



## Board of Directors Agenda

September 14, 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.	<b>Roll Call</b>	
2.	<b>Public Comments</b> This item is limited to five speakers with two 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.	<b>Approval of Minutes</b> Action would approve the July 27, 2023 Board of Directors meeting minutes.	Approve
4.	<b>Investment Report – Quarter Ending June 30, 2023</b>	Informational
5.	<b>Fiscal Year (FY) 2022-2023 and FY 2023-2024 California Senate Bill (SB) 1 State of Good Repair Funding</b> Action would approve Resolution No. 23-10 in order to: 1) Authorize the use of, and application for, \$5,272,017 in FY 2023-24 State of Good Repair (SGR) funding to be used for the SD100 Light Rail Vehicle (LRV) Replacement Project; 2) Approve the acceptance of additional FY 2023-24 SB1-SGR funding if made available to MTS; and 3) Approve the reprogramming of FY 2022-23 SB1 SGR funding in the amount of \$5,095,907 to the FY24 Bus Procurement Project as approved in the FY 2024 Capital Improvement Program (CIP).	Approve
6.	<b>Policy 44: MTS Travel Expense – Policy Revision</b> Action would 1) Approve the proposed revisions to MTS Board Policy No. 44, “MTS Travel Expense Policy” (Attachment A, B); 2) Authorize the Chief Executive Officer (CEO) to modify MTS Board Policy No. 44, “MTS Travel Expense Policy” Attachment A, B, C, D, E and F as necessary to reflect	Approve



changes in annual IRS mileage reimbursement rates and IRS determinations of High Cost Localities, and to make minor changes to document design or formatting; and 3) Repeal MTS Board Policy No. 29, “Attendance at Transit-Related Conferences” (Attachment C);

- 7. Grantville Transit Center Hardscape and Landscape Improvements – Work Order Agreement** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC347-05 under Job Order Contract (JOC) MTS Doc. No. PWG347.0-22 with ABC General Contracting, Inc. (ABCGC), in the amount of \$968,743.63, for rehabilitating the hardscape and landscape currently present at the Grantville Transit Center.
- 8. Grantville Transit-Oriented Development (TOD) Painting – Contract Award** Approve

Action would authorize the Chief Executive Officer (CEO) to: 1) Rescind the award and direction to execute MTS Doc. No. PWL370.0-23 to Prime Painting Contractors Inc. for Grantville Station Painting Improvements, approved by Agenda Item No. 13 at the July 27, 2023 MTS Board of Directors Meeting; 2) Execute MTS Doc. No. PWL370.0-23 , with All Source Coatings Inc., a certified Small Business, for the Grantville Station Painting Improvements in the amount of \$1,746,000.00; and 3) Authorize the CEO to execute amendments or change orders up to a 20% contingency (\$349,200) for this construction contract, bringing total expenditure authority to \$2,095,200.00.
- 9. San Diego State University (SDSU) Tunnel Smoke Control Upgrades – Sole Source Contract Award** Approve

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL378.0-24, a Sole Source agreement, with Drake Integrations LLC (Drake Integrations), for provision of Smoke Control Upgrades at the SDSU tunnel, for a five (5) year period, in the amount of \$299,000.
- 10. Construction Management (CM) Services for South Bay Zero Emission Bus (ZEB) Overhead (OH) Charging Infrastructure Installation – Work Order Amendment** Approve

Action would 1) Ratify Work Order WOA2501-CM01.2 under MTS Doc No. G2501.0-21 with TRC Engineers, Inc. (TRC) totaling \$40,305.00, to provide additional survey and inspection staff; 2) Ratify Work Order WOA2501-CM01.3 under MTS Doc No. G2501.0-21 with TRC totaling a savings adjustment of \$6,942.44, for the revision of the estimated work hours for each task; and 3) Authorize the Chief Executive Officer (CEO) to execute Work Order WOA2501-CM01.4 under MTS Doc. No. G2501.0-21, with TRC, for additional CM services for the ZEB OH Charging Infrastructure Construction Project in the amount of \$421,142.48.
- 11. South Bay Maintenance Facility (SBMF) Building 3620 Roofing Replacement – Work Order Agreement** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC324-35 under Job Order Contract (JOC) to MTS Doc. No.

PWG324.0-21, with ABC General Contractor, Inc. (ABCGC), in the amount of \$193,236.34 for replacing the roofing at Building 3620 at the SBMF.

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| 12. | <b>Municipal Separate Storm Sewer System (MS4) Support and As-Needed Best Management Practices (BMP) Repair and Consulting Services – Contract Award</b><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc No. PWG367.0-23, with WSP USA (WSP), in the amount of \$1,079,270.68 for a period of five (5) years to provide MTS support and as-needed repair and consulting services related to Phase II MS4 General Order.   | Approve |
| 13. | <b>Light Rail Vehicle (LRV) Tire Kits - Contract Award</b><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1648.0-23 with Penn Machine, in the amount of \$5,142,681.23 for LRV Tire Kits.  | Approve |
| 14. | <b>Mobile Column Lifts – Contract Award</b><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. L1643.0-23, with Southwest Lift & Equipment, Inc., a Small Business (SB) in the amount of \$182,382.56 for mobile column lifts.  | Approve |
| 15. | <b>Tenable Software Renewal Service – Contract Award</b><br>Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G2748.0-23, with Data Impressions Technology Group, in the amount of \$368,725.00, for a period of three (3) years for the provision of Tenable Software subscriptions.   | Approve |
| 16. | <b>Legal Services – Tort Liability – Contract Award</b><br>Action would 1) Authorize the Chief Executive Officer (CEO) to execute MTS Doc. G2782.0-24 with Kahana & Feld, LLP (Kahana & Feld) to provide legal services through December 31, 2026 in the amount of \$677,725; and 2) Authorize the CEO to execute MTS Doc. G2783.0-24 with McDougal Boehmer Foley Lyon Mitchell & Erickson (McDougal) to provide legal services through December 31, 2026 in the amount of \$677,725.  | Approve |
| 17. | <b>On-Call Marketing and Communication Services – Contract Award</b><br>Action would authorize the Chief Executive Officer (CEO) to: 1) Execute MTS Doc. No. G2719.0-23, with Nuffer, Smith, Tucker, Inc. (Nuffer, Smith, Tucker), a Small Business (SB), for On-Call Marketing and Communication Services for a three (3) base year period in the amount of \$1,217,060, plus three (3) 1-year options in the amount of \$1,264,880 for a total contract amount of \$2,481,940; and 2) Exercise the option years at the CEO's discretion. | Approve |
| 18. | <b>Clean Transit Advancement Campus (CTAC), Advanced Planning Services – Work Order Amendment</b><br>Action would 1) Ratify Work Order WOA353-AE-20, under MTS Doc No. PWL353.0-22, with Dokken Engineering (Dokken), in the amount of   | Approve |

\$37,323.27 for design services to perform a Phase II Environmental Site Assessment (ESA); and 2) Authorize the Chief Executive Officer (CEO) to execute Work Order Amendment WOA353-AE-20.01, under MTS Doc No. PWL353.0-22, with Dokken, in the amount of \$1,238,671.08 to provide advanced planning services for a new MTS bus maintenance facility for the Clean Transit Advancement Campus (CTAC) Project, formally known as Division 6.

19. **Communications (Comm) Cabinets HVAC Maintenance - Contract Award** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWG365.0-23 with Comfort Mechanical, a Small Business (SB), at \$889,846, for HVAC preventative maintenance and inspection services for comm cabinets.
20. **Additional Staffing – One (1) PRONTO Support Specialist and three (3) Call/Service Center Representatives** Approve  
Action would authorize the Chief Executive Officer (CEO) to add one (1) PRONTO Support Specialist and three (3) Call/Service Center Representatives to the position tables previously approved in the Fiscal Year 2024 budget.

#### DISCUSSION AND REPORT ITEMS

21. **PRONTO Fare Collection System – Contract Amendment (Israel Maldonado)** Approve  
Action would authorize the Chief Executive Officer (CEO) to execute Amendment 17 to MTS Doc. No. G2091.0-18, with Innovations in Transportation, Inc. (INIT), for Open Payment and Inspection App Solution, in the amount of \$1,224,387.98.
22. **Transit Security and Passenger Safety Department Expansion (Al Stiehler)** Approve  
Action would approve the addition of 34 new Code Compliance Inspectors (CCIs), six (6) Code Compliance Supervisors, one (1) Assistant Field Operations Manager, one (1) Administrative Support Professional and create five (5) Code Compliance Dispatcher positions.
23. **Grants Administration Report (Kena Teon and Julia Tuer)** Informational
24. **MTS Access Services Overview (Michael Wygant and Jay Washburn)**

- OTHER ITEMS Informational
25. **Chair's Report** Informational
26. **Chief Executive Officer's Report** Informational

**27. Board Member Communications**

Informational

**28. Remainder of Public Comments Not on The Agenda**

This item is a continuation of item No. 2 (Public Comment), in the event all speakers who request to comment on item No. 2 are not called. If all Public Comment is accepted during item No. 2, no additional public comment will be accepted under this item.

CLOSED SESSION: TIME CERTAIN AT 11:00AM

**29. Closed Session – Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1)**

Possible  
Action

*Grecia Figueroa v Nathan Fletcher, San Diego Metropolitan Transit System, et al.* San Diego Superior Court Case No. 37-2023-00012828-CU-OE-CTL

ADJOURNMENT

**30. Next Meeting Date**

The next Board of Director's meeting is scheduled for October 19, 2023 at 9:00am.

**31. Adjournment**