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Agenda

JOINT MEETING OF THE BOARD OF DIRECTORS

for the

Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

June 25, 2009

9:00 a.m.

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

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ACTION RECOMMENDED

1. Roll Call
2. Approval of the Minutes - June 11, 2009 Approve
3. Public Comments - Limited to five speakers with three minutes per speaker. Others will be heard after Board Discussion items. If you have a report to present, please give your copies to the Clerk of the Board.

Please turn off cell phones and pagers
during the meeting

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

Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc., San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations), and San Diego Vintage Trolley, Inc., a 501(c)(3) nonprofit corporation, in cooperation with Chula Vista Transit. MTS is the taxicab administrator for seven cities. MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.

CONSENT ITEMS

- | | | |
|-----|--|---------|
| 6. | <u>MTS: Proposed Policy No. 60 - Ticket Distribution</u>
Action would adopt MTS Policy No. 60 regarding ticket distribution. | Adopt |
| 7. | <u>MTS: Aztec Janitorial Services - Exercise Option Year</u>
Action would authorize the CEO to execute MTS Doc. No. G1031.2-07 with Aztec Janitorial Services for Group 1 Janitorial Services at MTS Bus Operations and Group III Transit Center Maintenance. | Approve |
| 8. | <u>MTS: LRV Fleet-Cleaning Services - Exercise Option Year One</u>
Action would authorize the CEO to execute option year one of MTS Doc. No. L0782.0-07 with NMS Management, Inc. for light rail vehicle (LRV) fleet-cleaning services. | Approve |
| 9. | <u>MTS: Microsoft Licensing and Software Assurance Upgrade - Contract Award</u>
Action would authorize the CEO to execute MTS. Doc. No. G1252.0-09 with Dell Marketing L.P. for Microsoft's Licensing and Software Assurance Upgrade for a three-year period. | Approve |
| 10. | <u>MTS: Proposed 2009/2010 Internal Audit Plan</u>
Action would approve the internal audit plan. | Approve |

CLOSED SESSION

- | | | |
|-----|--|-----------------|
| 24. | a. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(a): <u>Balfour Beatty/Ortiz v. Metropolitan Transit System</u> (Superior Court Case No. GIC 868963) | Possible Action |
| | b. SDTI: CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS Pursuant to California Government Code Section 54957.6
Agency-Designated Representative - Jeff Stumbo
Employee Organizations - International Brotherhood of Electrical Workers 465 | Possible Action |

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARINGS

25. None.

DISCUSSION ITEMS

- | | | |
|-----|---|---------|
| 30. | <u>MTS: Budget Development Committee Meeting Update</u>
Action would receive a report for information. | Receive |
|-----|---|---------|

REPORT ITEMS

- | | | |
|-----|---|-------------|
| 45. | <u>MTS: Operations Budget Status Report for April 2009</u>
Action would receive a report on MTS's operations budget status for April 2009. | Receive |
| 60. | <u>Chairman's Report</u> | Information |
| 61. | <u>Audit Oversight Committee Chairman's Report</u> | Information |
| 62. | <u>Chief Executive Officer's Report</u> | Information |
| 63. | <u>Board Member Communications</u> | |
| 64. | <u>Additional Public Comments Not on the Agenda</u>
If the limit of 5 speakers is exceeded under No. 3 (Public Comments) on this agenda, additional speakers will be taken at this time. If you have a report to present, please furnish a copy to the Clerk of the Board. Subjects of previous hearings or agenda items may not again be addressed under Public | |
| 65. | <u>Next Meeting Date:</u> July 16, 2009 | |
| 66. | <u>Adjournment</u> | |

DRAFT

JOINT MEETING OF THE BOARD OF DIRECTORS FOR THE METROPOLITAN TRANSIT SYSTEM (MTS), SAN DIEGO TRANSIT CORPORATION (SDTC), AND SAN DIEGO TROLLEY, INC. (SDTI)

June 11, 2009

MTS
1255 Imperial Avenue, Suite 1000, San Diego

MINUTES

1. Roll Call

Chairman Mathis called the Board meeting to order at 9:01 a.m. A roll call sheet listing Board member attendance is attached.

2. Approval of Minutes

Mr. Ewin moved to approve the minutes of the May 28, 2009, MTS Board of Directors meeting. Mr. Ovrom seconded the motion, and the vote was 9 to 0 in favor.

3. Public Comments

Aremi Lopez, School Teacher: Ms. Lopez referred to the incident on May 20 when students were detained at the Old Town Transit Center and subsequently deported to Mexico by the Transportation Security Administration (TSA) VIPR Unit. She stated that more than half of her students ride the trolley or bus. She stated that they would not allow the Border Patrol and the Transit Security Administration to question and intimidate their students while they are on their way to get an education. She demanded that MTS no longer collaborate with any immigration agencies and that MTS make a statement they it will not do so.

Dawn Miller: Ms. Miller stated that this detainment and deportation was the most outrageous affront to her students. She briefly discussed the good character of one of the students who was deported on May 20. She stated that the students had student ID's and had paid their fares and alleged that the TSA was racially profiling people. She stated that the students were terrified by the alleged aggressive approach taken by the TSA. She pointed out that these students are pursuing an education in order to become productive members of society. She stated that the students rely on the safety of the MTS system and stated that students are now afraid to ride. She also stated that the TSA's actions have angered teachers and advocates for education. She added that these activities must not be carried out on public transportation.

Stephanie Gramidas, SDSU Student: Ms. Gramidas stated that the students deported were separated from their families as they were pursuing an education, which is a human right. She also stated that it was MTS's responsibility to provide transportation free of harassment and questioning. She stated that MTS should refuse any agreement or collaboration.

Ana Benitez: Ms. Benitez, through a translator, stated that her daughter was one of the students who was deported while she was on her way to school. She stated that bus and trolley are the only way they can travel around the city. She stated that they are now afraid to ride. She also stated that public transportation should be a safe place. She requested that MTS make a decision to support the students so this doesn't happen again.

Christian Ramirez, American Friends Service Committee: Mr. Ramirez stated that this is not a new issue. He stated that his organization worked with MTS in 2001 to ensure that all residents feel that boarding buses and trolleys was safe to do. He stated that the public now feels unsafe again. He encouraged MTS to take this matter up as an agenda item. He felt that MTS should not be involved with immigration-related activities.

Chairman Mathis stated that MTS was not happy that this incident occurred but pointed out that MTS has the role of providing transportation. He stated that MTS does not condone TSA activities on public transit. He stated that the TSA was carrying out its duties as assigned to them by law and that MTS cannot interfere with that. He added that MTS is cooperating to the extent the law requires. He stated that MTS is sympathetic to the public's concerns, but this type of matter is beyond MTS's control. He added that MTS has contacted the TSA and expressed its concerns to them, and the TSA understands those concerns.

Mr. Young stated that he was glad to see everyone exercise their right to speak. He also stated that it didn't seem that the TSA was respectful in the way it carried out its responsibilities on May 20. In response to a question from Mr. Young, Chairman Mathis stated that the TSA and Border Patrol can board buses and trolleys anytime they want to and clarified that MTS would be breaking the law if it attempt to stop them. Ms. Tiffany Lorenzen, General Counsel, confirmed that MTS had to comply with TSA directives and also reported that MTS could be putting its TSA funding in jeopardy if it interfered with TSA activities. Mr. Young stated that intimidation on the MTS system should not be condoned. Mr. Gloria stated that he supported efforts to clarify MTS's concerns. Chairman Mathis pointed out that the TSA officials seemed to be sensitive to MTS's concerns. Chairman Mathis reiterated that MTS wants the public to feel safe on the public transportation system but is bound by the law to not interfere with TSA activities.

***** Triennial Audit Results

Mr. Paul Jablonski, CEO, reported that the Federal Transit Administration (FTA) representatives were at MTS recently to conduct a triennial audit. He stated that they conducted a comprehensive review of 23 different areas and reported no deficiencies, which is very unusual. Mr. Jablonski commended staff for its preparation and for doing things right over the three-year period that was reviewed. Chairman Mathis stated that it is rare that such an audit is conducted and doesn't identify deficiencies of some kind.

CONSENT ITEMS:

6. MTS: Elevator and Escalator Maintenance and Repair Services – Contract Award (OPS 960.2, 970.2)

Recommend that the Board of Directors authorize the CEO to execute (1) MTS Doc. No. PWL113.0-09 (in substantially the same format as Attachment A of the agenda item) for a five-year contract with KONE Elevator for SDTC elevator Maintenance and repair services; and (2) MTS Doc. No. PWL116.0-09 (in substantially the same format as Attachment B of the agenda item) for a five-year contract with Omega Elevator for SDTI elevator and escalator maintenance and repair services.

7. MTS: Transit Security Grant Program (AG 210.9)

Recommend that the Board of Directors approve Resolution No. 09-20 (Attachment A of the agenda item) authorizing the CEO to submit applications for funds provided by the federal

Department of Homeland Security and administered through the State of California Office of Homeland Security.

8. MTS: Investment Report – April 2009 (FIN 300)

Recommend that the Board of Directors receive a report for information.

9. MTS: Audit Report - Payroll (LEG 492)

Recommend that the Board of Directors receive an internal audit report on the MTS payroll process.

Action on Recommended Consent Items

Mr. Young moved to approve Consent Agenda Item Nos. 6, 7, 8, and 9. Mr. Roberts seconded the motion, and the vote was 14 to 0 in favor.

46. MTS: Update on the San Ysidro Border Reconfiguration Project (CIP 10453)
(Discussion Item: Taken Out of Order)

Ms. Sharon Cooney, Interim Director of Planning, reported that staff had been working with the General Services Administration (GSA) to improve the flow of transit services and pedestrians at the San Ysidro Border crossing. She stated that MTS staff has also worked with a number of different agencies, including San Diego's congressional delegation, in order to address these issues.

Mr. Mike Daney, Senior Transportation Planner, reviewed the schedule and alternatives for the Draft Environmental Impact Statement, and provided a visual display of the existing point of entry at San Ysidro and discussed how it is currently working. He also provided a visual display of and discussed the alternatives and various construction phases for the project. He then reviewed MTS's concerns and reported that MTS will submit its comments to the GSA by June 22. He added that staff will continue to work with the GSA to develop solutions for the issues related to the ticket booth, the signal house, taxicab line-of-sight, and pedestrian flow. In response to a question from Mr. Young, Mr. Daney reported that if the Preferred Alternative is selected as the basis for the final design, MTS will be happy with that.

In response to a question from Mr. Young, Mr. Jablonski stated that the issue of taxi "wildcatters" in this area is one of enforcement rather than the configuration of the station. Mr. Jablonski stated that taxicab operators are parking in off-site areas around the transit center in order to try to pick-up passengers.

Mr. Jablonski pointed out that Phase III of this project includes the items that MTS requested. He added that the danger is that this particular phase of the project might not get done. He also stated that 85 to 90 percent of the pedestrians using this station are transit riders.

Ms. Bragg reported that it is very difficult for people who are physically impaired to use this station and stated that she hoped the new configuration would address that issue.

Action Taken

Mr. Rindone moved to receive a report on the United States General Services Administration's San Ysidro Border Reconfiguration Project. Mr. McClellan seconded the motion, and the vote was 13 to 0 in favor.

CLOSED SESSION:

24. Closed Session Items (ADM 122)

The Board convened to Closed Session at 9:48 a.m.

- a. MTS: CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to California Government Code section 54956.8:
Property: Assessor Parcel Nos. 667-020-70, 76, and 76, San Diego, California, in the community of San Ysidro;
Agency Negotiators: Tiffany Lorenzen, General Counsel, and Tim Allison, Manager of Real Estate Assets
Negotiating Parties: United States General Services Administration
Under Negotiation: Price and Terms of Payment
- b. MTS: CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to California Government Code section 54956.9(a) Balfour Beatty/Ortiz v. Metropolitan Transit System (Superior Court Case No. GIC 868963)
- c. MTS: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to California Government Code Section 54956.9(a): Phelps v. SDTC (Case No. 37-2008-0075323-CU-PO-CTL)

The Board reconvened to Open Session at 10:10 a.m.

Oral Report of Final Actions Taken in Closed Session

Ms. Lorenzen reported the following:

- a. The Board received a report and gave direction to agency negotiators.
- b. The Board received a report.
- c. The Board received a report and gave direction to outside counsel.

PUBLIC HEARING

25. There were no Public Hearings conducted.

DISCUSSION ITEMS:

There were no Discussion Items.

REPORT ITEMS:

45. MTS: Old Town Passenger Information Pilot Project (SRTP 850)

Mr. Rob Schupp, Director of Marketing and Communications, provided the Board with an overview of this project. He reported that staff has been working on improving customer information tools and has now turned to the station platform signage portion of that effort. He reported that CHK America was selected to work with staff on this project after a Request for Proposal process. He then provided Committee members with background information on CHK and reported that they had done signage for London, Chicago, Atlanta, and Washington D.C. He reviewed the reasons that the Old Town Transit Center was selected for the pilot project. He also reviewed the method CHK used to evaluate the effectiveness of the existing signage at this location and then displayed mock-ups of the proposed signage.

Mr. Schupp reported that new kiosks will be placed in front of the store at the transit center and close to the pedestrian tunnel. He also reported that new inserts will be placed in the existing kiosks.

Public Comment: *Clive Richard:* Mr. Richard stated that he really liked the new signage. He stated that it will make it easier for people to use the system and will encourage them to choose to ride with MTS. He applauded staff and complimented the consultant on a job well done. *Margo Tanguay:* Ms. Tanguay stated that this was a real positive sign for the system.

Mr. Faulconer stated that the signage at Old Town was not intuitive, and this will be a really good improvement. He stated that he liked the proposed locations for the kiosks and suggested that the consultant return to the station and repeat the test-case transfer scenarios again after the new signs are installed. In response to a question from Mr. Faulconer, Mr. Schupp reported that the pilot project would last about three to four months and that staff will report back with the results at the end of that period.

Mr. Roberts complimented staff on developing this program and stated that it is the most effective money ever spent. He stated that the existing signage is incredibly confusing, and this will be a huge improvement. He added that the system will be more accessible and user friendly. He suggested that there be step-by-step instructions for reading the signs. He was also very pleased with the low cost of the project.

Ms. Bragg stated that the new signage was a tremendous improvement. She stated that she was a frequent rider and had helped others use the existing signage. She stated that she liked the emphasis on travel times and felt this would be especially helpful to tourists. She also thanked Mr. Schupp for his assistance on the wheelchair accessibility issue on Route 929.

Action Taken

Mr. Roberts moved to receive a report and provide input on the draft Old Town Passenger Information Pilot Project signage along with step-by-step instructions for using the signage. Mr. Ovrom seconded the motion, and the vote was 14 to 0 in favor.

47. MTS: 2009 Rock 'N' Roll Marathon (SRTP 825)

Mr. Jim Byrne, Director of Transportation, reviewed bus-related planning that occurred before this event and then reviewed operations on the day of the race. He also showed a map of the

course and reviewed statistical information regarding bus-related activities that occurred before, during, and after the race. He stated that everything went smoothly and event organizers expressed their pleasure with the services provided by MTS Bus and Veolia.

Mr. Tom Doogan, Special Event/Operations Coordinator, reviewed how the race impacted trolley operations. He reviewed how ticket sales were handled and provided statistics on manual ticket sales, ridership levels, and cost recovery, which was 100 percent. Mr. Doogan reported that a new course will be developed for next year because the Marine Corps Recruit Depot will no longer be available to serve as the Finish Line area.

Mr. Jablonski stated that this year's effort was exceptional and felt that the model for this service had been perfected. He stated that this serves as a good example of how well the system can perform outside of normal operations. Chairman Mathis thanked staff for a job well done. Mr. Faulconer stated that this operation just gets better and better. He stated that he talked to people who reported that they had minimal waits for service and that everything went smoothly.

In response to a question from Mr. Faulconer, Mr. Byrne reported that bus services are provided on a full-cost-recovery basis. Mr. Faulconer stated that he was pleased that staff is working with marathon staff to ensure that the new route selected for next year will integrate effectively with transit. Chairman Mathis stated that MTS has the leverage it needs to ensure that and added that race personnel understand how critical transit services are to the success of this event. In response to questions from Mr. Gloria, staff reported that bus service was billed at just under \$70,000, that MTS updates its cost figures every month. Staff also reported that \$40,000 in additional fares were collected that day.

Mr. Roberts also complimented staff. He added that there was major traffic congestion at some intersections the day of the race and improvements are needed in this area.

Action Taken

Mr. Faulconer moved to receive a report on operations during the Rock 'N' Roll Marathon. Mr. Young seconded the motion, and the vote was 14 to 0 in favor.

48. MTS: Mid-City Rapid Bus Project Update (SRTP 820.2)

Mr. Denis Desmond, Senior Transportation Planner, provided the Board with a report on the Mid-City Rapid Bus Project. He reviewed the elements of the project including service, equipment, transit signal priorities, and stations and station amenities. He also reviewed the current status of this project and the funding that would be used for capital and operating expenses for this project. He reported that TransNet funding for operations would be over and above what it costs currently to operate Route 15. He reported on the current status of the project and added that service should begin in 2011. Mr. Desmond also displayed artist renderings of the El Cajon Boulevard station and the Park Boulevard Median Lanes and Station and displayed a map of the route showing the location of special transit lanes and traffic priorities. He then introduced Miriam Kirshner, the SANDAG Project Engineer for this project. In response to a question from Chairman Mathis, Mr. Desmond reported that the funding for this service will be available for the duration of TransNet. In response to a question from Mr. Ewin, Ms. Cooney stated that the station design could vary from stop to stop, and staff will be attempting to use off-the-shelf components in the design in order to reduce cost.

Mr. Gloria stated that this is a very exciting project and briefly discussed development activity that is currently underway and planned for around Park and El Cajon Boulevards. He stated that he appreciated staff's work. Mr. Desmond informed Mr. Gloria that MTS staff participated in meetings with SANDAG project personnel to provide MTS's input.

Ms. Kirshner reported on public meetings that have been held in the areas that will be served by this route and stated that business owners were involved in some of those meetings. She added that SANDAG is now focusing on community planning groups. Mr. Gloria stated that planning groups and business district groups should continue to be included. Mr. Desmond reported that the fare for this service should remain at \$2.25, which is the fare currently charged for Route 15. Ms. Kirshner advised Mr. Gloria that SANDAG will not be improving the stations in the Balboa Park/Park Boulevard area, but the route will continue to serve those stations. Mr. Ewin referenced the original station design for Super Loop and stated that he was glad that SANDAG staff members were looking at ways to economize on stations. Mr. Gloria stated that shelters should not block the view of storefronts.

Action Taken

Mr. Gloria moved to receive a report on the Mid-City Rapid Bus Project. Ms. Bragg seconded the motion, and the vote was 11 to 0 in favor.

60. Chairman's Report

Chairman Mathis reported that the June 4 Executive Committee and Audit Oversight Committee meetings were cancelled.

61. Audit Oversight Committee Chairman's Report

Mr. Ewin stated that the next Audit Oversight Committee meeting would be held on July 9, 2009.

62. Chief Executive Officer's Report

There was no CEO's report.

63. Board Member Communications

Super Loop Launch: Mr. Rindone reminded Board members that the Super Loop launch is being held on Monday, June 15. He stated that questions regarding this event should be directed to him, Rob Schupp, or Gail Williams.

San Diego Railroad Museum: Mr. McClellan stated that he had gotten an e-mail from the San Diego Railroad Museum stating that there were some problems with rail traffic and with someone trying to pass costs on to the museum. Chairman Mathis reported that Mr. Jablonski had already addressed this issue.

64. Additional Public Comments on Items Not on the Agenda

Diana Hyatt, Pacific Southwest Railway Museum: Ms. Hyatt introduced herself to the Board and provided background on herself as well as the museum. She stated that she would appreciate the opportunity to appear before the Board to give quarterly PowerPoint

presentations on the museum's activities. She also offered to give tours to anyone who was interested and stated that she would leave her contact information on the table.

Clive Richard: Mr. Richard discussed recent developments regarding transit funding and stated that voters have no real power.

65. Next Meeting Date

The next regularly scheduled Board meeting is Thursday, June 25, 2009.

66. Adjournment

Chairman Mathis adjourned the meeting in the memory of departed colleague Fred McLean at 11:21 a.m.

Chairperson
San Diego Metropolitan Transit System

Filed by:

Approved as to form:

Office of the Clerk of the Board
San Diego Metropolitan Transit System

Office of the General Counsel
San Diego Metropolitan Transit System

Attachment: A. Roll Call Sheet
gail.williams/minutes

METROPOLITAN TRANSIT DEVELOPMENT BOARD
ROLL CALL

MEETING OF (DATE): 06/11/09

CALL TO ORDER (TIME): 9:01 a.m.

RECESS: _____

RECONVENE: _____

CLOSED SESSION: 9:48 a.m.

RECONVENE: 10:10 a.m.

PUBLIC HEARING: _____

RECONVENE: _____

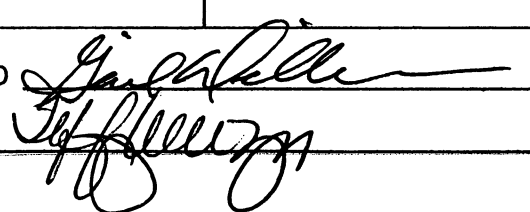
ORDINANCES ADOPTED: _____

ADJOURN: 11:21 a.m.

BOARD MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
BOYACK	<input checked="" type="checkbox"/> (Cunningham) <input type="checkbox"/>		
EWIN	<input checked="" type="checkbox"/> (Allan) <input type="checkbox"/>		
FAULCONER	<input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>	9:04 a.m. during AI 3	11:00 a.m. during AI 48
GLORIA	<input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>		
JANNEY	<input type="checkbox"/> (Bragg) <input checked="" type="checkbox"/>		
LIGHTNER	<input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>		
MATHIS	<input checked="" type="checkbox"/> (Vacant) <input type="checkbox"/>		
MCCLELLAN	<input checked="" type="checkbox"/> (Hanson-Cox) <input type="checkbox"/>		
OVROM	<input checked="" type="checkbox"/> (Woiwode) <input type="checkbox"/>		
RINDONE	<input checked="" type="checkbox"/> (Castaneda) <input type="checkbox"/>		
ROBERTS	<input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>		11:07 during AI 48
RYAN	<input type="checkbox"/> (B. Jones) <input checked="" type="checkbox"/>	9:04 a.m. during AI 3	
SELBY	<input checked="" type="checkbox"/> (England) <input type="checkbox"/>		
YOUNG	<input checked="" type="checkbox"/> (Emerald) <input type="checkbox"/>		10:55 a.m. during AI 48
ZARATE	<input type="checkbox"/> (Parra) <input type="checkbox"/>		<input checked="" type="checkbox"/>

SIGNED BY THE OFFICE OF THE CLERK OF THE BOARD

CONFIRMED BY OFFICE OF THE GENERAL COUNSEL





1255 Imperial Avenue, Suite 1000
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Agenda

Item No. 6

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

ADM 110.2

June 25, 2009

SUBJECT:

MTS: PROPOSED POLICY NO. 60 – TICKET DISTRIBUTION

RECOMMENDATION:

That the Board of Directors adopt MTS Policy No. 60 regarding ticket distribution (Attachment A).

Budget Impact


None.

DISCUSSION:

The California Fair Political Practices Commission (FPPC) has adopted new disclosure and reporting requirements concerning gifts of tickets or passes to public officials provided from their local agency for admission to entertainment, recreational, amusement, and similar events. In order to comply with the requirements, MTS must adopt a ticket distribution policy governing ticket usage.

The policy would require that tickets received by MTS and distributed to officials or employees accomplish a public purpose. In addition, when these tickets are utilized, the transaction must be recorded on FPPC Form 802 and posted on MTS's Web site. This policy would not apply to tickets listed as income under state and federal tax laws, tickets for which the recipient pays face value, or tickets provided to events where MTS employees receiving the ticket play a ceremonial role in the event.

Therefore, staff recommends enactment of the proposed Policy No. 60.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Tiffany Lorenzen, 619.557.4512, tiffany.lorenzen@sdmts.com

JUNE25-09.6.POLICY 60.TICKET DISTRIBUTION.LWORKMAN.doc

Attachment: A. Proposed MTS Policy No. 60 – Ticket Distribution Policy
B. FPPC Form 802



Att. A, AI 6, 6/25/09

Metropolitan Transit System

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

Policies and Procedures

No. 60

SUBJECT:

Enacted: 6/25/09

TICKET DISTRIBUTION POLICY

PURPOSE:

To establish a policy as mandated by recent regulations promulgated by the Fair Political Practices Commission (FPPC), which requires that any distribution of tickets received by MTS be made pursuant to a written policy.

BACKGROUND:

Effective February 7, 2009, the FPPC amended California Code of Regulations section 18944.1, which governs the distribution of tickets received as gifts by public agencies and distributed to, or at the behest of, public officials. Section 18944.1 now requires that public officials report the value of the tickets or passes they receive from an agency in accordance with an officially adopted policy. This policy must state the public purpose to be accomplished by the distribution of tickets or passes. All tickets must be accounted for on a detailed reporting form. The Chief Executive Officer, or his or her designee, will be responsible for completing, verifying, and posting the forms on MTS's Web page.

POLICY:

60.1 DEFINITIONS

For purposes of this policy, the following definitions shall apply:

- a. "MTS" shall mean the Metropolitan Transit System and all of its subsidiaries.
- b. "FPPC" shall mean the California Fair Political Practices Commission.
- c. "Policy" shall mean and refer to this Ticket Distribution Policy.
- d. "MTS Official" shall mean every member, officer, employee, or consultant of MTS.



- e. "Ticket" shall mean admission to a facility, event, show, or performance for an entertainment, amusement, recreational, or similar purpose.
- f. "Gift" shall mean any payment that confers a personal benefit on the recipient to the extent that consideration of equal or greater value is not received. The term gift shall not include limitations set forth in California Government Code section 82028(c).

60.2 TICKETS COVERED BY THIS POLICY

Tickets covered by this policy include those:

- a. Gratuitously provided to MTS by an outside source;
- b. Acquired by MTS purchase or as consideration pursuant to the terms of a contract for the use of an MTS venue, equipment, or services; or
- c. Distributed to MTS without consideration or compensation.

60.3 LIMITATIONS

This policy does not apply to:

- a. Tickets provided to MTS Officials by an outside source to an event at which the MTS Official performs a ceremonial role or function on behalf of MTS;
- b. Tickets for which the MTS Official pays MTS the face value of the ticket; or
- c. Tickets for which the MTS Official treats the ticket or pass as income consistent with applicable state and federal income tax laws, and MTS reports the distribution of the ticket or pass as income to the MTS Official in complying with FPPC Regulation section 18944.1(d).

60.4 PROVISIONS

MTS may distribute tickets under the following provisions:

- a. The Chief Executive Officer, or his or her designee, uses, or directs, the tickets to be used for one or more of the following public purposes. The following list is illustrative rather than exhaustive:
 - i. Promotion of public exposure to, and awareness of: new, upcoming, or existing MTS services or facilities;
 - ii. Promotion of special events to which MTS is a party;
 - iii. Promotion of MTS-sponsored events;

- iv. Promoting business activity, growth, or development that helps MTS increase revenue;
 - v. Promotion of MTS brand recognition, visibility, or profile on a local, state, national, or worldwide scale;
 - vi. Meeting and greeting residents and visitors to gain feedback on and make observations of the quality and awareness of MTS services or to gain insight into what MTS services and facilities that residents and visitors would like to see MTS make available;
 - vii. Promotion of open, visible, and accessible government by MTS Official participation and/or availability at an event;
 - viii. Attracting and retaining highly qualified employees for MTS service;
 - ix. Attracting or rewarding volunteer public service;
 - x. Promoting enhanced MTS employee performance or morale; or
 - xi. For the purpose of networking with other community and civic leaders at charitable events.
- b. Tickets distributed to an MTS Official pursuant to this policy shall not be transferred to any other person except to members of such MTS Official's immediate family solely for their personal use;
 - c. No person who receives a ticket pursuant to this policy shall sell or receive reimbursement for the value of such ticket;
 - d. The following disclosure requirements must be met: This policy and a Form 802 report (required by section 18944.1) shall be posted on MTS's Web site as required by that section. A Form 802 report shall be filled out for any tickets distributed under this policy and posted within 30 days of distribution. The Form 802 report or other report must contain the following information:
 - i. The name of the person receiving the ticket or pass—except if the ticket or pass is distributed to an organization outside of MTS, then MTS may post the name, address, description of the organization, and the number of tickets or passes provided to the organization in lieu of posting the names of each individual from the organization;
 - ii. A description of the event;
 - iii. The date of the event;
 - iv. The face value of the ticket or pass;

- v. The number of tickets or passes provided to each person;
- vi. If the ticket or pass is behest, the name of the MTS Official who behest the ticket or pass; and
- vii. A description of the public purpose under which the distribution was made or, alternatively, that the ticket or pass was distributed as income to the MTS Official.

JUNE25-09.6.AttA.POLICY 60.TICKET DIST.LWORKMAN.doc

**Tickets Provided by
Agency Report**
A Public Document

 TICKETS PROVIDED BY
AGENCY REPORT

1. Agency Name		Date Stamp	California Form 802 For Official Use Only
Division, Department, or Region (if applicable)			
Street Address			
Area Code/Phone Number	E-mail	<input type="checkbox"/> Amendment (Must explain in Part 5.) Date of Original Filing: _____ (month, day, year)	
Agency Contact (name and title)			

2. Event For Which Tickets Were Distributed

Date(s) of Event: ____/____/____ Description of Event: _____

____/____/____ Face Value of Ticket: \$ _____

 Agency Event ☐ Yes ☐ No (Identify source of tickets below.)

Name of Outside Source of Ticket(s) Provided to Agency: _____

 Number of Tickets Received: _____ Ticket(s) Provided to Agency: ☐ Gratuitously ☐ Pursuant to Contract

3. Agency Official(s) Receiving Ticket(s) (use a continuation sheet for additional names)

Name of Official (Last, First)	Number of Tickets	State Whether the Distribution is Income to the Official or Describe the Public Purpose for the Distribution

4. Individual or Organization Receiving Ticket(s) (Provided at the behest of an agency official.)

Name of Behesting Agency Official: _____

Name of Individual or Organization: _____ Number of Tickets: _____

Description of Organization: _____

 Address of Organization: _____
 Number and Street City State Zip Code

Purpose for Distribution: (Describe the public purpose for the distribution to the organization.)

5. Verification

I have determined that the distribution of tickets set forth above is in accordance with the provisions of FPPC Regulation 18944.1.

Signature of Agency Head or Designee _____ Print Name _____ Title _____ (month, day, year) _____

Comment: (Use this space or an attachment for any additional information including amendment explanation.)

Tickets Provided by Agency Report

California
Form **802**

A Public Document

This form is for use by all state and local government agencies to disclose the distribution of tickets or passes that allow admission to facilities, events, shows, or performances for entertainment, amusement, recreational, or similar purposes. The agency must complete Form 802 identifying agency officials who receive tickets or passes from the agency as well as other individuals and organizations that receive tickets or passes at the behest of agency officials. Form 802 must be posted in a prominent fashion on the agency's website.

Gifts of Tickets or Passes to Public Officials

FPPC Regulation 18944.1 sets out the circumstances under which an agency's distribution of tickets or passes to or at the behest of an official in the agency does not result in a gift to the official. (Regulation 18944.1 is available on the FPPC website at www.fppc.ca.gov.) Even though the distribution of tickets or passes to a public official under the regulation is not a gift to the official, the agency must disclose the distribution on Form 802. The official does not have to disclose tickets or passes received or distributed under the regulation on his or her Statement of Economic Interests (Form 700), but tickets or passes received or distributed by the official that do not fall under the regulation may be subject to disclosure on the official's Form 700 and subject to gift limits.

Posting Form 802

The Form 802 must be posted on the agency's website within 30 days after the distribution. If the agency does not maintain a website, the form must be maintained by the agency as a public record, be available for public inspection and copying, and be forwarded to the FPPC for posting on its website.

Part 1. Agency Identification

List the agency's name, address and the name of an agency contact. Mark the amendment box if changing any information on a previously filed form and include the date of the original filing.

Part 2. Event For Which Tickets Were Distributed

Provide the date(s) of the event, a description of the event, and the face value (i.e. the cost to the public) of the ticket or pass. Check the box indicating whether the event was an "agency event" (such as a county fair, or an event for which the agency purchased tickets). If the agency received the tickets from an outside source, identify the source, the number of tickets received, and check the box to identify whether the tickets or passes were provided to the agency:

- Gratuitously; or
- Pursuant to a contract.

Part 3. Agency Official(s) Receiving Ticket(s)

Disclose the name of each agency official that received a ticket or pass and the number of tickets or passes the official received. Also state whether the distribution is income to the official or describe the public purpose for which the official received the tickets or passes.

Part 4. Individual or Organization Receiving Ticket(s)

If tickets or passes were distributed to an individual or organization outside the agency, at the behest of an official of the agency, provide the name of the official. Disclose the name(s) of the individual(s) who received the tickets or passes and the number of tickets or passes provided. If the tickets or passes were provided to an organization, the agency may post the name, address, a description of the organization, and the number of tickets or passes provided to the organization in lieu of posting the name of each individual that received a ticket or pass. Also, describe the public purpose for the distribution to the individual or organization.

Part 5. Verification

The agency head or his or her designee must sign the form.

Privacy Information Notice

Information requested on all FPPC forms is used by the FPPC to administer and enforce the Political Reform Act (Government Code Sections 81000-91014 and California Code of Regulations Sections 18109-18997). All information required by these forms is mandated by the Political Reform Act. Failure to provide all of the information required by the Act is a violation subject to administrative, criminal, or civil prosecution. All reports and statements provided are public records open for public inspection and reproduction.

If you have any questions regarding this Privacy Act Notice, please contact the FPPC.

General Counsel
Fair Political Practices Commission
428 J Street, Suite 620
Sacramento, CA 95814
(916) 322-5660



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

Agenda

Item No. 7

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

OPS 960.6, 970.6

June 25, 2009

SUBJECT:

MTS: AZTEC JANITORIAL SERVICES - EXERCISE OPTION YEAR

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc No. G1031.2-07 with Aztec Janitorial Services, Inc. for Group I Janitorial Services at MTS Bus Operations and Group III Transit Center Maintenance.

Budget Impact

The total cost for the first option year shall not exceed \$276,804.46. The total cost for the second option year shall not exceed \$280,928.30. The total cost of the two (2) - one (1) year options, including California sales tax, shall not exceed \$557,732.76. The expenditures would come out of San Diego Transit Corporation's operating budget (Cost Center 331/332 Expense Element 53640) and Metropolitan Transit System operation budget (Cost Center 30120 Expense Element 53114).

DISCUSSION:

On June 14, 2006, MTS issued a Request for Proposals (RFP) under MTS Document No. G1031.0-07 for Janitorial Services, Transit Center Maintenance, and LRV Cleaning for a three-year base period with 2 one-year options.

- Base Period: October 1, 2006 - September 30, 2009
- Option Year 1: October 1, 2009 - September 30, 2010
- Option Year 2: October 1, 2010 - September 30, 2011

The Scope of Work was separated into four groups to maximize competition. Participants were allowed to propose on all groups, a combination of groups, or a single group.

The grouping was established as follows:

- Group I - Janitorial Services for MTS Bus
This group included all janitorial services at both of the MTS Bus operating facilities.
- Group II - Janitorial Services for MTS Rail
This group included all janitorial services for Buildings A, B, C, the yard observation tower, and the El Cajon Transit Center for MTS Rail.
- Group III - Transit Center Maintenance
This group included cleaning and pressure washing at various MTS transit centers.
- Group IV – LRV Cleaning
This group included daily, nightly, and periodical cleaning of all light rail vehicles.

After MTS staff conducted proposal evaluations, it was determined that awarding two contracts would represent the overall best value to MTS. On September 28, 2006, the Board approved awarding the following two contracts:

1. Aztec Janitorial Services, Inc. for Groups I, II, and III identified above (MTS Doc No. G1031.0-07); and
2. NMS Management, Inc. for Group IV (MTS Doc No. L0782.0-07).

Staff is requesting Board approval to exercise option year one for Groups I and III only on MTS Document No. G1031.0-07.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: John Miller, (619) 557-4580, John.Miller@sdmts.com

JUNE25-09JANITORIAL&LRVFLEETCLEANING.JMILLER

Attachments: A. MTS Doc No. G1031.2-07 for Aztec Janitorial Services, Inc.
B. Price Summary

DRAFT

June 25, 2009

MTS Doc. No. G1031.2-07
OPS 960.06

Mr. Genaro Garcia
President
Aztec Landscaping, Inc.
7970 Lemon Grove Way
Lemon Grove, CA 91945

Dear Mr. Garcia:

Subject: AMENDMENT NO. 2 TO MTS DOC. NO. G1031.0-07; EXERCISE OPTION YEAR ONE

In accordance with Article 2, "Changes," of the Standard Conditions Services of MTS Doc. No. G1031.0-07, MTS amends the Agreement to exercise the option year for Groups I and III only and to make administrative changes to this Agreement.

This Amendment shall consist of the following:

1.	Exercise Option Year One	<u>Unit Price</u>
	- Group I (MTS Bus)	\$162,161.92
	- Group III (Transit Center Maintenance)	<u>\$114,642.54</u>
	Total:	\$276,804.46
2.	Remove Group II Option Years (MTS Rail)	<u>Unit Price</u>
	- Option Year One	\$(111,080.00)
	- Option Year Two	<u>\$(112,745.26)</u>
	Total:	\$(223,825.26)

SCHEDULE

Option year one period of performance: October 1, 2009 – September 30, 2010

PAYMENT

The total cost of this Amendment shall not exceed \$276,804.46.

As a result of this amendment, the total contract value, including options, has decreased by \$223,825.26 from \$1,959,906.56 to \$1,736,081.30.

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

Sincerely,

Agreed:

Paul C. Jablonski
Chief Executive Officer

Genaro Garcia
Aztec Landscape, Inc.

JUNE25-09.7.AttA.AZTEC JANITORIAL G1031.2-07.JMILLER.doc

Date: _____

PRICING FOR GROUP I - JANITORIAL SERVICES FOR MTS BUS	
CONTRACT YEAR 1:	\$ 155,082.90
CONTRACT YEAR 2:	\$ 157,406.36
CONTRACT YEAR 3:	\$ 159,767.01
TOTAL BASE CONTRACT YEARS 1-3:	\$ 472,256.27
OPTION 1 - YEAR 4:	\$ 162,161.92
OPTION 2 - YEAR 5:	\$ 164,593.10
TOTAL OPTION YEARS 4 & 5:	\$ 326,755.02

GRAND TOTAL FOR GROUP I: \$ 799,011.29

PRICING FOR GROUP II - JANITORIAL SERVICES FOR MTS RAIL	
CONTRACT YEAR 1:	\$ 106,228.38
CONTRACT YEAR 2:	\$ 107,821.25
CONTRACT YEAR 3:	\$ 109,437.40
TOTAL BASE CONTRACT YEARS 1-3:	\$ 323,487.03
OPTION 1 - YEAR 4: (Delete) Option will not be exercised	\$ 111,080.00
OPTION 2 - YEAR 5: (Delete) Option will not be exercised	\$ 112,745.26
TOTAL OPTION YEARS 4 & 5:	\$ 223,825.26

GRAND TOTAL FOR GROUP II: \$ 547,312.29

PRICING FOR GROUP III - MTS TRANSIT CENTER MAINTENANCE	
CONTRACT YEAR 1:	\$ 109,736.00
CONTRACT YEAR 2:	\$ 111,332.10
CONTRACT YEAR 3:	\$ 112,975.04
TOTAL BASE CONTRACT YEARS 1-3:	\$ 334,043.14
OPTION 1 - YEAR 4:	\$ 114,642.54
OPTION 2 - YEAR 5:	\$ 116,335.20
TOTAL OPTION YEARS 4 & 5:	\$ 230,977.74

GRAND TOTAL FOR GROUP III: \$ 565,020.88

GRAND TOTALS FOR GROUPS I, II, & III

GRAND TOTAL BASE CONTRACT: \$ 1,129,786.44

GRAND TOTAL OPTIONS: \$ 781,558.02

TOTAL CONTRACT VALUE BASE + OPTIONS: \$ 1,911,344.46



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Agenda

Item No. 8

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

OPS 970.6

June 25, 2009

SUBJECT:

MTS: LRV FLEET CLEANING SERVICES - EXERCISE OPTION YEAR ONE

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute option year one of MTS Doc No. L0782.0-07 with NMS Management, Inc. for light rail vehicle (LRV) fleet cleaning services.

Budget Impact

The total cost for the first option year would not exceed \$897,575.32. The total cost for the second option year would not exceed \$924,502.58. The total cost of the two 1-year options, including California sales tax, would not exceed \$1,822,077.90. The expenditure would come from San Diego Trolley, Inc.'s operating budget (Cost Center 352 Expense Element 53615).

DISCUSSION:

On June 14, 2006, MTS issued a Request for Proposals (RFP) under MTS Document No. G1031.0-07 for janitorial services, transit center maintenance, and light rail vehicle (LRV) cleaning for a three-year base period with 2 one-year options.

- Base Period: October 1, 2006 - September 30, 2009
- Option Year One: October 1, 2009 - September 30, 2010
- Option Year Two: October 1, 2010 - September 30, 2011

The Scope of Work was separated into four groups to maximize competition. Participants were allowed to propose on all groups, a combination of groups, or a single group.

The grouping was established as follows:

- Group I - Janitorial Services for MTS Bus

This group included all janitorial services at both of the MTS Bus operating facilities.

- Group II - Janitorial Services for MTS Rail

This group included all janitorial services for Buildings A, B, C, the yard observation tower, and the El Cajon Transit Center for MTS Rail.

- Group III -Transit Center Maintenance

This group included cleaning and pressure washing at various MTS transit centers.

- Group IV – LRV Cleaning

This group included daily, nightly, and periodical cleaning of all light rail vehicles.

After MTS staff conducted proposal evaluations, it was determined that awarding two contracts would represent the overall best value to MTS. On September 28, 2006, the Board approved awarding the following two contracts:

1. Aztec Janitorial Services, Inc. for Groups I, II, and III identified above (MTS Doc No. G1031.0-07); and
2. NMS Management, Inc. for Group IV (LRV fleet cleaning) (MTS Doc No. L0782.0-07).

Staff is requesting Board approval to exercise option year one for Group IV LRV fleet cleaning (MTS Doc No. L0782.0-07).



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: John Miller, 619.557.4580, John.Miller@sdmts.com

JUNE25-09.8.LRV FLEET CLNG YEAR ONE.JMILLER.doc

Attachments: A. MTS Doc No. L0782.1-07 for NMS Management, Inc.
B. Price Summary

DRAFT

June 25, 2009

MTS Doc. No. L0782.1-07
OPS 970.06

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

Dear Mr. Guaderrama:

Subject: AMENDMENT NO. 1 TO MTS DOC. NO. L0782.0-07; GROUP IV LRV FLEET CLEANING
EXERCISE OPTION YEAR ONE

In accordance with Article 2, "Changes," of the Standard Conditions Services of MTS Doc No. L0782.0-07, MTS amends the Agreement to exercise option year one for Group IV light rail vehicle fleet cleaning.

This Amendment shall consist of the following:

Exercise option year one	<u>Unit Price</u>
Group IV (LRV fleet cleaning)	\$897,575.32

SCHEDULE

Option year one period of performance: October 1, 2009 – September 30, 2010.

PAYMENT

The total cost of this Amendment shall not exceed \$897,575.32. The total contract value, to include options, shall not exceed \$4,514,803.86.

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

Sincerely,

Agreed:

Paul C. Jablonski
Chief Executive Officer

David S. Guaderrama
NMS Management, Inc.

JUNE25-09.8.AttA.NMS LRV
CLEANING YEAR ONE.JMILLER.doc

Date:

NMS MANAGEMENT, INC.

PRICING FOR GROUP IV - LRV FLEET CLEANING	
CONTRACT YEARS 1:	\$ 897,575.32
CONTRACT YEARS 2:	\$ 897,575.32
CONTRACT YEARS 3:	\$ 897,575.32
TOTAL YEARS 1-3:	\$ 2,692,725.96
OPTION 1 - YEAR 4:	\$ 897,575.32
OPTION 2 - YEAR 5:	\$ 924,502.58
TOTAL OPTION YEARS 4 & 5:	\$ 1,822,077.90

GRANT TOTAL GROUP IV	
TOTAL CONTRACT VALUE BASE + OPTIONS \$ 4,514,803.86	



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Agenda

Item No. 9

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation and
San Diego Trolley, Inc.

OPS 960.2

June 25, 2009

SUBJECT:

MTS: MICROSOFT LICENSING AND SOFTWARE ASSURANCE UPGRADE -
CONTRACT AWARD

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1252.0-09 (in substantially the same format as Attachment A) with Dell Marketing L.P. for Microsoft's Licensing and Software Assurance Upgrade for a three-year period.

Budget Impact

A total of \$199,760.43 would be funded by Project Code 50661-53720 and would provide support coverage for a three-year period.

DISCUSSION:

Background

MTS Policy No. 52 governing procurement of goods and services requires a formal competitive bid process for procurements exceeding \$100,000.

On April 30, 2009, MTS issued an Invitation for Bids (IFB) to interested parties for the purchase of Microsoft Licensing and Software Assurance Upgrade. This contract would provide continued coverage for three years for current MTS Microsoft license agreements.



On June 4, 2009, MTS received two bids—one from En Pointe Technologies and one from Dell Marketing L.P. (see Bid Summary – Attachment B). MTS did not receive En Pointe Technologies' bid prior to the scheduled time and date and, therefore, En Pointe Technologies' bid was found nonresponsive. Per current MTS procurement procedures, En Pointe Technologies' bid was returned unopened. MTS staff reviewed Dell Marketing L.P.'s bid submittal and found that it was technically responsive. Staff conducted a cost analysis comparing Dell Marketing L.P.'s bid pricing with MTS's Independent Cost Estimate (ICE) and the current on-line market pricing. Based on the analysis, it was determined that Dell Marketing L.P.'s price is fair and reasonable. Dell Marketing L.P. is the single responsive, responsible bidder for the three-year period at \$199,760.43; therefore, pursuant to MTS policy, staff recommends award of the contract to Dell Marketing L.P.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Daniel Bossert, 619.238.0100, Ext. 6445, daniel.bossert@sdmts.com

JUNE25-09.9.MICROSOFT LICENSE.CAQUINO.doc

Attachments: A. MTS Doc. No. G1252.0-09 Dell Marketing L.P.
B. Bid Summary

STANDARD PROCUREMENT AGREEMENT

DRAFT

G1252.0-09
 CONTRACT NUMBER
 OPS 960.2
 FILE NUMBER(S)

THIS AGREEMENT is entered into this _____ day of _____ 2009, in the state of California by and between San Diego Metropolitan Transit System ("MTS"), a California public agency, and the following contractor, hereinafter referred to as "Contractor":

Name: Dell Marketing L.P. Address: One Dell Way

Form of Business: Corporation Round Rock, TX 78682
 (Corporation, partnership, sole proprietor, etc.)

Telephone: 515-782-5272

Authorized person to sign contracts: Beth Jordan Regional Proposal Manager
 Name Title

The attached Standard Conditions are part of this agreement. The Contractor agrees to furnish to MTS services and materials, as follows:

Provide coverage for Microsoft's licensing and software assurance upgrade for MTS as stipulated in MTS's Invitation for Bids (IFB) for Microsoft Licensing and Software Assurance Upgrade (MTS Doc. No. G1252.0-09); MTS's Responses to Written Questions/Clarifications; and in accordance with the Standard Procurement Agreement, including the Standard Conditions Procurement and Dell Marketing L.P.'s Bid Proposal dated 6/4/09. If there are inconsistencies between the contract documents, the following order of precedence will govern the interpretation of this contract:

1. MTS's Microsoft Licensing and Software Assurance Upgrade IFB, MTS's Responses to Written Questions/Clarifications, and Dell Marketing L.P.'s Bid Proposal dated 6/4/09.
2. Standard Procurement Agreement, including the Standard Conditions Procurement.

Total expenditures for this contract shall not exceed \$199,760.43. Payment terms shall be net 30 days from invoice approval date. This contract shall remain in effect for three full years (July 1, 2009, through June 30, 2012).

SAN DIEGO METROPOLITAN TRANSIT SYSTEM	CONTRACTOR AUTHORIZATION
By: _____ Chief Executive Officer	Firm: _____
Approved as to form:	By: _____ Signature
By: _____ Office of General Counsel	Title: _____

AMOUNT ENCUMBERED	BUDGET ITEM	FISCAL YEAR
\$199,760.43	50661-53720	09-12

By: _____ Date
 Chief Financial Officer



Att. B, AI 9,
6/25/09

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

BID SUMMARY

MTS IFB NO. G1252.0-09

MICROSOFT LICENSING AND SOFTWARE ASSURANCE UPGRADE

COMPANY NAME	BID AMOUNT
Dell Marketing L.P. * One Dell Way Round Rock, TX 78682	\$ 199,760.43
En Pointe Technologies ** 18701 S. Figueroa Street Gardena, CA 90248	<i>Nonresponsive</i>

* Lowest responsive, responsible bidder

** Nonresponsive bidder

JUNE26-09.9.AttB.BID SUMM MICROSOFT
LICENSING.CAQUINO.doc



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Agenda

Item No. 10

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

LEG 492

June 25, 2009

SUBJECT:

MTS: PROPOSED 2009/2010 INTERNAL AUDIT PLAN

RECOMMENDATION:

That the Board of Directors approve the internal audit plan (Attachment A).

Budget Impact

None.

DISCUSSION:

The MTS Internal Auditor has proposed a 2009/2010 work plan consisting of 11 internal audit projects plus an allowance of 280 hours for completion of various management and Board requests. The estimated time required to complete each project is shown on the attached audit plan (Attachment A). Each agency process to be reviewed is listed as well as the estimated business risks associated with each process.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Mark Abbey, 619.557.4573, mark.abbey@sdmts.com

JUNE25-09.10.09-10 AUDIT PLAN.MABBEY.doc

Attachment: A. Proposed Audit Plan

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

Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc., San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations), and San Diego Vintage Trolley, Inc., a 501(c)(3) nonprofit corporation, in cooperation with Chula Vista Transit. MTS is the taxicab administrator for seven cities. MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.

PROPOSED 2009/2010 INTERNAL AUDIT PLAN SUMMARY

Goals, Objectives, and Activities

RISK

GOAL 1 STRENGTHEN BOARD'S (AND ITS SUBSIDIARIES') PERFORMANCE AND ACCOUNTABILITY TO THE PUBLIC IN MANAGING RESOURCES AND ACHIEVING OUTCOMES

Objective 1 Improve performance levels and outcomes for the Board and its subsidiaries

	Agency Process	Gross Risk Assmt.	Number of Task Hours
• Potential misappropriation, waste, or loss (evaluate controls)	MTS Human Resources	Medium	120
• Potential misappropriation, waste, or loss (evaluate controls)	MTS-Risk Management	High	120
• Potential misappropriation, waste, or loss (evaluate controls)	MTS Taxicab Admin.	Medium	120
• Potential misappropriation, waste, or loss (evaluate controls)	MTS Fixed-Asset Review	High	120
• Bodily harm to customers or employees	SDTC Safety- (Including DMV Pull Notice Review)	High	120
• Misappropriation, waste, or loss of collected revenue (evaluate controls)	Smart Card Controls	Extreme	160
• Misappropriation, waste, or loss of collected revenue (evaluate controls)	Contract Services	High	160
• Misappropriation, waste, or loss of collected revenue (evaluate controls)	Transit Store	High	120
• Bodily harm to customers or employees	SDTI Safety	Medium	80
• Bodily harm to customers or employees	CARB Compliance Review	High	40
• Misappropriation, waste, or loss of collected revenue (evaluate controls)	SDTC Warranty Mgt	Medium	120
		Total	1,280

Objective 2 Improve the public's ability to hold the Board and its subsidiaries accountable

	Number of Task Hours
• Follow-up on all MTS and subsidiary audit and audit-related projects conducted in FY 2008/09 and evaluate the quality and timeliness of action plans	200

GOAL 2 IMPROVE THE AUDITING AND CONSULTING CAPABILITIES OF THE INTERNAL AUDIT FUNCTION

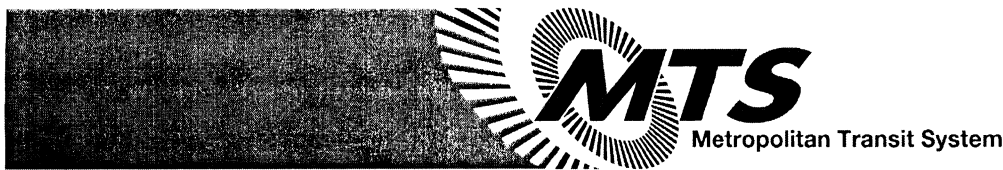
Objective 1 Improve staff knowledge and skills

	Number of Task Hours
• Identify opportunities for improvement and obtain appropriate training	80

Objective 2 Improve customer satisfaction and internal audit reputation through delivering high-quality and timely services

	Number of Task Hours
• Prioritize special requests and conduct special projects	280

Total Audit Hours 1,840



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619.231.1466, FAX 619.234.3407

Agenda

Item No. 30

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

ADM 110.7

June 25, 2009

SUBJECT:

MTS: BUDGET DEVELOPMENT COMMITTEE MEETING UPDATE

RECOMMENDATION:

That the Board of Directors receive a report for information.

Budget Impact

None.

DISCUSSION:

Staff will give an update from the MTS Budget Development Committee meeting on June 22, 2009.

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

Paul C. Jablonski
Chief Executive Officer

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

JUNE25-09.30.BDC UPDATE.SCOONEY.doc



Metropolitan Transit System (MTS) is a California public agency and is comprised of San Diego Transit Corporation and San Diego Trolley, Inc. nonprofit public benefit corporations, in cooperation with Chula Vista Transit and National City Transit. MTS is the taxicab administrator for eight cities and the owner of the San Diego and Arizona Eastern Railway Company. MTS member agencies include: City of Chula Vista, City of Coronado, City of El Cajon, City of Imperial Beach, City of La Mesa, City of Lemon Grove, City of National City, City of Poway, City of San Diego, City of Santee, and the County of San Diego.



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Agenda

Item No. 45

JOINT MEETING OF THE BOARD OF DIRECTORS
for the
Metropolitan Transit System,
San Diego Transit Corporation, and
San Diego Trolley, Inc.

FIN 310.2

June 25, 2009

SUBJECT:

MTS: OPERATIONS BUDGET STATUS REPORT FOR APRIL 2009

RECOMMENDATION:

That the Board of Directors receive a report on MTS operations budget status for April 2009.

Budget Impact

None at this time.

DISCUSSION:

This report summarizes MTS's operating results for April 2009 compared to the amended midyear budget. Attachment A-1 combines the operations, administration, and other activities results for April 2009. Attachment A-2 details the April 2009 combined operations results, and Attachments A-3 to A-8 present budget comparisons for each MTS operation. Attachment A-9 details budget comparisons for MTS Administration, and Attachment A-10 provides April 2009 results for MTS's other activities (Taxicab/San Diego and Arizona Eastern Railway Company/debt service).

MTS NET-OPERATING SUBSIDY RESULTS

As indicated within Attachment A-1, the year-to-date April 2009 MTS net-operating subsidy favorable variance totaled \$437,000 (0.4%). Operations produced a \$996,000 (1.0%) favorable variance, and the administrative/other activities areas were unfavorable by \$559,000.



MTS COMBINED RESULTS

Revenues

Year-to-date combined revenues through April 2009 were \$78,354,000 compared to the year-to-date budget of \$79,024,000, which represents a \$670,000 (-0.8%) negative variance.

Expenses

Year-to-date combined expenses through April 2009 were \$175,187,000 compared to the year-to-date budget of \$176,293,000, which results in a \$1,107,000 (0.6%) favorable variance.

Personnel Costs. Year-to-date personnel-related costs totaled \$82,548,000 compared to a year-to-date budgetary figure of \$82,515,000, which produced an unfavorable variance of \$33,000 (-0.0%).

Outside Services and Purchased Transportation. Total outside services for the first ten months of the fiscal year totaled \$58,862,000 compared to a budget of \$59,082,000, which resulted in a year-to-date favorable variance of \$221,000 (0.4%).

Materials and Supplies. Total year-to-date materials and supplies expenses totaled \$6,071,000 compared to a budgetary figure of \$6,291,000, which resulted in a favorable expense variance of \$219,000 (3.5%). This is primarily due to materials and supplies favorable variances within rail operations.

Energy. Total year-to-date energy costs were \$22,553,000 compared to the budget of \$23,860,000, which resulted in a year-to-date favorable variance of \$1,307,000 (5.5%). Year-to-date diesel prices averaged \$2.797 per gallon compared to the midyear-adjusted budgetary rate of \$2.570 per gallon. Year-to-date CNG prices averaged \$1.343 per therm compared to the midyear-adjusted budgetary rate of \$1.470 per therm.

Risk Management. Total year-to-date expenses for risk management were \$3,670,000, compared to the year-to-date budget \$3,334,000 resulting in an unfavorable variance totaling \$335,000 (-10.1%). This is primarily due to higher-than-expected legal claims costs within rail operations.

General and Administrative. Year-to-date general and administrative costs, including vehicle and facilities leases, were \$271,000 (-22.4%) unfavorable to budget, totaling \$1,483,000 through April 2009, compared to a year-to-date budget of \$1,212,000. This is primarily due to a year to date reclassification of bank fees, as well as some higher than expected office equipment expenses that were not qualified as capital procurements.

YEAR-TO-DATE SUMMARY

The April 2009 year-to-date net-operating subsidy totaled a favorable variance of 437,000 (0.4%). These factors include favorable variances in outside services, energy, and materials and supplies partially offset by passenger revenue, risk management, and general and administrative expenses.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Larry Marinesi, 619.557.4542, Larry.Marinesi@sdmts.com

JUNE25-09.45.OPS BUDGET 4-09.MTHOMPSON.doc

Attachment: A. Comparison to Budget

MTS
CONSOLIDATED

COMPARISON TO BUDGET - FISCAL YEAR 2009

APRIL 30, 2009

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 72,025	\$ 72,599	\$ (574)	-0.8%
Other Revenue	6,329	6,425	(96)	-1.5%
Total Operating Revenue	\$ 78,354	\$ 79,024	\$ (670)	-0.8%
Personnel costs	\$ 82,548	\$ 82,515	\$ (33)	0.0%
Outside services	58,862	59,082	221	0.4%
Transit operations funding	-	-	-	-
Materials and supplies	6,071	6,291	219	3.5%
Energy	22,553	23,860	1,307	5.5%
Risk management	3,670	3,334	(335)	-10.1%
General & administrative	1,076	817	(260)	-31.8%
Vehicle/facility leases	406	395	(11)	-2.9%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	(0)	(0)	0	-122.9%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 175,187	\$ 176,293	\$ 1,107	0.6%
Operating income (loss)	\$ (96,833)	\$ (97,269)	\$ 437	0.4%
Total public support and nonoperating revenues	(8,836)	(8,121)	(715)	8.8%
Income (loss) before capital contributions	\$ (105,668)	\$ (105,390)	\$ (279)	0.3%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
CONSOLIDATED OPERATIONS
COMPARISON TO BUDGET - FISCAL YEAR 2009
APRIL 30, 2009
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 72,025	\$ 72,599	\$ (574)	-0.8%
Other Revenue	673	566	107	18.9%
Total Operating Revenue	\$ 72,698	\$ 73,166	\$ (467)	-0.6%
Personnel costs	\$ 73,592	\$ 73,821	\$ 229	0.3%
Outside services	56,155	56,266	111	0.2%
Transit operations funding	-	-	-	-
Materials and supplies	6,063	6,279	216	3.4%
Energy	22,240	23,545	1,305	5.5%
Risk management	3,303	2,978	(325)	-10.9%
General & administrative	382	320	(62)	-19.4%
Vehicle/facility leases	402	391	(11)	-2.9%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	7,650	7,650	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 169,786	\$ 171,249	\$ 1,463	0.9%
Operating income (loss)	\$ (97,087)	\$ (98,083)	\$ 996	1.0%
Total public support and nonoperating revenues	(289)	427	(715)	-167.7%
Income (loss) before capital contributions	\$ (97,376)	\$ (97,657)	\$ 281	-0.3%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
TRANSIT SERVICES (SAN DIEGO TRANSIT CORPORATION)
COMPARISON TO BUDGET - FISCAL YEAR 2009
APRIL 30, 2009
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 22,484	\$ 22,141	\$ 344	1.6%
Other Revenue	192	8	184	2202.8%
Total Operating Revenue	\$ 22,676	\$ 22,149	\$ 527	2.4%
Personnel costs	\$ 46,463	\$ 46,550	\$ 87	0.2%
Outside services	1,564	1,595	31	1.9%
Transit operations funding	-	-	-	-
Materials and supplies	3,674	3,698	24	0.6%
Energy	7,168	7,511	343	4.6%
Risk management	1,549	1,465	(84)	-5.7%
General & administrative	137	135	(2)	-1.3%
Vehicle/facility leases	141	123	(18)	-14.8%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	3,962	3,962	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 64,658	\$ 65,039	\$ 381	0.6%
Operating income (loss)	\$ (41,981)	\$ (42,890)	\$ 909	2.1%
Total public support and nonoperating revenues	(3,889)	(3,173)	(715)	22.5%
Income (loss) before capital contributions	\$ (45,870)	\$ (46,063)	\$ 193	-0.4%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
RAIL OPERATIONS (SAN DIEGO TROLLEY, INCORPORATED)
COMPARISON TO BUDGET - FISCAL YEAR 2009
APRIL 30, 2009
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 27,112	\$ 27,586	\$ (474)	-1.7%
Other Revenue	428	558	(130)	-23.4%
Total Operating Revenue	\$ 27,539	\$ 28,144	\$ (605)	-2.1%
Personnel costs	\$ 26,190	\$ 26,232	\$ 42	0.2%
Outside services	7,576	7,098	(478)	-6.7%
Transit operations funding	-	-	-	-
Materials and supplies	2,358	2,554	196	7.7%
Energy	7,475	7,363	(112)	-1.5%
Risk management	1,754	1,513	(241)	-16.0%
General & administrative	229	169	(60)	-35.2%
Vehicle/facility leases	135	142	7	5.1%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	2,921	2,921	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 48,638	\$ 47,992	\$ (646)	-1.3%
Operating income (loss)	\$ (21,099)	\$ (19,848)	\$ (1,250)	-6.3%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (21,099)	\$ (19,848)	\$ (1,250)	6.3%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
MULTIMODAL OPERATIONS (FIXED ROUTE)
COMPARISON TO BUDGET - FISCAL YEAR 2009
APRIL 30, 2009
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 17,803	\$ 17,983	\$ (180)	-1.0%
Other Revenue	54	-	54	-
Total Operating Revenue	\$ 17,856	\$ 17,983	\$ (126)	-0.7%
Personnel costs	\$ 321	\$ 378	\$ 57	15.1%
Outside services	33,142	33,519	377	1.1%
Transit operations funding	-	-	-	-
Materials and supplies	25	20	(5)	-24.4%
Energy	5,694	6,366	672	10.6%
Risk management	-	-	-	-
General & administrative	11	9	(2)	-27.5%
Vehicle/facility leases	126	125	(1)	-1.2%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	607	607	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 39,926	\$ 41,023	\$ 1,097	2.7%
Operating income (loss)	\$ (22,070)	\$ (23,041)	\$ 971	4.2%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (22,070)	\$ (23,041)	\$ 971	-4.2%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
MULTIMODAL OPERATIONS (PARATRANSIT)
COMPARISON TO BUDGET - FISCAL YEAR 2009
APRIL 30, 2009
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 1,514	\$ 1,559	\$ (45)	-2.9%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 1,514	\$ 1,559	\$ (45)	-2.9%
Personnel costs	\$ 90	\$ 110	\$ 20	18.6%
Outside services	8,609	8,785	177	2.0%
Transit operations funding	-	-	-	-
Materials and supplies	-	-	-	-
Energy	1,436	1,681	246	14.6%
Risk management	-	-	-	-
General & administrative	4	3	(1)	-42.7%
Vehicle/facility leases	-	1	1	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	25	25	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 10,163	\$ 10,605	\$ 442	4.2%
Operating income (loss)	\$ (8,649)	\$ (9,046)	\$ 398	4.4%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ (8,649)	\$ (9,046)	\$ 398	-4.4%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
CONSOLIDATED CHULA VISTA TRANSIT OPERATIONS
COMPARISON TO BUDGET - FISCAL YEAR 2009
APRIL 30, 2009
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ 3,113	\$ 3,331	\$ (219)	-6.6%
Other Revenue	-	-	-	-
Total Operating Revenue	\$ 3,113	\$ 3,331	\$ (219)	-6.6%
Personnel costs	\$ 340	\$ 362	\$ 23	6.2%
Outside services	4,985	4,990	4	0.1%
Transit operations funding	-	-	-	-
Materials and supplies	7	8	1	13.9%
Energy	466	623	157	25.2%
Risk management	-	-	-	-
General & administrative	1	4	3	73.4%
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	135	135	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 5,934	\$ 6,122	\$ 188	3.1%
Operating income (loss)	\$ (2,822)	\$ (2,791)	\$ (31)	-1.1%
Total public support and nonoperating revenues	3,454	3,454	-	0.0%
Income (loss) before capital contributions	\$ 632	\$ 663	\$ (31)	-4.7%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
OPERATIONS
CORONADO FERRY
COMPARISON TO BUDGET - FISCAL YEAR 2009
APRIL 30, 2009
(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	-	-	-	-
Total Operating Revenue	\$ -	\$ -	\$ -	-
Personnel costs	\$ -	\$ -	\$ -	-
Outside services	123	123	-	0.0%
Transit operations funding	-	-	-	-
Materials and supplies	-	-	-	-
Energy	-	-	-	-
Risk management	-	-	-	-
General & administrative	-	-	-	-
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	-	-	-	-
Depreciation	-	-	-	-
Total Operating Expenses	\$ 123	\$ 123	\$ -	0.0%
Operating income (loss)	\$ (123)	\$ (123)	\$ -	0.0%
Total public support and nonoperating revenues	146	146	-	0.0%
Income (loss) before capital contributions	\$ 23	\$ 23	\$ -	0.0%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

ADMINISTRATION

CONSOLIDATED

COMPARISON TO BUDGET - FISCAL YEAR 2009

APRIL 30, 2009

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	4,738	5,020	(282)	-5.6%
Total Operating Revenue	\$ 4,738	\$ 5,020	\$ (282)	-5.6%
Personnel costs	\$ 8,466	\$ 8,213	\$ (253)	-3.1%
Outside services	2,627	2,703	76	2.8%
Transit operations funding	-	-	-	-
Materials and supplies	6	5	(1)	-25.9%
Energy	307	303	(4)	-1.2%
Risk management	337	328	(9)	-2.8%
General & administrative	605	406	(199)	-49.0%
Vehicle/facility leases	4	4	0	0.3%
Amortization of net pension asset	-	-	-	-
Administrative Allocation	(7,688)	(7,688)	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 4,664	\$ 4,274	\$ (389)	-9.1%
Operating income (loss)	\$ 75	\$ 746	\$ (671)	90.0%
Total public support and nonoperating revenues	(8,547)	(8,547)	-	0.0%
Income (loss) before capital contributions	\$ (8,472)	\$ (7,801)	\$ (671)	8.6%

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

OTHER ACTIVITIES

CONSOLIDATED

COMPARISON TO BUDGET - FISCAL YEAR 2009

APRIL 30, 2009

(in \$000's)

	YEAR TO DATE			
	ACTUAL	BUDGET	VARIANCE	% VARIANCE
Passenger Revenue	\$ -	\$ -	\$ -	-
Other Revenue	917	838	79	9.4%
Total Operating Revenue	\$ 917	\$ 838	\$ 79	9.4%
Personnel costs	\$ 491	\$ 481	\$ (10)	-2.0%
Outside services	80	113	33	29.3%
Transit operations funding	-	-	-	-
Materials and supplies	2	6	4	71.1%
Energy	7	12	5	40.8%
Risk management	30	29	(1)	-4.0%
General & administrative	89	91	1	1.4%
Vehicle/facility leases	-	-	-	-
Amortization of net pension asset	-	-	-	-
Administrative Allocation	38	38	-	0.0%
Depreciation	-	-	-	-
Total Operating Expenses	\$ 737	\$ 770	\$ 33	4.3%
Operating income (loss)	\$ 180	\$ 68	\$ 112	-164.1%
Total public support and nonoperating revenues	-	-	-	-
Income (loss) before capital contributions	\$ 180	\$ 68	\$ 112	164.1%



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Agenda

Item No. 62

Chief Executive Officer's Report

ADM 121.7

June 25, 2009

In accordance with Board Policy No. 52, Procurement of Goods and Services, attached are listings of contracts, purchase orders, and work orders that have been approved within the CEO's authority (up to and including \$100,000) for the period June 2, 2009, through June 15, 2009.

[gail.williams/agenda item 62](#)

CONTRACTS (Expense)

Doc #	Organization	Subject	Amount	Day
PWL117.0-09	HMS CONSTRUCTION	CATENARY POLE REPLACEMENT AND ERECT POLE	\$35,650.20	6/8/2009
S200-09-407	NINYO & MOORE	ROE PERMIT FOR EXCAVATING TEST PITS YSID	\$0.00	6/8/2009
S200-09-408	ROSS A GUY'S & SON GENERAL ENG	ROE PERMIT SANDAG GEOTECH TEST PITS	\$0.00	6/8/2009
B0478.2-07	CREATIVE BUS SALES	FINAL PRICING CHANGES FOR 28 EL DORADO	\$10,380.30	6/11/2009
L0895.0-09	JONES, ROACH & CARINGELLA, INC	STD SVC AGREE 54TH ST EASEMENT APPRAISAL	\$2,500.00	6/11/2009
L0897.0-09	LIPMAN, STEVENS & CARPENTER	STD SVC AGREE EUCLID PROPERTY APPRAISAL	\$3,750.00	6/11/2009
YC005.2.07	DAPCO TECH	ULTRASONIC RAIL TESTING	\$22,040.00	6/11/2009

PURCHASE ORDERS

DATE	Organization	Subject	AMOUNT
6/8/2009	KPBS	DUMP THE PUMP RADIO TAGS (PARTNER)	\$1,000.00
6/8/2009	SECURITY SYSTEMS TECHNIQUES	ISOPROX HID CARDS, MODEL CICC2321P3	\$8,526.00
6/8/2009	DIMENSIONAL SILKSCREEN	BROADWAY BUS KIOSK	\$608.24
6/8/2009	ELECTRO SPECIALTY SYSTEMS	AXIOM AA1419015 GBIC SMF PER QUOTE	\$960.89

WORK ODERS

There were no work orders approved during this time period.

CONTRACTS - Revenue

Doc #	Organization	Subject	Amount	Day
L5232.1-08	SDG&E	ROE PERMIT TIME EXT AMEND #1	(\$500.00)	6/4/2009
L5708.0-09	ALADDIN DEVELOPERS INC	NO BUILD EASEMENT - NUTMEG	(\$12,392.00)	6/8/2009
L5691.0-08	ZONDIROS CORP	JOINT ROE PERMIT NCTD BIKEWAY PROJECT	(\$2,400.00)	6/11/2009