
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$3.04	SF	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$21,249.99

* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

Version: 2.0

Approved

Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

12	092816000003	5/8" DensShield Tile Backer For Installation On Floors	Installation	2,400.00	\$2.99	SF	1.0715	\$7,689.08
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	2400.000000	\$0.70	SF	1.0715	\$1,800.12
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$9,489.20
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13	093013000004	8" x 8" And Larger Unmounted Floor Tile	Installation	1,300.00	\$12.23	SF	1.0715	\$17,035.78
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	1300.000000	\$1.43	SF	1.0715	\$1,991.92
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$19,027.70
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14	093013000007	8" x 8" And Larger Unmounted Wall Tile	Installation	1,200.00	\$13.53	SF	1.0715	\$17,396.87
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	1200.000000	\$1.77	SF	1.0715	\$2,275.87
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$19,672.74
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15	093013000012	6" High x 24" Long, Unpolished Ceramic Cove Base (Daltile Portfolio)	Installation	600.00	\$15.19	LF	1.0715	\$9,765.65
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	600.000000	\$2.02	LF	1.0715	\$1,298.66
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$11,064.31
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* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

Version: 2.0

Approved

Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

16	093013000013	6" High, Unpolished Ceramic Cove Base Outer Corner	Installation	32.00	\$11.13	EA	1.0715	\$381.63
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	32.000000	\$0.44	EA	1.0715	\$15.09
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$396.72
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17	093113000003	Clean And Scarify Existing Tile For Installation Of New Tile Over Existing	Installation	2,500.00	\$0.74	SF	1.0715	\$1,982.28
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SF	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment No	Includes Materials No				

Total:	\$1,982.28
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18	099123000062	1 Coat Primer, Brush/Roller Work, Paint Interior Plaster/Drywall Walls	Installation	3,700.00	\$0.55	SF	1.0715	\$2,180.50
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SF	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$2,180.50
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19	099123000064	2 Coats Paint, Brush/Roller Work, Paint Interior Plaster/Drywall Walls	Installation	7,400.00	\$1.09	SF	1.0715	\$8,642.72
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	0.000000	\$0.00	SF	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$8,642.72
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10 Specialties	\$56,174.25
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Record #	CSI Number	Description	Type	Quantity	Unit Price	UOM	Factor	Line Total
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* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

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Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

20	102113140014	60" x 78", Floor And Ceiling Anchored, Stainless Steel, One Compartment Corner Unit, Complete ADA Compliant Toilet Partition	Installation	7.00	\$2,149.54	EA	1.0715	\$16,122.62
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	7.000000	\$157.17	EA	1.0715	\$1,178.85
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$17,301.47
21	102113140035	46" x 58" x 1", Wall Hung And Overhead Braced, Stainless Steel, Urinal Screen	Installation	4.00	\$689.57	EA	1.0715	\$2,955.50
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	4.000000	\$70.81	EA	1.0715	\$303.49
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$3,258.99
22	102113140040	30" x 58" x 1", Stainless Steel, Toilet Partition Door	Installation	4.00	\$415.56	EA	1.0715	\$1,781.09
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	4.000000	\$19.92	EA	1.0715	\$85.38
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$1,866.47
23	102113140056	78" x 58" x 1", Stainless Steel, Toilet Partition Panel	Installation	7.00	\$726.13	EA	1.0715	\$5,446.34
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	7.000000	\$50.92	EA	1.0715	\$381.93
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$5,828.27

* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

Version: 2.0

Approved

Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

24	102113140086	24" x 96" To 120" x 1-1/4", Stainless Steel, Toilet Partition Pilaster	Installation	6.00	\$625.90	EA	1.0715	\$4,023.91
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	6.000000	\$35.42	EA	1.0715	\$227.72
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$4,251.63
25	102813130015	Recessed Mounted, Stainless Steel Folded Paper Towel Dispenser (Bobrick B-4369)	Installation	7.00	\$370.36	EA	1.0715	\$2,777.89
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	7.000000	\$19.91	EA	1.0715	\$149.33
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$2,927.22
26	102813130043	Two Roll, Surface Mounted, Stainless Steel Toilet Tissue Dispenser (Bobrick Classic B- 2888)	Installation	7.00	\$100.81	EA	1.0715	\$756.13
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	7.000000	\$19.91	EA	1.0715	\$149.33
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$905.46
27	102813130062	50 Fluid Ounce, Recessed Mounted, Stainless Steel Soap Dispenser (Bobrick Contura B- 4063)	Installation	9.00	\$273.70	EA	1.0715	\$2,639.43
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	9.000000	\$19.91	EA	1.0715	\$192.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$2,831.43

* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

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Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

28	102813130081	Surface Mounted, Stainless Steel Facial Tissue Dispenser (Bobrick B-8397)	Installation	6.00	\$91.13	EA	1.0715	\$585.87
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	6.000000	\$19.91	EA	1.0715	\$128.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$713.87
29	102813130095	Surface Mounted, Stainless Steel Sanitary Napkin/Tampon Vending (Bobrick B-2706)	Installation	3.00	\$516.61	EA	1.0715	\$1,660.64
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	3.000000	\$19.91	EA	1.0715	\$64.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$1,724.64
30	102813130104	Partition Mounted, Stainless Steel Seat Cover And Toilet Tissue Dispenser With Sanitary Napkin Disposal (Bobrick B-357)	Installation	7.00	\$555.50	EA	1.0715	\$4,166.53
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	7.000000	\$44.26	EA	1.0715	\$331.97
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$4,498.50
31	102813130128	12 Gallon, Surface Mounted, Stainless Steel Combination Roll Towel Dispenser/Waste Receptacle (Bobrick Classic B-39619)	Installation	6.00	\$852.29	EA	1.0715	\$5,479.37
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	6.000000	\$44.26	EA	1.0715	\$284.55
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$5,763.92

* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

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Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

32	102813130144	36" Length, 1-1/4" Diameter, Stainless Steel Grab Bar (Bobrick B-5806x36)	Installation	6.00	\$86.48	EA	1.0715	\$555.98
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	6.000000	\$17.70	EA	1.0715	\$113.79
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$669.77
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33	102813130146	48" Length, 1-1/4" Diameter, Stainless Steel Grab Bar (Bobrick B-5806x48)	Installation	6.00	\$93.30	EA	1.0715	\$599.83
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	6.000000	\$17.70	EA	1.0715	\$113.79
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$713.62
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34	102813130320	48" x 36", Surface Mounted, Stainless Steel Channel Frame Glass Mirror (Bobrick B-165 4836)	Installation	9.00	\$280.57	EA	1.0715	\$2,705.68
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	9.000000	\$22.12	EA	1.0715	\$213.31
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$2,918.99
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22 Plumbing	\$44,252.21
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Record #	CSI Number	Description	Type	Quantity	Unit Price	UOM	Factor	Line Total
35	220140810004	Chrome Supply Lines To Sink/Lavatory Replacement, Pair	Installation	9.00	\$25.10	EA	1.0715	\$242.05
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	9.000000	\$0.00	EA	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$242.05
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* Includes Price Changes due to Construction Task Catalog update

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By Division

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Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

36	220140810005	Single Bowl Sink/Lavatory Drain Line Replacement	Installation	9.00	\$34.76	EA	1.0715	\$335.21
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	9.000000	\$0.00	EA	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$335.21
37	221313000004	Wall Mounted Water Closet, Single Fixture Rough-In, Cast Iron Waste And Vent Pipe	Installation	7.00	\$1,108.53	EA	1.0715	\$8,314.53
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	7.000000	\$0.00	EA	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$8,314.53
38	221313000006	Wall Mounted Urinal, Single Fixture Rough-In, Cast Iron Waste And Vent Pipe	Installation	4.00	\$495.91	EA	1.0715	\$2,125.47
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	4.000000	\$0.00	EA	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$2,125.47
39	221313000012	Wall Mounted Service Sink, Single Fixture Rough-In, Cast Iron Waste And Vent Pipe	Installation	9.00	\$791.01	EA	1.0715	\$7,628.10
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	9.000000	\$0.00	EA	1.0715	\$0.00
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$7,628.10

* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

Version: 2.0

Approved

Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

40	224213130051	Horizontal Adjustable, No-Hub, Single Water Closet Carrier	Installation	6.00	\$703.05	EA	1.0715	\$4,519.91
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	6.000000	\$47.01	EA	1.0715	\$302.23
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$4,822.14
41	224213160006	Wall Hung, Blowout, Vitreous China Urinal (American Standard Lynbrook™)	Installation	4.00	\$711.90	EA	1.0715	\$3,051.20
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	4.000000	\$95.26	EA	1.0715	\$408.28
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$3,459.48
42	224239000014	Deck Mount Sink Faucet, 8" Center Set, Lever Handles (Chicago Faucet 1100 ABCP)	Installation	9.00	\$292.86	EA	1.0715	\$2,824.20
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	9.000000	\$48.34	EA	1.0715	\$466.17
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$3,290.37
43	224243000004	Exposed Manual Water Closet Flush Valve (Sloan Regal-110 Or 111)	Installation	6.00	\$230.58	EA	1.0715	\$1,482.40
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	6.000000	\$30.35	EA	1.0715	\$195.12
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				
Total:								\$1,677.52

* Includes Price Changes due to Construction Task Catalog update

Price Proposal Detail Report

By Division

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Approved

Proposal Value: \$331,654.98

Approved Date: May 4, 2023

Job Order: MTSJOC324-28

Job Order Name: IAD & KMD Restroom Rehab

Location: IAD 100 16th St. San Diego, CA 92101



Contractor: ABC General Inc.
Contract Number: PWG324.0-21
Contract Name: JOC Building and Facilities Construction Services. - Option 2

44	224243000033	Exposed Infrared Urinal Flush Valve (Sloan Royal 186-ES-S)	Installation	4.00	\$518.17	EA	1.0715	\$2,220.88
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	4.000000	\$30.35	EA	1.0715	\$130.08
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$2,350.96
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45	224316000005	20" x 17", Wall Mounted, Vitreous China Intensive Care Unit Sink (American Standard)	Installation	9.00	\$977.98	EA	1.0715	\$9,431.15
Accepted		History: 1.1 Added, 2.0 Accepted	Demo:	9.000000	\$59.65	EA	1.0715	\$575.23
		Includes Labor Yes	Includes Equipment Yes	Includes Materials Yes				

Total:	\$10,006.38
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Proposal Total:								\$331,654.98
Div	The Percentage of Non Pre-Priced on this Proposal:							0.0%

* Includes Price Changes due to Construction Task Catalog update

EXHIBIT C

(Subcontractor Listing)

San Diego Metropolitan Transit System

1255 Imperial Ave
San Diego, CA 92101

Subcontractor Report

Date: 5/12/2023

Job Order Contracting

Contract #: PWG324.0-21
Job Order #: MTSJOC324-28
Job Order Title: IAD & KMD Restroom Rehab
Location: IAD
Contractor: ABC General Inc.
Subcontractors: A&S Flooring Inc.
Harborside Construction Inc
JANUS CORPORATION
PERFORMANCE PLUMBING & MECHANICAL
the doctor of electricity

Subcontractor Name	License Number	Describe Nature of Work (Trade)	Certifications	Subcontractor Total	%
A&S Flooring Inc. 2461 Fenton St, Chula Vista, CA 91914	801134	Tiler		\$48,341.00	14.58%
Harborside Construction Inc 2010 Garrison Way, El Cajon, CA 92019	730817	Carpenter		\$50,000.00	15.08%
JANUS CORPORATION 1081 SHARY CIRCLE, CONCORD, CA 94518	1507594	Abatement		\$34,968.00	10.54%
PERFORMANCE PLUMBING & MECHANICAL 3740 OCEANIC WAY #307, OCEANSIDE, CA 92056	866856	Plumber		\$58,540.00	17.65%
the doctor of electricity 41815 Hawthorne Street, Murrieta, CA 92562	517763	Electrician		\$16,200.00	4.88%



DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 11

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM BOARD OF DIRECTORS

June 15, 2023

SUBJECT:

Trolley Track Improvements – Contract Award

RECOMMENDATION:

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

1. Execute the Base, Add Alternate 1 and Add Alternate 2 to MTS Doc. No. PWL366.0-23 (in substantially the same format as Attachment A), with Balfour Beatty Infrastructure Inc. for Trolley Track Improvements in the amount of \$8,884,454.00;
2. Authorize the CEO to execute amendments or change orders up to a 20% contingency for this construction contract, bringing total expenditure authority to \$10,661,344.80.

Budget Impact

The total cost of this contract estimated to be \$10,661,344.80; total bid amount of \$8,884,454.00 plus 20% contingency) over the duration of the construction services consisting of the following:

Description	Bid Amount	Bid w/Contingency
Base – Executing	\$4,394,860.00	\$5,273,832.00
Add Alternate 1 – Executing	\$3,303,118.00	\$3,963,741.60
Add Alternate 2 – Executing	\$1,186,476.00	\$1,423,771.20
Grand Total Incl. Add Alternate(s)	\$8,884,454.00	\$10,661,344.80

Funding will be through various MTS Capital Improvement Projects (CIP) and MTS Operations Budget as follows:



CIP/Cost Center Number	CIP Description	Amount
CIP 2005109201 - 599908	Grade Crossing Replacement	\$3,933,942.86
CIP 2005118201 - 599908	62 nd Street Station Trackway Replacement	\$747,592.49
370016 - 536600	Crosstie Replacement	\$4,399,510.56
CIP 2005118301 - 599908	16 th to 20 th Street Track Replacement	\$1,580,298.89
TOTAL		\$10,661,344.80

DISCUSSION:

To maintain a state of good repair, MTS's Trolley infrastructure requires replacement of several major track components which are at the end of their useful life, including but not limited to: worn rail and ties, and gauge tolerance issues. To address these issues, MTS's approved Capital Improvement Project (CIP) Budget includes several track improvement projects.

This contract would cover this type of work, across the above-listed CIPs. The base bid portion of the contract includes:

- Replacement of the vehicular crossings at Friars Road and Napa Street on the Green Line and Vernon Way on the Orange Line.
- Tie replacement between Severin Drive and Hill Street on the Orange Line.
- Replacement of vehicular crossings at Francis Street, Marshall Avenue, 27th Street, 29th Street and Commercial, 62nd Street, 5th Avenue and C Street, Civic Center Drive, and Island Avenue.
- Replacement of the track at 62nd Street Trolley Station.

In order to ensure the base bid work could be completed within budget, additional scopes of work were added to the bid documents as "add alternates". These add alternates are additional improvements associated with the base bid work. Today's proposed action would include executing these Add Alternates, since the current CIP Budget includes sufficient funding to complete all of the work. A description of the add alternates are as follows:

Add Alternate 1

Work will include the replacement of 10,000 timber crossties on the eastbound track between Barrio Logan Station and East Beyer Bridge on the Blue Line.

Add Alternate 2

Work will include replacement of the existing track between 16th and 20th Street on Commercial Street on the Orange Line.

On March 6, 2023 staff issued an Invitation for Bids (IFB). The following bids were received:

Crosstie and Grade Crossing Improvements IFB		
COMPANY NAME	FIRM DBE/SB CERTIFICATION	BID AMOUNT
MTS - ICE		\$8,771,135.00
Balfour Beatty Infrastructure Inc.	None	\$8,884,454.00
Transdev Rail, Inc.	None	\$10,465,961.75
West Coast General Group, A Joint Venture		\$12,643,880.00

Based on the bids received, and in comparison, with the Independent Cost Estimate (ICE), MTS staff recommends executing the Base Bid, Add Alternate 1 and Add Alternate 2 at this time, as staff determined that the Balfour Beatty Infrastructure, Inc.'s price to be fair and reasonable.

Balfour Beatty Infrastructure will be utilizing two (2) subcontractors, Traffic Management, Inc. (a Minority Owned Business Enterprise (MBE) and Small Business (SB)) and Miramar General Engineering, as detailed further in Attachment C.

Therefore, staff recommends that the MTS Board authorize the CEO to:

1. Execute the Base, Add Alternate 1 and Add Alternate 2 to MTS Doc. No. PWL366.0-23 (in substantially the same format as Attachment A), with Balfour Beatty Infrastructure Inc. for Trolley Track Improvements in the amount of \$8,884,454.00;
2. Authorize the CEO to execute amendments or change orders up to a 20% contingency for this construction contract, bringing total expenditure authority to \$10,661,344.80.

/S/ Sharon Cooney

Sharon Cooney
Chief Executive Officer

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

Attachments: A. Draft Agreement MTS Doc No.PWL366.0-23
B. Bid Form
C. Balfour Subs



**Metropolitan
Transit
System**

STANDARD CONSTRUCTION AGREEMENT

FOR

MTS DOC. NO. PWL366.0-23

TROLLEY TRACK IMPROVEMENTS

THIS AGREEMENT is entered into this _____ day of _____ 2023, in the State of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: Balfour Beatty Infrastructure, Inc. Address: 300 Galleria Parkway, Ste. 2050
Atlanta, GA 30339

Form of Business: Corporation
(Corporation, Partnership, Sole Proprietor, etc.) Email: mkonchar@balfourbeattyus.com

Telephone: 703-273-3311

Authorized person to sign contracts Mark Konchar President
Name Title

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

Contractor shall furnish all necessary management, supervision, labor, materials, tools, supplies, equipment, plant, services, engineering, testing and/or any other act or thing required to diligently and fully perform and complete the Project as specified in accordance with the Standard Agreement and General Conditions (Exhibit A), Scope of Work, Special Conditions and Attachments (Exhibit B), Bid Price Form (Exhibit C), and Federal Requirements (Exhibit D) and Forms (Exhibit E)

SCOPE OF WORK

Contractor, for and in consideration of the payment to be made to Contractor as hereinafter provided, shall furnish all plant, labor, technical and professional services, supervision, materials and equipment, other than such materials and equipment as may be specified to be furnished by MTS, and perform all operations necessary to complete the Work in strict conformance with the Contract Documents (defined below) for the following public work of improvement:

TROLLEY TRACK IMPROVEMENTS

Contractor is an independent contractor and not an agent of MTS. The Contractor and its surety shall be liable to MTS for any damages arising as a result of the Contractor's failure to comply with this obligation.



CONTRACT TIME.

Time is of the essence in the performance of the Work. The Work shall be commenced by the date stated in MTS's Notice to Proceed. The Contractor shall complete all Base Work required by the Contract Documents within **360 calendar days** from the commencement date stated in the Notice to Proceed. The Contractor shall complete all Add Alternate One (1) Work required by the Contract Documents within **360 calendar days** from the commencement date stated in the Notice to Proceed. The Contractor shall complete all Add Alternate Two (2) Work required by the Contract Documents within **360 calendar days** from the commencement date stated in the Notice to Proceed. By its signature hereunder, Contractor agrees the Contract Time is adequate and reasonable to complete the Work.

CONTRACT PRICE.

MTS shall pay the Contractor as full compensation for the performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, and including all applicable taxes and costs, the sum of eight million eight hundred eighty eight thousand four hundred fifty four Dollars (\$ 8,884,454.00). Payment shall be made as set forth in the General Conditions.

Base – Executing	\$3,901,279.46
Add Alternate 1 – Executing	\$3,666,258.80
Add Alternate 2 – Executing	\$1,316,915.74
Grand Total Incl. Add Alternate(s)	\$8,884,454.00

PROVISIONS REQUIRED BY LAW.

Each and every provision of law required to be included in these Contract Documents shall be deemed to be included in these Contract Documents. The Contractor shall comply with all requirements of the California Labor Code applicable to this Project.

INDEMNIFICATION.

Contractor shall provide indemnification as set forth in the General Conditions.

PREVAILING WAGES.

Contractor shall be required to pay the prevailing rate of wages in accordance with the Labor Code which such rates shall be made available at MTS's Administrative Office or may be obtained online at <http://www.dir.ca.gov> and which must be posted at the job site.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM	BALFOUR BEATTY INFRASTRUCTURE INC.
<p>By: _____ Sharon Cooney, Chief Executive Officer</p> <p>Approved as to form:</p> <p>By: _____ Karen Landers, General Counsel</p>	<p>By: _____</p> <p>Title: _____</p>

DRAFT

San Diego Metropolitan Transit System

Bid Results for Project TROLLEY TRACK IMPROVEMENTS 2023 (PWL366.0-23)

Issued on 03/06/2023

Bid Due on May 04, 2023 2:00 PM (PDT)

Exported on 05/04/2023

Line Totals (Unit Price * Quantity)

							Balfour Beatty
Item							Infrastructure Inc.
Num	Section	Item Code	Description	Reference	Unit of Measure	Quantity	
1 Main Bid		1A	Mobilization		LS	1	\$880,000.00
2 Main Bid		1	Remove Existing Rubber Panels, Vehicular Crossing		TF	344	\$29,584.00
3 Main Bid		2	Install New Rubber Panels, Vehicular Crossing		TF	344	\$440,320.00
4 Main Bid		3	Remove Existing Track, Vehicular Crossing		TF	1325	\$156,350.00
5 Main Bid		4	Construct New Track, Vehicular Crossing		TF	1325	\$1,821,875.00
6 Main Bid		5	Remove Existing Track, Station		TF	763	\$129,710.00
7 Main Bid		6	Construct New Track on Concrete Ties, Station		TF	763	\$366,240.00
8 Main Bid		7	Asphalt Concrete, (8" HMAc)		SF	7843	\$337,249.00
9 Main Bid		8	Install Sidewalk, w Raised Epoxy Pebble, (4" PCCP)		SF	875	\$54,250.00
10 Main Bid		9	Rail Replacement (115lb to 115lb)		TF	854	\$28,182.00
11 Main Bid		10	10' Pedestrian Crossing		EA	2	\$19,400.00
12 Main Bid		11	20' Pedestrian Crossing		EA	2	\$38,000.00
13 Main Bid		12	Insulated Joint Plug		EA	4	\$44,000.00
14 Main Bid		1B	Performance and Payment Bond Base Bid		LS	1	\$34,700.00
15 Main Bid		1D	Bid Bond		LS	1	\$15,000.00
						Subtotal	\$4,394,860.00
16 Alternate #1 Items		13.1	Crosstie Replacement (Timber Ties)		EA	10000	\$2,100,000.00
17 Alternate #1 Items		14.1	Surfacing, Top Ballast, & Destressing		TF	51769	\$1,138,918.00
18 Alternate #1 Items		17.1	Rail Anchors		EA	2000	\$12,000.00
19 Alternate #1 Items		18.1	Tie Plates		EA	1000	\$26,000.00
20 Alternate #1 Items		1E	Performance and Payment Bond Add Alt 1		LS	1	\$26,200.00
						Subtotal	\$3,303,118.00
21 Alternate #2 Items		7.2	Asphalt Concrete, (8" HMAc)		SF	20240	\$406,824.00
22 Alternate #2 Items		15.2	Remove Existing Track, Full Depth		TF	1608	\$221,904.00
23 Alternate #2 Items		16.2	Construct New Track on Concrete Ties		TF	1608	\$548,328.00
24 Alternate #2 Items		1C	Performance and Payment Bond Add Alt 2		LS	1	\$9,420.00
						Subtotal	\$1,186,476.00
						Total	\$8,884,454.00

[illegible]



DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 12

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

June 15, 2023

SUBJECT:

Copley Park Division (CPD) Planning and Utilities Study - Work Order Agreement

RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors authorize the Chief Executive Officer (CEO) to execute Work Order WOA355-AE-16 under MTS Doc. No. PWL355.0-22 (in substantially the same format as Attachment A) with Psomas in the amount of \$204,221.31 to perform a site planning study and a utilities study at the CPD.

Budget Impact

The total cost of this contract is estimated to be \$204,221.31. The project is funded by MTS Capital Improvement Program (CIP) 1009117801 (CPD Modular Building Replacement) and Operating Budget 850012-571142 – Paratransit, Construction Services.

DISCUSSION:

There is an existing modular building used for driver training at MTS's CPD that was installed over the old Miramar South Landfill. Since its installation, the building has experienced settling and damage over time caused by the landfill. Due to continuous maintenance costs, the existing building is not the best long-term location for the training. In addition to settlement under the building, several light poles are leaning, presumed due to settlement. Furthermore, the current light poles are outdated, the footings are insufficient for re-use and there are restrictions on the allowable depth of the footings created by the old landfill.

The intent of this Work Order is to conduct a planning study of the existing property to provide options for replacing the building in an alternate location, provide mapping of existing utilities at the site and a photometric study with light layout options to replace site lighting. The consultant will also review existing property development restrictions including utilities easements, setbacks, community health and safety plans, and industrial development permits pertaining to the site to ensure compliance of each option presented.



On September 15, 2021, MTS issued a solicitation for On-Call Architectural and Engineering (A&E) Design Services by requesting Statements of Qualifications (RFSQ) from firms with expertise in a variety of A&E design and related consulting services separated into the following three (3) categories:

- Category A: Comprehensive/Full Service - Five (5) prime contracts
- Category B: Small Business Set Aside- Three (3) prime contracts awarded to a certified Small Business (SB) or a Disadvantaged Business Enterprise (DBE) certified firm, (which is also considered to be a Small Business)
- Category C: Specialty Prime – Up to Five (5) specialty service contracts

As a result of the RFSQ, seven (7) firms were selected to perform various A&E services. For projects requiring A&E Services, work orders will be issued to these firms.

MTS staff reviewed the approved A&E firms in Category A, and utilizing a direct award process, selected Psomas to perform the requisite services.

Based on previous level of effort for these services, Psomas' proposed amount of \$204,221.31 was determined to be fair and reasonable. For the project, Psomas will utilize the following subcontractors:

Subcontractor Firm Name	Firm Classification	Dollar Value of Subcontract
Anil Verma	DBE, SB	\$111,287.31
Ninyo & Moore	Minority Business Enterprise (MBE)	\$1,960.50

Therefore, staff recommends that the MTS Board of Directors authorize the CEO to execute Work Order WOA355-AE-16 under MTS Doc. No. PWL355.0-22 (in substantially the same format as Attachment A) with Psomas in the amount of \$204,221.31 to perform a site planning study and a utilities study at the CPD.

/S/ Sharon Cooney
Sharon Cooney
Chief Executive Officer

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

Attachments: A. Draft Work Order WOA355-AE-16
B. Cost form



Metropolitan Transit System

June 15, 2023

MTS Doc. No. PWL355.0-22
Work Order No. WOA355-AE-16

Mrs. Sarah Curran, PE
Vice President
Psomas
401 B Street, Suite 1600
San Diego, CA 92101

Dear Mrs. Curran:

Subject: MTS DOC. NO. PWL355.0-22, WORK ORDER WOA355-AE-16, GENERAL ENGINEERING SERVICES FOR COPLEY PARK DIVISION (CPD) PLANNING AND LIGHTING STUDY

This letter shall serve as our agreement for Work Order WOA355-AE-16 to MTS Doc. No. PWL355.0-22, for professional services under the General Engineering Consultant Agreement, as further described below.

SCOPE OF SERVICES

This Work Order shall provide engineering services for Copley Park Division (CPD) planning and lighting study. Work provided under this Work Order will be performed in accordance with the attached Scope of Services (Attachment A)

SCHEDULE

The Scope of Services, as described above, shall be for a period of ten (10) weeks from the date of the Notice to Proceed.

PAYMENT

Payment shall be based on actual costs in the amount not to exceed \$204,221.31 without prior authorization of MTS (Attachment B).



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

Sarah Curran, Vice President
Psomas

Date: _____

Attachments: Attachment A, Scope of Services
Attachment B, Negotiated Fee Proposal

DRAFT

**ATTACHMENT A
SCOPE OF SERVICES**

DRAFT

TITLE: CPD Modular Building Replacement**WOA #: WOA355-AE-16****I. PROJECT DESCRIPTION**

There is an existing modular building at MTS' Copley Park Division ("CPD") that was installed over the old Miramar South Landfill and has been settling for some time. It requires constant maintenance and adjustments and was not the best long-term location for the modular training building. Additionally, it was recently noticed that there are several leaning light poles/footings at CPD. The current light poles are outdated, and the footings are insufficient for re-use when lights are updated. The facility is currently built over the old Miramar South Landfill which is causing settling and sagging with the existing footings and places restrictions on allowable depths.

The intent of this Work Order is to provide engineering services to conduct a planning study of the existing property to provide options for replacing the building with an alternate building, or an expansion of the existing permanent building on the west side of the site, located off the capped landfill to meet the existing facility space needs. Additionally, MTS would like full existing utility mapping, and a photometric study to be completed. The photometric study should be carried out, and its results incorporated into the (3) options being provided for the modular building replacement.

II. SCOPE OF WORK

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

Task 1 – Project Management and Coordination

- 1.1 Provide project management services including the requirements for invoicing, scheduling, monthly project progress reports, and administration of the Consultant's team.
- 1.2 Provide project coordination with MTS as well as coordination with other project stakeholders as necessary. Schedule and conduct bi-weekly meetings with MTS, building users and Consultant team as necessary.
- 1.3 Provide coordination and oversight of subconsultant(s) and integration of plans and specifications into submittal packages.
- 1.4 Perform QA/QC on all deliverables. To ensure quality of work and compliance with the scope of work, the consultant shall perform a systematic in-house review of all documents produced prior to submittal. All reviewed documents will have a check box or signature page indicating review has been performed.

Task 2 – Preliminary Site Investigation

- 2.1 Perform one (1) a site visit to observe existing conditions of the existing modular building that is to be replaced, bus movements around the site, as well as all existing structures and potential areas of expansion.
- 2.2 Data Collection and Review:
 - Conduct a review of the CHSP (Community Health Safety Plan) and COP (Continuing Obligation Plan) that are in place regarding this facility. MTS would like to avoid any new construction over old Miramar South Landfill areas that are marked as areas over garbage (reference attached CHSP and COP).

- Review available reports, plans, maps, design surveys, easement documents, agreements, development restrictions, and utility information provided by MTS. Discuss with MTS staff, so critical information is considered within the study. Review tract and parcel maps and County AP maps for right-of-way data.
- Confirm new feature locations and configurations.
- Provide cursory review of accessibility (ADA/CBC), drainage, and utilities at existing facility.

2.3 Confirm what the existing space needs are for the administration, operational, bus maintenance, vehicle parking, and bus parking to ensure that the options being presented are sufficient to meet these needs.

2.4 Provide the following surveying services and deliverables:

Subsurface Utility Engineering

- The horizontal locations will be located for underground utilities including water, gas, power, waste, communications and cable/TV.
- One or all of the following will be used for utility detection:
 - Standard electromagnetic utility locator
 - Ground penetrating radar unit
 - Sonic wave generator
 - Magnetic locator
- Detectable utilities include main water supply lines and associated branch lines made of metal (conductive) or water lines installed with a "tracer wire", sewer and waste lines by electromagnetic location, power lines, telecommunication lines and gas lines with tracer wires.
- Field technicians will mark the utility indications directly on the surface of the surveyed areas using the American Public Works Association (APWA) Uniform Color Code. All utility locating marks are made in accordance with the Common Ground Alliance (CGA) Best Practices.
- Utility detection will be performed to a Quality Level B per the ASCE's SUE Guideline 38-02.

Final survey deliverable will be a KMZ file of the utility mark-outs that can be merged on to the site basemap described below.

2.5 Existing Conditions Base Map

Develop a preliminary base map (.DWG files) of the existing site conditions based on available aerial imagery (Google Map, NearMaps, etc.) showing the existing buildings, fuel tanks and appurtenances, parking configurations, ADA paths of travel, site light poles, perimeter fence lines, signs, Copley Park Pl. frontage improvements/driveways. The base map will be used as a basis for the development of 20-scale concept site plans described in task 5 below.

Task 3 – Environmental Services

3.1 Limited Environmental Consulting Services

- Ninyo & Moore will provide limited environmental consulting support as follows:
 - Project management and coordination
 - Review existing data and publicly available documents.
 - Attend meetings with MTS, Psomas and contractors as needed to discuss environmental compliance regarding work on or near the landfills. Up to three meetings were included in the proposal.
 - Evaluate Local Enforcement Agency (LEA) regulatory constraints for work near landfills.

Task 4 – Preliminary Design/Site Planning Study

4.1 Consultant shall prepare a complete planning study consisting of:

- Potential options for replacement of the existing modular training building. Replacement can be new construction or add-on to the existing building on the adjacent site. Prepare preliminary building footprints to develop a concept site plan for up to three (3) options for the replacement facility. Work elements include:
 - Understand the program, area development requirements and expectations of MTS.
 - Define the site opportunities and constraints, vehicular and pedestrian accesses, internal site linkages, as well as considering comfortable outdoor spaces for employees.
- Potential facility operations and impacts (if any) of various options being presented, i.e., loss of parking spots or impacts to bus operations.
 - Prepare a site design concept to reconfigure the parking lot layout and circulation system based upon the new facilities and the demolished modular building.
 - Study options for site circulation and public / private space interface.
 - Consider maintenance/operations and security requirements to keep life cycle costs in check.
- Prepare up to three (3) individual options, with cost estimates, and summary memos briefly explaining the pros and cons for each option respectively.

4.2 Consultant shall prepare order of magnitude construction cost estimates of each option being presented.

- Each estimate should not only include new construction but should also include cost to demo existing modular building, cap/abandon existing utilities, and placement of new base/asphalt at the footprint of the removed modular building.

4.3 MTS Review

- Draft concept plans, estimate and summary will be packaged and submitted by Consultant to MTS for review and comment.
- Consultant will respond to review comments and revise documents for final submittal to, and acceptance by MTS.

Task 5 – Leaning Light Poles

5.1 Consultant shall prepare a conceptual site lighting plan study with photometric analysis as follows:

- Keep existing light poles but switch out head with new LED fixtures.
- Propose all new pole lights, positioned around the perimeter of the site to avoid placement over the landfill material, and based upon the suggested parking lot reconfigurations.

5.2 Consultant shall include lighting study results/proposed layout as part of planning study prepared in Task 5.1, above.

5.3 Consultant shall incorporate completion of work proposed in lighting study to the cost estimate prepared in Task 5.2, above.

III. PERIOD OF PERFORMANCE

The period of performance shall be ten (10) weeks from the date of the Notice to Proceed.

IV. DELIVERABLES

- Concept Design Plans for up to three (3) options of potential expansion (new construction and/or renovations/additions to existing structures).
- Concept level Construction cost estimate for each option being presented.

V. SCHEDULE OF SERVICES/MILESTONES/DELIVERABLES

A. Tasks Schedule

Task	Begin/End Dates
Project Management & Coordination	NTP / Project Completion
Initial submittal of plans, estimates, and summary memos	NTP / +8 weeks
MTS review and return w/comments	NTP / +9 weeks
Final 100% submittal and acceptance of plans, estimates, and memos by MTS	NTP / +10 weeks

B. Milestones/Deliverables Schedule

Milestone/Deliverable	Due Date
(3) plans, estimates, and summary memos	10 weeks after NTP

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

MTS to provide any relevant As-builts. MTS to provide most up-to-date CHSP and COP

VII. SPECIAL CONDITIONS

Any condition listed below applies solely to this Work Order and does not otherwise alter the Agreement or other Work Orders.

(Not Applicable)

VIII. MTS ACCEPTANCE OF SERVICES:

Contractor shall not be compensated at any time for unauthorized work outside of this Work Order. Contractor 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 Contractor provides final service(s) or final work product(s) which are found to be unacceptable due to Contractor's and/or Contractor's subcontractors negligence and thus not 100% complete by MTS' Project Manager, Contractor 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. Contractor 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.

IX. DEFICIENT WORK PRODUCT

Throughout the construction management and/or implementation phases associated with the services rendered by the Contractor, if MTS finds any work product provided by Contractor to be deficient (i.e., not meeting the professional standard of care) and the deficiency delays any portion of the project, Contractor 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:

- Revising provided documents,

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

X. DELIVERABLE REQUIREMENTS

Contractor will be required to submit any and all documentation required by the Scope of Work. The deliverables furnished shall be of a quality reasonably 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 Contractor to any third party.

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

Contractor'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. Contractor shall maintain backup copies of all data conveyed to MTS.

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

XI. PRICING

Except where otherwise noted herein, pricing shall be firm and fixed for the duration of the Work Order and any subsequent Change Orders/Amendments to the Work Order. There shall be no escalation of rates or fees allowed.

XII. ADDITIONAL INFORMATION

Assumptions/Understandings:

- As part of Task 4.1, Consultant will meet with MTS to determine building and site program requirements. Consultant will document the requirements for incorporation into the overall planning study and obtain approval from MTS prior to proceeding with related analyses. Any changes in program after MTS initial approval may require additional budget to address.
- Three alternative options will be developed for the replacement or relocation of the building as follows:
 - Construct a new building on the west side of the site outside the limits of the landfill material.
 - Construct a single-story addition to the existing west building.
 - Construct a two-story addition to the existing west building.
- The new building/space will be located west of the limits of the landfill (location provided by MTS).
- The new space needs to have at least the same square footage as the existing modular building. The existing building size is absolute minimum.
- The new space needs to provide for a 6-to-8-person conference room for meetings.
- Sustainability should be a consideration for the new building or space (solar, natural gas, ...).
- Existing electrical infrastructure is to remain in place when the modular building is removed for potential future use.
- For bus circulation around the site use a standard 32' MTS bus as a template.
- Existing gasoline and propane tanks could be relocated onto the east property to make room for the new space but needs Fire Dept. approval. A meeting with the Fire Department is not currently included in the scope of services.
- All vehicles currently enter and exit the facility through the gates on the west property. The gates on the east property are functional but not used.
- Staff break area is currently under portable canopies in the southeast corner of the parking area of the west property. This could be relocated if needed.
- EV Chargers are not anticipated per discussion with MTS.
- Upon awarding of the project, the client will provide in writing, the DIR Project ID for the purposes of electronic certified payroll reporting (eCPR) and labor compliance.
- Site access for field personnel and vehicles will be granted and the site can be accessed during normal working hours (Monday through Friday, 8:00 am to 5:00 pm).
- Detection of all utilities cannot be guaranteed due to the many variables such as materials, depth, signal interference, lack of record information and environmental factors.
- The horizontal positions of utilities depicted on the designation deliverable and in the field are considered approximate. To achieve precise horizontal and vertical locations, Quality Level "A" Test Holes must be performed. Test holes are not included at this time.
- Nonmetallic utilities such as PVC, Asbestos Cement, Terracotta, and Plastic pipes are nonconductive and cannot be traced with electromagnetic instrumentation. Ground

Penetrating Radar (GPR) will be used in an attempt to identify nonmetallic utilities. GPR results can be affected by various factors such as pipe size, depth, and most importantly environmental factors such as soil conditions, rebar and subsurface ground water.

- All lines designated by the client for need of locating must have clear unobstructed access points.

Exclusions:

- Topographic and Boundary Survey
- Geotechnical Services
- Building Mechanical, Electrical and Plumbing evaluations
- Landscape/Planting/Irrigation evaluations
- Utility capacity or condition analysis
- Stormwater management concepts
- Preparation of construction documents
- CEQA analysis, documentation, or processing
- Hydrology and hydraulic analysis
- Stormwater management facility sizing or calculations.
- Coordination with any agency other than MTS
- Sustainability Certification Documentation
- Agency permitting and any related fees
- Signage concepts or design
- Acoustical analysis
- Tree/Arborist report or studies
- CASp analysis and accessibility upgrades of existing facilities
- Construction phasing design or recommendations
- Planning and/or committee presentations
- Hazardous materials studies or reports

XIII. PREVAILING WAGE

Prevailing wage rates apply to certain personnel for these services? ☒ Yes ☐ No

If yes, please list classification subject to prevailing wage rates:

- | |
|--|
| <ul style="list-style-type: none"> ○ Surveyor – Senior ○ Field Technician - Senior |
|--|

**ATTACHMENT B
NEGOTIATED FEE PROPOSAL**

DRAFT

Work Order Estimate Summary

Att.A, AI 12, 06/15/23

Total Hours =

103

Total Costs =

\$20,545.18

Consultant/Subconsultant: Psomas Engineering

MTS Doc. No.: PWL355.0-22

Work Order No.: WOA355-AE-16

Work Order Title: CPD Modular Building Replacement - Planning Study

Attachment: B

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Engineer - Principal	Task Manager	CADD - Senior	Admin - 3	Technical Expert	Surveyor - Senior	Project Manager	Field Technician Senior	Total Hours	Totals
				\$ 248.20	\$ 219.98	\$ 131.84	\$ 105.77	\$ 276.01	\$ 183.68	\$ 218.74	\$ 155.48		
1	Task 1	Project Management and Coordination											
	Project Management			5	10		1					16	\$3,546.57
	Coordination with MTS and subs			4	6	2						12	\$2,576.36
	Meetings (5)			4	6							10	\$2,312.68
	Coordinate and assemble submittal packages				3							3	\$659.94
	Quality Control			8								8	\$1,985.60
	Respond to comments				10							10	\$2,199.80
	Subtotals (Hours) =	N/A		21	35	2	1					59	\$13,280.95
	Subtotals (Costs) =			\$5,212.20	\$7,699.30	\$263.68	\$105.77					59	\$13,280.95
2	Task 2	Preliminary Investigation											
	Site visit (1)												
	Data Collection and Review												
	Existing conditions basemap prep												
	Evaluate site program needs												
	Subsurface Utility Engineering							1	4	3	36	44	\$7,264.23
	Subtotals (Hours) =	N/A						1	4	3	36	44	\$7,264.23
	Subtotals (Costs) =							\$276.01	\$734.72	\$656.22	\$5,597.28	44	\$7,264.23
3	Task 3	Environmental Services											
	Subtotals (Hours) =	N/A											
	Subtotals (Costs) =												
4	Task 4	Preliminary Design/Site Planning Study											
	Circulation and parking (3 options)												
	Memorandum Draft												
	Exhibits Draft												
	Final Memorandum and Exhibits												
	Subtotals (Hours) =	N/A											
	Subtotals (Costs) =												
5	Task 5	Leaning Light Poles (Utilities)											
	Subtotals (Hours) =	N/A											
	Subtotals (Costs) =												
Totals (Summary) =													
	Total (Hours) =	N/A		21	35	2	1	1	4	3	36	103	
	Total (Costs) =			\$5,212.20	\$7,699.30	\$263.68	\$105.77	\$276.01	\$734.72	\$656.22	\$5,597.28		\$20,545.18
	Percentage of Total (Hours) =	N/A		20%	34%	2%	1%	1%	4%	0.02912621	0.34951456	100%	
	Percentage of Total (Costs) =			25%	37%	1%	1%	1%	4%	0.03194034	0.27243762		70%

Work Order Estimate Summary

Att.A, AI 12, 06/15/23

Consultant/ Subconsultant: **Psomas Survey**

Contract No: **PWL355.0-22**

Task Order No. **WOA355-AE-16**

Work Order Title: **CPD Modular Building Replacement - Planning Study**

Attachment: **B**

TASKS/WBS (1-5)													
ODC Item	Description	Unit	Unit Cost	Task 1		Task 2		Task 3		Task 4		Task 5	
				Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1													
2													
3													
4													
5													
6													
7													
8													
9													
10													
				Subtotal =		Subtotal =		Subtotal =		Subtotal =		Subtotal =	

TASKS/WBS (6-10)													
ODC Item	Description	Quantity		Total		Quantity		Total		Quantity		Total	
		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1													
2													
3													
4													
5													
6													
7													
8													
9													
10													
		Subtotal =		Subtotal =		Subtotal =		Subtotal =		Subtotal =		Totals =	

Att.A, Al 12, 06/15/23

393

\$70,428.32

Work Order No.:	WOA355-AE-16
-----------------	---------------------

Attachment: B

A-14

Work Order Estimate Summary

Att.A, AI 12, 06/15/23

Total Hours =	595
Total Costs =	\$111,287.31

Consultant/Subconsultant: Anil Verma

MTS Doc. No.: PWL355.0-22

Work Order No.: WOA355-AE-16

Work Order Title: CPD Modular Building Replacement - Utilities Study

Attachment: B

Item	TASKS/WBS	TASKS/WBS Description	ODCs (See Attachment)	Architect Senior (Work Order Manager)	Architect-3 (Technical Expert - QA/QC)	Sr. Architect	Architect - 3 (Designer - Senior)	Planner- 2 (Lighting)	Planner-2 (CADD)	Engineer Senior - (Estimator)	Total Hours	Totals
			\$ 221.41	\$ 181.57	\$ 221.41	\$ 181.57	\$ 151.59	\$ 151.59	\$ 258.39	\$ -		
1	Task 1 PROJECT MANAGEMENT AND COORDINATION											
	Reports / Coordination			2							2	\$442.82
	PDT Meetings (up to 5) and Coordination			16		12	5	8			41	\$8,320.05
	Quality Control			4	12	8					24	\$4,835.76
	Comment Responses and Comment Resolution Meeting			4		4					8	\$1,771.28
	Subtotals (Hours) =	N/A		26	12	24	5	8			75	\$15,369.91
	Subtotals (Costs) =		\$5,756.66	\$2,178.84	\$5,313.84	\$907.85	\$1,212.72				75	\$15,369.91
2	Task 2 PRELIMINARY INVESTIGATION											
	Kickoff Meeting and Field Reconnaissance			6		12		6			26	\$5,198.10
	Project Familiarization / Data Collection and Review			8		16		10			34	\$6,829.74
	Utility Coordination related to AVA scope											
	Subtotals (Hours) =	N/A		14		28		18			60	\$12,027.84
	Subtotals (Costs) =		\$3,099.74		\$6,199.48		\$2,728.62				60	\$12,027.84
3	Task 3 Environmental Services											
	Subtotals (Hours) =	N/A										
	Subtotals (Costs) =											
4	Task 4 Preliminary Design/Site Planning Study											
	Architectural (3 Options)			6		60	60		120		246	\$43,698.06
	Architectural (3D renderings)			2		16	80				98	\$18,510.98
	Electrical (lighting concepts and photometric analysis)											
	Mech & Plumb 3 options Concept Diagram											
	Structural Analysis (3 options)											
	Landscape (Site)											
	Preliminary Cost Estimate (ROM)			4			4			32	40	\$9,880.40
	Subtotals (Hours) =	N/A		12		76	144		120	32	384	\$72,089.44
	Subtotals (Costs) =		\$2,656.92		\$16,827.16	\$26,146.08		\$18,190.80	\$8,268.48		384	\$72,089.44
5	Task 5 Leaning Light Poles											
	Electrical (lighting concept and photometric analysis)			4				32	40		76	\$11,800.12
	Subtotals (Hours) =	N/A		4				32	40		76	\$11,800.12
	Subtotals (Costs) =		\$885.64					\$4,850.88	\$6,063.60		76	\$11,800.12
	Totals (Summary) =							Totals =			595	\$111,287.31
	Total (Hours) =	N/A		56	12	128	149	58	160	32	595	
	Total (Costs) =		\$12,398.96	\$2,178.84	\$28,340.48	\$27,053.93	\$8,792.22	\$24,254.40	\$8,268.48			\$111,287.31
	Percentage of Total (Hours) =	N/A		9%	2%	22%		10%	0.268907563	0.053781513	75%	
	Percentage of Total (Costs) =			11%	2%	25%		8%	0.217943987	0.074298498		68%

Work Order Estimate Summary

Att.A, AI 12, 06/15/23

Consultant/ Subconsultant: **Anil Verma**

Contract No: **PWL355.0-22**

Task Order No. **WOA355-AE-16**

Work Order Title: **CPD Modular Building Replacement - Utilities Study**

Attachment: **B**

TASKS/WBS (1-5)													
ODC Item	Description	Unit	Unit Cost	Task 1		Task 2		Task 4					
				Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage	EA	\$0.63			400	\$250.00						
2	Printing	LS	\$250.00	1	\$250.00								
3	Postage Deliveries	LS	\$200.00	1	\$200.00								
4													
5													
6													
7													
8													
9													
10													
Subtotal =					\$450.00	Subtotal =			\$250.00	Subtotal =			

TASKS/WBS (6-10)													
ODC Item	Description	Quantity		Total		Quantity		Total		Quantity		Total	
		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
1	Mileage											400	\$250.00
2	Printing											1	\$250.00
3	Postage Deliveries											1	\$200.00
4													
5													
6													
7													
8													
9													
10													
Subtotal =				Subtotal =				Subtotal =				Subtotal =	
												Totals =	
												\$700.00	

Work Order Estimate Summary

Att.B, AI 12, 06/15/23

MTS Doc. No. **PWL355.0-22**
Work Order No. **WOA355-AE-16**
Attachment: **B**

Work Order Title: **CPD Modular Building Replacement - Planning Study**

Project No:

Table 1 - Cost Codes Summary (Costs & Hours)

Item	Cost Codes	Cost Codes Description	Total Costs
1		CPD Modular Building Replacement - Planning Study	\$121,992.87
2		CPD Modular Building Replacement -Utilities Study	\$82,228.44

Totals = **\$204,221.31**

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

Item	TASKS/WBS	TASKS/WBS Description	Labor Hrs	Total Costs
1		Project Management and Coordination	134.0	28,650.86
1		Project Management and Coordination (Utilities)	134.0	23,974.82
2		Preliminary Investigation	104.0	19,292.07
2		Preliminary Investigation (Utilities)	105.0	19,005.66
3		Environmental Services	12.0	1,960.50
4		Preliminary Design/Site Planning Study	384.0	72,089.44
4		Preliminary Design/Site Planning Study (Utilities)	154.0	27,447.84
5		Leaning Light Poles (Utilities)	76.0	11,800.12
6				

Totals = **1,103.0** **\$204,221.31**

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

(If Applicable, Select One)				Consultant	Labor Hrs	Total Costs
DBE	DVBE	SBE	Other			
				Psomas	496.0	90,973.50
X		X		Anil Verma	595.0	111,287.31
				Ninyo & Moore	12.0	1,960.50

Totals = **1,103.0** **\$204,221.31**



Agenda Item No. 13

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
Board of Directors

June 15, 2023

SUBJECT:

Fiscal Year 2024 Transportation Development Act Claim

RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors adopt Resolution Nos. 23-06 (in substantially the same format as Attachment A), 23-07 (in substantially the same format as Attachment B), and 23-08 (in substantially the same format as Attachment C) approving Fiscal Year (FY) 2024 Transportation Development Act (TDA) Article 4.0, 4.5, and 8.0 claims.

Budget Impact

The FY 2024 TDA claims would result in the approval of \$135,514,183 in TDA funds for MTS to be utilized in the fiscal year 2024 operating and capital budgets.

DISCUSSION:

The TDA provides one-quarter percent of the state sales tax for operating and capital support of public transportation systems and non-motorized transportation projects. The San Diego Association of Governments (SANDAG), as the designated Regional Transportation Planning Agency, is responsible for the allocation of TDA funds to the region's cities, the County, and transit operators. At its February 24, 2023, meeting, the SANDAG Board of Directors approved the San Diego County Auditor's estimate of \$135,514,183 for the FY 2024 TDA apportionment.

A Master Memorandum of Understanding (MOU) exists between SANDAG, MTS, and the North County Transit District (NCTD) with respect to the functions and responsibilities transferred to SANDAG as a result of Senate Bill 1703 (Peace, 2003). Pursuant to the MOU, both transit agencies transfer TDA funding to SANDAG annually to pay for the administrative and planning functions that transferred to SANDAG as a result of the consolidation. The MOU is updated as circumstances change. For FY 2024, \$2,929,772 in funding will remain with SANDAG for transferred administrative and planning functions.

TDA allocations are authorized under four separate articles of the law. Article 4 funds are used to provide general public transit services. Article 4.5 funds are designated for community transit



services, and pursuant to SANDAG Board Policy No. 027, are allocated within the San Diego region to support paratransit services required by the Americans with Disabilities Act (ADA). Article 8 funds support specialized services such as express bus and ferry services.

A total of \$135,514,183 is estimated to be allocated to MTS for FY 2024. This includes \$127,292,404 in TDA Article 4.0 claims, \$84,636,319 of which will fund operating activities, and the remaining \$42,656,085 will fund the capital improvement program; \$6,790,544 in Article 4.5 claims to fund the MTS Access Paratransit services; and \$1,431,235 in Article 8.0 claims to fund the ferry/commuter express services. Actual revenue for MTS will be dependent on regional TDA sales tax receipts meeting the regional estimate, allowing MTS to receive up to the claimed amounts. If regional cash receipts do not meet the estimated totals, there is a reserve held by the County of San Diego to cover shortfalls, or in certain situations, MTS could receive less than these claimed amounts.

Therefore, staff recommends that the MTS Board of Directors adopt Resolution Nos. 23-06 (in substantially the same format as Attachment A), 23-07 (in substantially the same format as Attachment B), and 23-08 (in substantially the same format as Attachment C) approving fiscal year (FY) 2024 TDA Article 4.0, 4.5, and 8.0 claims allocating \$135,514,183 in TDA revenues for MTS.

/S/ Sharon Cooney

Sharon Cooney
Chief Executive Officer

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

Attachments: A. Resolution No. 23-06
B. Resolution No. 23-07
C. Resolution No. 23-08

San Diego Metropolitan Transit System
Authorizing Resolution

Resolution Number 23-06

Resolution Approving Fiscal Year 2024 (FY) Transportation Development Act, Article 4.0

WHEREAS, effective August 10, 2000, the San Diego Metropolitan Transit System (MTS) area consolidated Transportation Development Act (TDA) claim process provides that MTS will be responsible for submitting a single claim for each article of the TDA for all MTS operators; and

WHEREAS, consistent with the intent of consolidating all transit funding for MTS-area operators, the San Diego Association of Governments (SANDAG) approved the MTS FY 2024 TDA claim, and

WHEREAS, MTS and SANDAG Boards must approve any alternate use of said balances differing from that for which they were originally claimed; and

WHEREAS, MTS and SANDAG staffs have analyzed this amendment and found it to be warranted pursuant to Section 6659 of Title 21 of the California Code of Regulations (CCR);

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that the MTS Board of Directors does hereby approve the FY 2024 TDA Article 4.0 MTS TDA claim of \$127,292,404; \$84,636,319 of the 4.0 TDA claim will be used for operating activities, and the remaining \$42,656,085 will be used to fund capital.

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

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

General Counsel
San Diego Metropolitan Transit System

San Diego Metropolitan Transit System
Authorizing Resolution

Resolution Number 23-07

Resolution Approving Fiscal Year (FY) 2024 Transportation Development Act, Article 4.5

WHEREAS, effective August 10, 2000, the San Diego Metropolitan Transit System (MTS) area consolidated Transportation Development Act (TDA) claim process provides that MTS will be responsible for submitting a single claim for each article of the TDA for all MTS operators; and

WHEREAS, consistent with the intent of consolidating all transit funding for MTS-area operators, the San Diego Association of Governments (SANDAG) approved the MTS FY 2024 TDA claim, and

WHEREAS, MTS and SANDAG Boards must approve any alternate use of said balances differing from that for which they were originally claimed; and

WHEREAS, MTS and SANDAG staffs have analyzed this amendment and found it to be warranted pursuant to Section 6659 of Title 21 of the California Code of Regulations (CCR);

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that the MTS Board of Directors does hereby approve the FY 2024 TDA Article 4.5 MTS TDA claim of \$6,790,544. The allocation will be used to fund the MTS Access Paratransit services.

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

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

General Counsel
San Diego Metropolitan Transit System

San Diego Metropolitan Transit System
Authorizing Resolution

Resolution Number 23-08

Resolution Approving Fiscal Year (FY) 2024 Transportation Development Act, Article 8.0

WHEREAS, effective August 10, 2000, the San Diego Metropolitan Transit System (MTS) area consolidated Transportation Development Act (TDA) claim process provides that MTS will be responsible for submitting a single claim for each article of the TDA for all MTS operators; and

WHEREAS, consistent with the intent of consolidating all transit funding for MTS-area operators, the San Diego Association of Governments (SANDAG) approved the MTS FY 2024 TDA claim, and

WHEREAS, MTS and SANDAG Boards must approve any alternate use of said balances differing from that for which they were originally claimed; and

WHEREAS, MTS and SANDAG staffs have analyzed this amendment and found it to be warranted pursuant to Section 6659 of Title 21 of the California Code of Regulations (CCR);

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that the MTS Board of Directors does hereby approve the FY 2024 TDA Article 8.0 MTS TDA claim of \$1,431,235. The allocation will be used to fund the ferry/commuter express services.

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

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

General Counsel
San Diego Metropolitan Transit System



DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 14

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

June 15, 2023

SUBJECT:

Armored Transport and Cash Handling Services – 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. G2711.0-23 (in substantially the same format as Attachment A), with Sectran Security, Inc. (Sectran), for Armored Transport and Cash Handling Services for a five (5) base year period in the amount of \$693,288, and three (3) 1-year options; and
- 2) Exercise the option years at the CEO's discretion.

Budget Impact

The total cost of this contract is estimated to be \$693,288.00. Funding would come from the San Diego Transit Corporation (SDTC), San Diego Trolley, Inc. (SDTI), and MTS operating budgets as follows:

FUNDING	TOTAL BASE YEAR COSTS	TOTAL OPTION YEAR COSTS	TOTAL COST (BASE + OPTION YEARS)
611014-571210 (SDTC)	\$364,482	\$224,730	\$589,212
620016-571210 (SDTI)	\$33,924	\$20,592	\$54,516
513010-571210 (MTS)	\$30,840	\$18,720	\$49,560
			\$693,288

DISCUSSION:

To safely and securely transport cash received for MTS fare payments, throughout our transit system (e.g, from buses, trolley stations, and the Transit Store), MTS requires armored transport and cash handling services. These costs are charged to the budgets for each



division: SDTC, SDTI, and MTS Transit Store. MTS requires the Contractor to provide this service for all three division and each division has a specific Scope of Work and delivery instructions. This contract is valid for up to eight (8) years (5-year base period with three (3) 1-year options, exercisable at MTS' sole discretion).

On February 23, 2023, MTS issued a Request for Proposal (RFP) for Armored Transport and Cash Handling Services and posted on Planet Bids. MTS received a single proposal on the proposal due date of April 17, 2023 from the following:

Proposer	DBE Certification
Sectran Security, Inc.	N/A

To ascertain that the solicitation was not restrictive, MTS conducted a post-proposal survey with prospective proposers requesting their reason(s) for not proposing, MTS received zero (0) responses. Therefore, MTS determined that neither the RFP nor MTS's procurement processes played a role in their decision not to participate, and staff proceeded as a competitive solicitation.

Sectran's proposal was deemed responsive and responsible and was evaluated by a committee comprised of representatives from the MTS Revenue, Finance, and Support Services Departments. The proposal was evaluated on the following:

1. Qualifications of the Firm or Individual	20%
2. Staffing, Organization, and Management Plan	20%
3. Work Plan	35%
4. Cost and Price	<u>25%</u>
	100%

The following table illustrates the initial total score of Sectran:

PROPOSER	ICE (BASE + OPTION YEARS)	TOTAL COST (BASE + OPTION YEARS)	TOTAL AVG TECH SCORE	TOTAL AVG COST SCORE	TOTAL AVG SCORE TOTAL POSSIBLE: 100
Sectran Security, Inc.	\$815,312.60	\$693,288	46.33	25.00	71.33

As a result of the initial evaluation, MTS requested additional clarifications from Sectran on their experience, key personnel proposed, and project management work plan for SDTI and the Transit Store services initially outlined in the RFP. Based on the additional information, Sectran provided in our request, the evaluation committee rescored Sectran's proposal as follows:

PROPOSER	TOTAL COST (BASE +OPTION YEARS)	TOTAL AVG TECH SCORE	TOTAL AVG COST SCORE	TOTAL AVG SCORE TOTAL POSSIBLE: 100
Sectran Security, Inc.	\$693,288	52.33	25.00	77.33

Based on the objectives of this procurement, consideration of the evaluation criteria and Sectran's technical and cost proposal, the evaluation committee determined Sectran presented the best overall value. Sectran has not designated any subcontractors for this scope of work.

Therefore, staff recommends that the MTS Board of Directors:

- 1) Execute MTS Doc. No. G2711.0-23 (in substantially the same format as Attachment A), with Sectran Security, Inc. (Sectran), for Armored Transport and Cash Handling Services for a five (5) base year period in the amount of \$693,288, and three (3) 1-year options; and
- 2) Exercise the option years 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 Agreement MTS Doc No. G2711.0-23
B. Cost Form



Metropolitan Transit System

STANDARD AGREEMENT FOR MTS DOC. NO. G2711.0-23 MASTER CONCESSIONAIRE SERVICES

THIS AGREEMENT is entered into this _____ day of _____, 2023 in the State of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following, hereinafter referred to as "Contractor":

Name: Sectran Security Inc. Address: 7633 Industry Avenue
Pico Rivera, CA 90660
City State Zip
 Form of Business: Corporation
 (Corporation, Partnership, Sole Proprietor, etc.) Email: rghaby@sectransecurity.com
 Telephone: 562-577-1472
 Authorized person to sign contracts Rony Ghaby Director of Operations
Name Title

The Contractor agrees to provide services as specified in the conformed Scope of Work/Technical Specification (Exhibit A), Contractor's Cost/Pricing Form (Exhibit B), and in accordance with the Standard Agreement, including Standard Conditions (Exhibit C), Federal Requirements (Exhibit D), and Forms (Exhibit E).

The contract term is for five (5) base years and three (3) 1-year options, exercisable at MTS's sole discretion, for a total of eight (8) years. Base period shall be effective July 1, 2023 through June 30, 2028 and option years shall be effective July 1, 2028 through June 30, 2031, if exercised by MTS.

Payment terms shall be net 30 days from invoice date. The total cost of this contract shall not exceed \$429,246.00 for the base years and \$264,042.00 for the option years, for a contract total not to exceed \$693,288.00 without the express written consent of MTS.

SAN DIEGO METROPOLITAN TRANSIT SYSTEM	SECTRAN SECURITY INC.
By: _____ Sharon Cooney, Chief Executive Officer	By _____
Approved as to form:	
By: _____ Karen Landers, General Counsel	Title: _____



ARMORED TRANSPORT

SDTC (both divisions: IAD & KMD)**BASE YEAR ONE (1)**

Item #	Description (both SDTC divisions: IAD & KMD)	Avg. Srv. Per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		24	\$ 150.00	\$ 3,600.00	\$ 43,200.00
2	Processing charges for each additional transport	6		\$ 150.00	\$ -	\$ 900.00
3	Price per \$1,000 of currency processed		200	\$ 10.00	\$ 2,000.00	\$ 24,000.00
Total					\$ 5,600.00	\$ 68,100.00

BASE YEAR TWO (2)

Item #	Description (both SDTC divisions: IAD & KMD)	Avg. Srv. Per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		24	\$ 158.00	\$ 3,792.00	\$ 45,504.00
2	Processing charges for each additional transport	6		\$ 158.00	\$ -	\$ 948.00
3	Price per \$1,000 of currency processed		200	\$ 10.50	\$ 2,100.00	\$ 25,200.00
Total					\$ 5,892.00	\$ 71,652.00

BASE YEAR THREE (3)

Item #	Description (both SDTC divisions: IAD & KMD)	Avg. Srv. Per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		24	\$ 165.00	\$ 3,960.00	\$ 47,520.00
2	Processing charges for each additional transport	6		\$ 165.00	\$ -	\$ 990.00
3	Price per \$1,000 of currency processed		200	\$ 11.00	\$ 2,200.00	\$ 26,400.00
Total					\$ 6,160.00	\$ 74,910.00

BASE YEAR FOUR (4)

Item #	Description (both SDTC divisions: IAD & KMD)	Avg. Srv. Per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		24	\$ 165.00	\$ 3,960.00	\$ 47,520.00
2	Processing charges for each additional transport	6	0	\$ 165.00	\$ -	\$ 990.00
3	Price per \$1,000 of currency processed		200	\$ 11.00	\$ 2,200.00	\$ 26,400.00
Total					\$ 6,160.00	\$ 74,910.00

BASE YEAR FIVE (5)

Item #	Description (both SDTC divisions: IAD & KMD)	Avg. Srv. Per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		24	\$ 165.00	\$ 3,960.00	\$ 47,520.00
2	Processing charges for each additional transport	6	0.5	\$ 165.00	\$ 82.50	\$ 990.00
3	Price per \$1,000 of currency processed		200	\$ 11.00	\$ 2,200.00	\$ 26,400.00
Total					\$ 6,242.50	\$ 74,910.00

ARMORED TRANSPORT

SDTC (both divisions: IAD & KMD)**OPTION YEAR ONE (1)**

Item #	Description (both SDTC divisions: IAD & KMD)	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		24	\$ 165.00	\$ 3,960.00	\$ 47,520.00
2	Processing charges for each additional transport	6	0.5	\$ 165.00	\$ 82.50	\$ 990.00
3	Price per \$1,000 of currency processed		200	\$ 11.00	\$ 2,200.00	\$ 26,400.00
Total					\$ 6,242.50	\$ 74,910.00

OPTION YEAR TWO (2)

Item #	Description (both SDTC divisions: IAD & KMD)	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		24	\$ 165.00	\$ 3,960.00	\$ 47,520.00
2	Processing charges for each additional transport	6	0.5	\$ 165.00	\$ 82.50	\$ 990.00
3	Price per \$1,000 of currency processed		200	\$ 11.00	\$ 2,200.00	\$ 26,400.00
Total					\$ 6,242.50	\$ 74,910.00

OPTION YEAR THREE (3)

Item #	Description (both SDTC divisions: IAD & KMD)	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		24	\$ 165.00	\$ 3,960.00	\$ 47,520.00
2	Processing charges for each additional transport	6	0.5	\$ 165.00	\$ 82.50	\$ 990.00
3	Price per \$1,000 of currency processed		200	\$ 11.00	\$ 2,200.00	\$ 26,400.00
Total					\$ 6,242.50	\$ 74,910.00

GROUP A (SDTC) TOTALS - BASE PERIOD		
	BASE YEAR 1	\$ 68,100.00
	BASE YEAR 2	\$ 71,652.00
	BASE YEAR 3	\$ 74,910.00
	BASE YEAR 4	\$ 74,910.00
	BASE YEAR 5	\$ 74,910.00
TOTAL BASE PERIOD (YEARS 1-5)		\$ 364,482.00

GROUP A (SDTC) TOTALS - OPTION YEARS		
	OPTION YEAR 1	\$ 74,910.00
	OPTION YEAR 2	\$ 74,910.00
	OPTION YEAR 3	\$ 74,910.00
TOTAL OPTION YEARS (1-3)		\$ 224,730.00

TOTAL COST (BASE + OPTION YEARS)		\$ 589,212.00
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ARMORED TRANSPORT**SDTI****BASE YEAR ONE (1)**

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		22	\$ 25.00	\$ 550.00	\$ 6,600.00
2	Additional delivery charges of coin and/or currency to/from bank or other designated facility to SDTI	6		\$ -	\$ -	\$ -
Total					\$ 550.00	\$ 6,600.00

BASE YEAR TWO (2)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		22	\$ 25.50	\$ 561.00	\$ 6,732.00
2	Additional delivery charges of coin and/or currency to/from bank or other designated facility to SDTI	6		\$ -	\$ -	\$ -
Total					\$ 561.00	\$ 6,732.00

BASE YEAR THREE (3)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		22	\$ 26.00	\$ 572.00	\$ 6,864.00
2	Additional delivery charges of coin and/or currency to/from bank or other designated facility to SDTI	6		\$ -	\$ -	\$ -
Total					\$ 572.00	\$ 6,864.00

BASE YEAR FOUR (4)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		22	\$ 26.00	\$ 572.00	\$ 6,864.00
2	Additional delivery charges of coin and/or currency to/from bank or other designated facility to SDTI	6		\$ -	\$ -	\$ -
Total					\$ 572.00	\$ 6,864.00

BASE YEAR FIVE (5)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		22	\$ 26.00	\$ 572.00	\$ 6,864.00
2	Additional delivery charges of coin and/or currency to/from bank or other designated facility to SDTI	6		\$ -	\$ -	\$ -
Total					\$ 572.00	\$ 6,864.00

ARMORED TRANSPORT

SDTI

OPTION YEAR ONE (1)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		22	\$ 26.00	\$ 572.00	\$ 6,864.00
2	Additional delivery charges of coin and/or currency to/from bank or other designated facility to SDTI	6		\$ -	\$ -	\$ -
Total					\$ 572.00	\$ 6,864.00

OPTION YEAR TWO(2)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		22	\$ 26.00	\$ 572.00	\$ 6,864.00
2	Additional delivery charges of coin and/or currency to/from bank or other designated facility to SDTI	6		\$ -	\$ -	\$ -
Total					\$ 572.00	\$ 6,864.00

OPTION YEAR THREE (3)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Transportation charges for coin and currency		22	\$ 26.00	\$ 572.00	\$ 6,864.00
2	Additional delivery charges of coin and/or currency to/from bank or other designated facility to SDTI	6		\$ -	\$ -	\$ -
Total					\$ 572.00	\$ 6,864.00

GROUP B (SDTI) TOTALS - BASE PERIOD

BASE YEAR 1	\$ 6,600.00
BASE YEAR 2	\$ 6,732.00
BASE YEAR 3	\$ 6,864.00
BASE YEAR 4	\$ 6,864.00
BASE YEAR 5	\$ 6,864.00
TOTAL BASE PERIOD (YEARS 1-5)	\$ 33,924.00

GROUP B (SDTI) TOTALS - OPTION YEARS

OPTION YEAR 1	\$ 6,864.00
OPTION YEAR 2	\$ 6,864.00
OPTION YEAR 3	\$ 6,864.00
TOTAL OPTION YEARS (1-3)	\$ 20,592.00

TOTAL COST (BASE + OPTION YEARS)

\$ 54,516.00

ARMORED TRANSPORT
THE TRANSIT STORE

BASE YEAR ONE (1)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Delivery charges of coin and/or currency from bank or other designated facility to TTS		4	\$ -	\$ -	\$ -
2	Transport charges for daily deposit		20	\$ 25.00	\$ 500.00	\$ 6,000.00
3	Additional delivery charges of coin and/or currency to/from bank	6		\$ -	\$ -	\$ -
Total					\$ 500.00	\$ 6,000.00

BASE YEAR TWO (2)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Delivery charges of coin and/or currency from bank or other designated facility to TTS		4	\$ -	\$ -	\$ -
2	Transport charges for daily deposit		20	\$ 25.50	\$ 510.00	\$ 6,120.00
3	Additional delivery charges of coin and/or currency to/from bank	6		\$ -	\$ -	\$ -
Total					\$ 510.00	\$ 6,120.00

BASE YEAR THREE (3)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Delivery charges of coin and/or currency from bank or other designated facility to TTS		4	\$ -	\$ -	\$ -
2	Transport charges for daily deposit		20	\$ 26.00	\$ 520.00	\$ 6,240.00
3	Additional delivery charges of coin and/or currency to/from bank	6		\$ -	\$ -	\$ -
Total					\$ 520.00	\$ 6,240.00

BASE YEAR FOUR (4)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Delivery charges of coin and/or currency from bank or other designated facility to TTS		4	\$ -	\$ -	\$ -
2	Transport charges for daily deposit		20	\$ 26.00	\$ 520.00	\$ 6,240.00
3	Additional delivery charges of coin and/or currency to/from bank	6		\$ -	\$ -	\$ -
Total					\$ 520.00	\$ 6,240.00

BASE YEAR FIVE (5)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Delivery charges of coin and/or currency from bank or other designated facility to TTS		4	\$ -	\$ -	\$ -
2	Transport charges for daily deposit		20	\$ 26.00	\$ 520.00	\$ 6,240.00
3	Additional delivery charges of coin and/or currency to/from bank	6		\$ -	\$ -	\$ -
Total					\$ 520.00	\$ 6,240.00

ARMORED TRANSPORT

THE TRANSIT STORE

OPTION YEAR ONE (1)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Delivery charges of coin and/or currency from bank or other designated facility to TTS		4	\$ -	\$ -	\$ -
2	Transport charges for daily deposit		20	\$ 26.00	\$ 520.00	\$ 6,240.00
3	Additional delivery charges of coin and/or currency to/from bank	6		\$ -	\$ -	\$ -
Total					\$ 520.00	\$ 6,240.00

OPTION YEAR TWO (2)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Delivery charges of coin and/or currency from bank or other designated facility to TTS		4	\$ -	\$ -	\$ -
2	Transport charges for daily deposit		20	\$ 26.00	\$ 520.00	\$ 6,240.00
3	Additional delivery charges of coin and/or currency to/from bank	6		\$ -	\$ -	\$ -
Total					\$ 520.00	\$ 6,240.00

OPTION YEAR THREE (3)

Item #	Description	Avg. Srv. per Year	Avg. Srv. per Month	Unit Price	Cost of Monthly Service	Cost of Annual Service
1	Delivery charges of coin and/or currency from bank or other designated facility to TTS		4	\$ -	\$ -	\$ -
2	Transport charges for daily deposit		20	\$ 26.00	\$ 520.00	\$ 6,240.00
3	Additional delivery charges of coin and/or currency to/from bank	6		\$ -	\$ -	\$ -
Total					\$ 520.00	\$ 6,240.00

GROUP C (TRANSIT STORE) TOTALS - BASE PERIOD

BASE YEAR 1	\$ 6,000.00
BASE YEAR 2	\$ 6,120.00
BASE YEAR 3	\$ 6,240.00
BASE YEAR 4	\$ 6,240.00
BASE YEAR 5	\$ 6,240.00
TOTAL BASE PERIOD (YEARS 1-5)	\$ 30,840.00

GROUP C (TRANSIT STORE) TOTALS - OPTION YEARS

OPTION YEAR 1	\$ 6,240.00
OPTION YEAR 2	\$ 6,240.00
OPTION YEAR 3	\$ 6,240.00
TOTAL OPTION YEARS (1-3)	\$ 18,720.00

TOTAL COST (BASE + OPTION YEARS)

\$ 49,560.00



DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 15

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

June 15, 2023

SUBJECT:

2023 Transit and Intercity Rail Capital Program (TIRCP): Zero Emission Transit Enhancement 2.0 Project – Grant Award

RECOMMENDATION:

That the San Diego Metropolitan Transit System (MTS) Board of Directors adopt Resolution No. 23-05 (Attachment A) authorizing the following:

- 1) Acceptance of the 2023 TIRCP Grant Award for the Zero Emission Transit Enhancement 2.0 Project, which includes the Orange Line Track Improvement Project and the Electrification of the Kearny Mesa Division (KMD) Project;
- 2) Determination that both projects are exempt from environmental review under the California Environmental Quality Act ("CEQA"); and
- 3) Approval of the Orange Line Track Improvement Project and the Electrification of the KMD Project.

Budget Impact

The estimated budget for the Zero-Emission Transit Enhancement 2.0 Project (Project) is \$75,559,640. The TIRCP grant award covers \$60,447,712 and the remaining \$15,111,928 in project costs will be paid with Transportation Development Act (TDA) funds.

DISCUSSION:

The TIRCP provides Senate Bill 1 (Beall, 2017) and Cap and Trade funding for transformative capital improvements that will modernize California's intercity rail, bus, select vanpool, ferry and rail transit systems. The objectives of the program are to reduce greenhouse gas emissions, increase ridership, integrate rail services, and improve transit safety. The program's focus is on



priority populations and project areas are expected to contribute direct, meaningful, and assured benefits to disadvantaged communities, low-income communities, or low-income households.

There is \$300-\$900 million available statewide in Cycle 6, which covers the five-year period from fiscal year (FY) 2024 through FY 2028. No matching funds are required, but if included, matching funds will enhance the application.

Last year, TIRCP awarded MTS \$14,560,000 for the Orange Line Improvement project, which consisted of general track, signal and grade crossing improvements from 32nd & Commercial Station to Massachusetts Avenue and new Variable Messaging Signs (VMS) along the entire Orange Line corridor. MTS filed a Notice of Exemption under CEQA for the 2022 Orange Line Improvement project on October 21, 2022. The design contract for the 2022 Orange Line Improvement project was approved during the December 8, 2022 (AI 13) Board meeting to Pacific Railway Enterprises, Inc, and conceptual design is currently 30% completed.

In February 2023, MTS subsequently submitted the Zero-Emission Transit Enhancement 2.0 Project application for Cycle 6 of TIRCP. In April 2023, MTS received a notice of award that the Zero Emission Transit Enhancement 2.0 Project was one of the San Diego regional projects to be selected.

Zero Emission Transit Enhancement 2.0 Project Award

MTS's TIRCP award includes funding for two separate projects that will reduce greenhouse gas emissions and improve transit service. This includes a variety of capital investments designed to increase light rail ridership, improve safety, and replace aging infrastructure through state of good repair and performance. The award supports MTS's electric bus fleet conversion in transitioning to a zero-emission bus fleet by 2040 and achieving a cleaner, safer, more accessible and connected future.

The two projects are summarized below and described in more detail.

- Project 1: The Orange Line Track Improvement Project will span from the City of San Diego through the City of El Cajon. The project will allow MTS to complete the track improvements along the remainder of the Orange Line. The project consists of various Orange Line Track Improvements from Massachusetts Avenue to El Cajon Transit Center, resulting in (a) enhancing operational flexibility and reliability (b) enhancing safety, and (c) continuing MTS's efforts to maintain its State of Good Repair. Improvements include Signaling System upgrades and Track Replacements between Massachusetts Avenue and El Cajon Transit Center. Additionally, the trackwork, signaling and OCS for two (2) new Interlocking Crossovers will be placed between Massachusetts and Lemon Grove Station and Severin Drive and Grossmont Summit, providing operational flexibility and improved system recovery time.
- Project 2: The Electrification of the KMD - Phase 1 Project will be located at 4630 Ruffner Street, San Diego. The project will provide overhead electrical chargers for the first 30 Battery Electric Buses (BEB) at this MTS-owned and operated facility to support our transition to a zero-emission fleet by 2040. The project will involve installation of new 12kV electrical service including all transformers, switchgear, and distribution; gantry style overhead charging structure, equipment, and chargers to allow charging up to 30 buses; backup CNG generator and battery storage to provide redundancy for bus charging; and

all necessary civil improvements, trenching, and concrete paving. All work will be implemented within the existing development footprint of the KMD.

Compliance with California Environmental Quality Act

Each of the two projects described above are statutorily and categorically exempt from CEQA review.

The Orange Line Track Improvement Project is statutorily exempt from environmental review under Public Resource Code section 21080, subdivision (b) (10) and State CEQA Guidelines section 15275, subdivision (a) as it would increase passenger or commuter services on rail lines already in use, including the modernization of existing stations and parking facilities. The project is categorically exempt under State CEQA Guidelines section 15301 (Class 1) as a transit improvement project consisting of the operation, repair, maintenance or minor alteration of existing public structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of existing or former use; State CEQA Guidelines section 15302 (Class 2) as the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; and State CEQA Guidelines section 15303 (Class 3) because it consists of the construction and location of limited numbers of new, small facilities or structures.

The Electrification of the Kearny Mesa Division - Phase 1 Project is statutorily exempt from environmental review under Public Resources Code section 21080.25, subdivisions (b)(5) (construction or rehabilitation of existing operations facilities for zero-emission buses in an urbanized area) and (b)(7) (maintenance, repair, relocation replacement, or removal of any utility infrastructure associated with this type of project). The project is further statutorily exempt from environmental review under Public Resource Code section 21080, subdivision (b)(10) and State CEQA Guidelines section 15275, subdivision (a) as it would increase passenger or commuter services on rail lines already in use, including the modernization of existing stations and parking facilities. The project is categorically exempt under State CEQA Guidelines section 15301 (Class 1) as a transit improvement project consisting of the operation, repair, maintenance or minor alteration of existing public structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of existing or former use and State CEQA Guidelines section 15303 (Class 3) because it consists of the construction and location of limited numbers of new, small facilities or structures.

In compliance with the statutory exemption in Public Resources Code section 21080.25, subdivision (c), the Electrification of the Kearny Mesa Division - Phase 1 Project would be carried out by MTS as the lead agency under CEQA for the projects, located in an urbanized area, and located on or within an existing public right-of-way; would not add physical infrastructure that increases new automobile capacity on existing rights-of-way except for minor modifications needed for the efficient and safe movement of transit vehicles; would not require the demolition of affordable housing units; and would not exceed fifty million dollars (the estimated cost of the project is \$15,165,000) With a construction cost exceeding \$1,000,000, the project will be constructed by a skilled and trained workforce or, alternatively, under a project labor agreement as set forth in section 21080.25, subdivision (f).

Next Steps

Upon Board resolution, staff will file a Notice of Exemption for the two projects as described above with the San Diego County Clerk and the Office of Planning and Research.

Therefore staff recommends the Board of Directors approve Resolution No. 23-05 authorizing the following:

- 1) Acceptance of the 2023 TIRCP Grant Award for the Zero Emission Transit Enhancement 2.0 Project, which includes the Orange Line Track Improvement Project and the Electrification of the Kearny Mesa Division (KMD) Project;
- 2) Determination that both projects are exempt from environmental review under the California Environmental Quality Act ("CEQA"); and
- 3) Approval of the Orange Line Track Improvement Project and the Electrification of the KMD Project.

/S/ Sharon Cooney

Sharon Cooney
Chief Executive Officer

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

Attachment: A. Resolution No. 23-05

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

Resolution No. 23-05

Resolution Authorizing the Acceptance of the 2023 Transit Intercity Rail Capital Program Grant Award for the Zero Emission Transit Enhancement 2.0 Project, which includes the Orange Line Track Improvement Project and the Electrification of the Kearny Mesa Division Project; determining that each of the projects is exempt from environmental review under the California Environmental Quality Act, and approving each of the Projects

WHEREAS, the San Diego Metropolitan Transit System (MTS) is an eligible project sponsor and may receive state funding from Transit and Intercity Rail Capital Program (TIRCP) for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the California Department of Transportation as the administrative agency for the TIRCP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing TIRCP funds to eligible project sponsors (local agencies); and

WHEREAS, MTS wishes to delegate authorization to execute these documents and any amendments thereto to the Sharon Cooney, Chief Executive Officer (CEO), and designated representatives; and

WHEREAS, MTS accepts the award from TIRCP \$60,447,712 million for the Zero Emission Transit Enhancement 2.0 Project, which includes two separate and distinct transit related projects consisting of the Orange Line Track Improvement Project \$48,315,712 and the Electrification of the Kearny Mesa Division Project \$12,132,000; and

WHEREAS, MTS provides the local matching funds of \$15,111,928 million in California Transportation Development Act funding to fully fund the total budget of \$75,559,640 million; and

WHEREAS, MTS, as lead agency under the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA") and accompanying regulations in Title 14 of the California Code of Regulations, section 15000 *et seq.* ("State CEQA Guidelines"), has determined that the District's approval of each of the projects in the Zero Emission Transit Enhancement 2.0 Project are statutorily and categorically exempt from environmental review; and

WHEREAS, MTS has considered all comments received at the public meeting on June 15, 2023, prior to adoption of this Resolution.

NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the MTS Board of Directors (Board) that MTS agrees to comply with all conditions and requirement, and applicable statutes, regulations, and guidelines for all TIRCP funded transit projects.

BE IT FURTHER RESOLVED by the Board that the CEO, or designated representative, be authorized to execute all required documents of the TIRCP program and any Amendments thereto with the California Department of Transportation.

BE IT FURTHER RESOLVED by the Board that MTS be authorized to accept the award and use \$60,447,712 million in FY 2023 TIRCP funds for the Zero Emission Transit Enhancement 2.0 Project.

BE IT FURTHER RESOLVED that the Board finds the Orange Line Track Improvement Project statutorily exempt from environmental review under Public Resources Code section 21080, subdivision (b)(10) and State CEQA Guidelines section 15275, subdivision (a) (specified mass transit projects). The project is categorically exempt from environmental review under State CEQA Guidelines sections 15301, Class 1 (existing facilities), 15302, Class 2 (replacement or reconstruction), and 15303, Class 3 (new construction or conversion of small structures).

BE IT FURTHER RESOLVED that the Electrification of the Kearny Mesa Division, Phase 1, Project is statutorily exempt from environmental review under Public Resources Code section 21080.25, subdivisions (b)(5) (construction or rehabilitation of existing operations facilities for zero-emission buses in an urbanized area) and (b)(7) (maintenance, repair, relocation replacement, or removal of any utility infrastructure associated with this type of projects). The project is further statutorily exempt from environmental review under Public Resource Code section 21080, subdivision (b)(10) and State CEQA Guidelines section 15275, subdivision (a) as it would increase passenger or commuter services on rail lines already in use, including the modernization of existing stations and parking facilities. The project is categorically exempt under State CEQA Guidelines section 15301 (Class 1) as a transit improvement project consisting of the operation, repair, maintenance or minor alteration of existing public structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of existing or former use and State CEQA Guidelines section 15303 (Class 3) because it consists of the construction and location of limited numbers of new, small facilities or structures.

BE IT FURTHER RESOLVED by the Board that, in compliance with the statutory exemption in Public Resources Code section 21080.25, subdivision (f), the Electrification of the Kearny Mesa Division, Phase 1, Project would be carried out by MTS as the lead agency under CEQA for the projects, located in an urbanized area, and located on or within an existing public right-of-way; would not add physical infrastructure that increases new automobile capacity on existing rights-of-way except for minor modifications needed for the efficient and safe movement of transit vehicles; would not require the demolition of affordable housing units; and would not exceed fifty million dollars (the estimated cost of the project is \$15,165,000). With a construction cost exceeding \$1,000,000, the project will be constructed by a skilled and trained workforce or, alternatively, under a project labor agreement as set forth in section 21080.25, subdivision (f).

BE IT FURTHER RESOLVED by the Board that for each of the projects described above, none of exceptions to the categorical exemptions in State CEQA Guidelines section 15300.2 applies. More specifically, the projects are not located in a particularly sensitive environment as the project impact areas are located within disturbed areas of the site. The cumulative impact of successive projects of the same types in the same place over time would not be significant because each of the projects is limited in size, scope, and distance from one another and there are no reasonably foreseeable projects that would result in cumulative impacts with the projects. Additionally, the projects do not involve any unusual circumstances but rather involve improvements and structures comparable to existing improvements at the project sites. Accordingly, there is no reasonable possibility that the projects would have a significant effect on the environment due to unusual circumstances. Further, the

projects are not located within a scenic highway and would not result in damage to any scenic resources; are not located on a site designated pursuant to Government Code 65962.5 (hazardous waste site); and the projects do not involve any improvements, modifications, or other changes to an historical resource.

BE IT FURTHER RESOLVED that the determination that two projects described above are exempt from CEQA reflects the Board's independent judgement and analysis.

BE IT FURTHER RESOLVED that the Board authorizes and directs staff to prepare, execute and file with the County Clerk and the Office of Planning and Research separate Notices of Exemption for the Orange Line Track Improvement Project and the Electrification of the Kearny Mesa Division Project.

BE IT FURTHER RESOLVED that the documents and materials associated with the Orange Line Track Improvement Project and the Electrification of the Kearny Mesa Division Project that constitute each record of proceeding on which these findings are based are located at 1255 Imperial Avenue, San Diego, California 92101. The Clerk of the Board is the custodian of the record of proceedings.

BE IT FURTHER RESOLVED that the Board approves the Orange Line Track Improvement Project and the Electrification of the Kearny Mesa Division Project.

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

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

General Counsel
San Diego Metropolitan Transit System

Resolution 23-05



**Metropolitan
Transit
System**

DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 16

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

June 15, 2023

SUBJECT:

Microsoft Volume Licensing Agreement (VLA) – Contract Award

AGENDA ITEM WILL BE PROVIDED BEFORE BOARD MEETING





**Metropolitan
Transit
System**

DRAFT FOR EXECUTIVE COMMITTEE REVIEW DATE: 6/8/2023

Agenda Item No. 17

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

June 15, 2023

SUBJECT:

Salary Survey Services – Contract Award

**AGENDA ITEM WILL
BE PROVIDED
BEFORE BOARD
MEETING**

