



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

Agenda

JOINT MEETING OF THE EXECUTIVE COMMITTEE

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

January 8, 2009

Executive Conference Room
9:00 a.m.

ACTION RECOMMENDED

- A. ROLL CALL
- B. APPROVAL OF MINUTES - December 4, 2008 Approve
- C. COMMITTEE DISCUSSION ITEMS
1. MTS: Appointment of San Diego Association of Governments Transportation Committee Representative and Alternate Elect
Action would take nominations from the floor and elect and appoint a representative and an alternate from the MTS Board to serve on the San Diego Association of Governments (SANDAG) Transportation Committee for the 2009 calendar year.
 2. MTS: Fiscal Year 2010 Capital Improvement (CIP) Program Approve
Action would forward a recommendation to the Board of Directors to: (1) approve the fiscal year 2010 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels. As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels; (2) recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of federal Sections 5307 and 5309 applications for the MTS fiscal year 2010 CIP after the federal appropriations are finalized; (3) approve the \$12.5 million preventative maintenance increase and, in turn, swap Transportation Development Act (TDA) funding from operations to the CIP. There would be no net change to operations or capital; this exercise would simply provide more flexibility in funding within the CIP and would permit the agency to expend federal funding more

Please turn off cell phones and pagers
during the meeting



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.

2. CONTINUED - MTS: Fiscal Year 2010 Capital Improvement (CIP) Program
quickly; (4) approve the transfer of \$1,627,724 from previous CIP projects to the fiscal year 2010 CIP; (5) approve the transfer of \$27,787,888 in nonfederal funding from previous fiscal year CIP projects to fiscal year 2010 Blue Line Rehabilitation (11266) to reflect the receipt of Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA); (6) approve the transfer of \$3.1 million of nonfederal funds currently allocated to the East County Bus Maintenance Facility (ECBMF) in exchange for \$3.1 million of federal funding currently allocated to bus procurement projects in fiscal year 2010; and (7) recommend that the SANDAG Board of Directors approve the amendment of the Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2010 CIP recommendations.

3. MTS: Legislative Update Receive
Action would receive a report on relevant state and federal legislative activities.
4. MTS: Compass Card Implementation Receive
Action would receive a status report on development and implementation of the Compass Card fare system.

D. REVIEW OF DRAFT JANUARY 15, 2009, JOINT BOARD AGENDA

- E. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA Possible Action
Review of SANDAG Transportation Committee Agenda and discussion regarding any items pertaining to MTS, San Diego Transit Corporation, or San Diego Trolley, Inc. Relevant excerpts will be provided during the meeting.

F. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

G. PUBLIC COMMENTS

H. NEXT MEETING DATE: February 12, 2009

I. ADJOURNMENT

DRAFT

EXECUTIVE COMMITTEE MEETING FOR THE METROPOLITAN TRANSIT SYSTEM (MTS), SAN DIEGO TRANSIT CORPORATION (SDTC), AND SAN DIEGO TROLLEY, INC. (SDTI)

December 4, 2008

MTS
1255 Imperial Avenue, Suite 1000, San Diego

MINUTES

A. ROLL CALL

Chairman Mathis called the meeting to order at 9:04 a.m. A roll call sheet listing Executive Committee member attendance is attached.

B. APPROVAL OF MINUTES

Mr. Roberts moved approval of the minutes of the November 6, 2008, Executive Committee meeting. Mr. Emery seconded the motion, and the vote was 4 to 0 in favor.

C. COMMITTEE DISCUSSION ITEMS

Introduction of New Member

Chairman Mathis recognized new Executive Committee member Fred McLean, who joins the Committee as part of the normal rotation of South Bay representatives. Mr. Jablonski, MTS CEO, pointed out that the rotation for the South Bay cities is different from the rotation for the East County cities. He stated that in the event that the new South Bay representative has not been a Board member for two years, the position on the Executive Committee goes to the next city in the rotation.

1. MTS: 4S Ranch Pilot Project – Route 880 Express Service to Sorrento Valley/UTC (OPS 920)

Mr. Brent Boyd, Senior Transportation Planner, provided the Board with background on the 4S Ranch Pilot Project. He provided details on the surveys that were conducted of 4S Ranch residents to determine their preferences. He reported that about one-half of those surveyed preferred express service to downtown San Diego and one-half preferred Sorrento Valley/UTC as a destination. He reported that \$709,631 in developer mitigation fees are being used to provide this service. He then reviewed the reasons that Sorrento Valley/UTC was selected as the destination, which included that this is an underserved market, that it will improve regional connections, and that this will provide a good test for evaluating the future alignment of Bus Rapid Transit (BRT) service. He then reviewed the service plan, including the number of trips, cost, frequency, routing of the service, and the start date. He advised Committee members that the Rancho Bernardo Station does not open until late January or mid-February; therefore, the Route 880 will not be started until March. He then reviewed the financial plan for this service.

Mr. Jablonski reported that by the time developer mitigation fees for this service are exhausted and it is discontinued, BRT service, which is funded by TransNet, should be in place. He reported that the current BRT plan has service to Sorrento Valley/UTC. Mr. Roberts stated that MTS should not be expected to continue funding Route 880 if BRT is not in place at the time developer fees have been exhausted and stated that this understanding should be in writing. Mr. Jablonski stated that SANDAG and MTS staff members already have this understanding.

Chairman Mathis stated that MTS wants to be able to discontinue this service at its own discretion without possibility of SANDAG override of that decision. Mr. Roberts stated that this should also be in writing.

In response to a question from Chairman Mathis, Mr. Dave Schumacher, SANDAG Planning Department, reported that they will have a clearer picture of projected funding levels in January and how any reductions in those levels will affect TransNet.

Mr. Roberts stated that the residents of 4S Ranch paid for this service, and they should be provided with the service they prefer. Ms. Sharon Cooney, Director of Government Affairs and Community Relations, reported that residents were split 50/50 in favor of downtown San Diego or Sorrento Valley/UTC. She stated that because there are already express routes to downtown, Sorrento Valley/UTC was selected. Mr. Jablonski stated that some residents didn't want buses on their streets at all. Chairman Mathis added that this influenced the decision to operate the service out of the shopping center and only run buses on major arteries into and out of this community. In response to Mr. Robert's request that staff report back to the Committee on this matter in one year, Mr. Jablonski stated that staff will probably bring this matter back to the Committee in a couple of months.

Mr. Rob Schupp, Director of Marketing and Communications, advised Mr. Roberts that this service will be advertised in the 4S Ranch Community Newsletter and in a direct mail newsletter from the developer. He added that a flyer will be e-mailed to Sorrento Valley/UTC employers, and other methods will be used to promote this service to other residents of Rancho Bernardo.

Action Taken

Mr. Emery moved to receive a report on the plan to establish an express service between 4S Ranch and Sorrento Valley/University Towne Centre. The route will be a pilot project funded with developer mitigation fees. Mr. McLean seconded the motion, and the vote was 5 to 0 in favor.

2. MTS: Compass Card Update (CIP 11457)

Mr. Jablonski advised the Committee that after months of work on the Compass Card project, it has become obvious that the January implementation date cannot be met. He reported that only about 80 percent of the hardware has been installed, and only 40 to 50 percent of the hardware has been activated. He also reported that while there are currently about 600 people testing the system, this process is in

the early stages. He added that any problems that are encountered during this process will have to be investigated and fixed. He added that a number of different teams comprised of MTS, SANDAG, and NCTD staff (over 100 people) have been formed to deal with the various issues that need to be resolved and that update reports are now being given to an executive team that meets every Monday morning. He added that SANDAG Executive Director Gary Gallegos will be recommending to the Transportation Committee that implementation of the Compass Card be delayed until March 1. Mr. Jablonski stated that it is critical to ensure that the system is working correctly before it is introduced to the public. Mr. Emery felt this was so important that he recommended that another delay be sought if the system is not ready by March 1. Chairman Mathis pointed out that March 1 is a very aggressive target date, and that any further delays will only occur after a very considered decision. Mr. Jablonski stated that if he doesn't feel the system is functioning reliably for a March 1 introduction, he will recommend another delay.

In response to a question from Mr. Roberts, Mr. Jablonski reported that the testing to date has revealed that certain refinements are needed; e.g. the flash that tells bus operators that the person boarding is using a Senior and Disabled Pass is too small and too brief in duration. He stated that other needed refinements have also been identified. He also reported that if a pass does not work, that failure may be caused by any number of problems, and each of these problems has to be identified and resolved. He added that efforts are also underway to test that statistical information sent in by the tap-on equipment is accurate. Chairman Mathis pointed out that there will be a cost for any design changes.

Mr. Jablonski also reported that the fare ordinance recently approved by the SANDAG Transportation Committee stated that the system would be operational January 1 and that all existing monthly passes will be replaced by rolling 30-day passes. He detailed his concerns related to 30-day rolling passes and reported that some riders want to keep their calendar-based monthly passes. He also reported that he was concerned about rolling out too many products at the same time and reviewed his concerns regarding the potential for lost revenue related to the rolling pass. He stated that the rolling pass does not activate until the first time the pass holder taps on. He also advised the Committee that MTS will lose revenue any time a pass holder delays purchasing a pass until the need to use it arises or purchases a pass and does not tap on for the first time (thus activating the card) until some later date. He suggested that the fare ordinance be amended to continue the calendar-based monthly pass.

Mr. Jablonski also anticipated that people who purchase the rolling pass may have difficulty remembering when their pass is to expire and that customers will not tap on to activate their card until the first time they think they will be caught for not tapping on. He felt it would be better to roll out the Compass card initially with a 30-day calendar-based pass only. He reported that 350,000 people will be using their card each day, and that it would be easier to diagnose any problems that arise during the implementation phase if there are a smaller number of potential causes to investigate.

Mr. Jablonski stated that approval of the recommended delay would also give MTS an opportunity to consider how to minimize fare abuse. He stated that staff is working on plans to step up the fare-enforcement process. He added that the fare ordinance states that people who purchase a monthly pass but fail to tap on will be ticketed and stated that this provision should possibly be reconsidered. He didn't feel that the courts would support ticketing a person who has in fact purchased the appropriate pass even if they didn't tap on. Mr. Roberts suggested charging an extra fee instead of issuing a ticket in these circumstance. In response to a comment by Mr. Roberts about the lack of fare enforcement he encounters, Mr. Jablonski stated that fare enforcement officers will be carrying a hand-held device that records the number of fares they have checked and will enable supervisors to see how much enforcement activity has been conducted. Mr. Roberts stated that fare evasion using the Compass Card would not be that different from the evasion issues that currently exist.

Mr. Roberts stated that he thought anticipated problems with the rolling pass could be worked out. Mr. Jablonski stated that staff is in the process of trying to do that. Mr. Roberts stated that a truly customer-based system would not have a restriction forcing customers to buy monthly passes on the 1st and the 15th of the month only and added that is why he was in favor of the rolling pass product. Chairman Mathis reiterated Mr. Jablonski's suggestion that products be rolled out one at a time and introduced to the public as enhancements. Mr. Roberts stated that products should be introduced as soon as possible and that if these products are phased in, the rolling 30-day pass should be rolled out first. He stated that he felt that agreement had already been reached that both rolling and calendar-based passes should be offered. He suggested that both passes activate the day they are purchased. Chairman Mathis pointed out that rolling passes should not activate the day they are purchased because pass holders may purchase their next 30-day rolling pass before their current pass expires for convenience reasons. Mr. Jablonski reminded Committee member that 70,000 passes are sold each month.

Chairman Mathis pointed out that additional issues that need to be addressed include whether or not all the Compass Cards should look the same.

Mr. Roberts stated that staff should be able use the testing period to evaluate if offering a rolling pass will cause a loss of revenue. He stated that if there is a loss of revenue, there should be a corresponding increase in pass prices. He stated that he felt it was important to offer the product to the customer. Mr. Roberts also felt that the ordinance should incorporate the new target date of March 1 so that any further delays in implementation would require Board approval.

Public Comment

Lorraine Leighton: Ms. Leighton reported that someone at the El Cajon Trolley Station appears to be selling passes for less than their value. She also asked how MTS is going to handle students who board using the same pass. Mr. Jablonski explained that there is a safeguard built into the system to address that. He also advised Ms. Leighton that people who are using passes that currently require

identification will have to provide that same identification when they use a Compass Card.

Clive Richard: Mr. Richard stated that he was disappointed with the delay and that he felt implementation should move as expeditiously as possible.

Action Taken

Mr. McLean moved to receive a status report on development and implementation of the Compass Card fare system. Mr. Robert seconded the motion, and the vote was 5 to 0 in favor.

3. MTS: Sorrento Valley Coaster Connection (CIP 10465)

Ms. Cooney provided the Committee with a historical perspective on the Sorrento Valley Coaster Connection and displayed a map showing the route this service follows. She also reviewed efforts that have been made to make this service more sustainable, including raising the fare and meeting with at least six major employers in Sorrento Valley in an attempt to get letters of intent from them to purchase a guaranteed number of passes. She reported that no employers have submitted a letter and that many of the employers had implemented their own shuttle services. She added that UCSD has added some shuttle service as well. Mr. Emery suggested that some of the smaller employers approach the companies who are providing shuttle service to see if they would be open to shared use of that service.

Ms. Cooney reported that since the introduction of the \$1 fare, ridership has dropped from 980 daily trips to 616 daily trips, with a subsidy of \$4.15 and \$5.18, respectively. Mr. Roberts pointed out that the subsidy per rider went up and ridership went down, which saves money. He stated that should be reflected in the report. Mr. Jablonski pointed out that the cost of providing the service has not changed.

Ms. Cooney advised the Committee that because of the poor performance of the route and because MTS subsidy funding will be expended by the end of December, staff will be recommending its discontinuation during the next round of service adjustments. She reported that a public hearing will be needed for this particular action. She stated that SANDAG staff will be bringing this matter to the Transportation Committee and recommending that the Committee concur if the MTS Board decides to approve discontinuation. In response to a question from Mr. Roberts, Mr. Jablonski reported that the Air Pollution Control District provided \$539,000 in funding at one time. Mr. Jablonski pointed out that even if MTS were to maintain the existing funding level with the \$1 fare, there would not be enough money to continue this service.

Ms. Cooney reported that the farebox recovery rate for this service is 17 percent. Chairman Mathis added that the impact of the \$1 fare on Coaster services has been minimal so far. Mr. Jablonski advised Committee members that North County Transit staff have stated that any loss of demand as a result of the discontinuation of this service would be replaced with people using the Coaster to travel to

downtown San Diego. Mr. Jablonski stated that NCTD receives a higher fare for travel to downtown San Diego and would therefore make more money. Mr. Schumacher stated that parking lots at Coaster stations are full, and some people are not riding the Coaster because there is no parking. He stated that as these parking spaces are vacated, they will be filled by people who are not currently riding.

Public Comment

Clive Richard: Mr. Richard reported that Rochester, New York was able to get employers to help fund public transit service for their employees. He said that since MTS has not been able to do that, maybe the service should be discontinued.

Action Taken

Mr. Emery moved to receive a report on the Sorrento Valley Coaster Connection. Mr. McLean seconded the motion, and the vote was 5 to 0 in favor.

D. RECOMMENDED BY THE EXECUTIVE COMMITTEE FOR THE BOARD CONSENT AGENDA

1. MTS: Bus Operator Uniforms – Contract Award (OPS 960.6)

That the Executive Committee forward a recommendation to the Board of Directors to authorize the CEO to execute MTS Doc. No. B0509.0-09 (in substantially the same format as Attachment A of the agenda item) to Kingsbury Uniforms, Inc. for bus operator uniforms for up to a five-year period.

2. MTS: Weed Abatement Services – Contract Award (OPS 970.6)

That the Executive Committee forward a recommendation to the Board of Directors to authorize the CEO to execute MTS Doc. No. PWL107.0-09 (in substantially the same form as Attachment A of the agenda item) with DeAngelos Brothers, Inc. for weed abatement services for a five-year period.

Action Taken

Mr. Emery moved to approve placing Agenda Items D1 and D2 on the Consent portion of the December 11, 2008, Board agenda. Mr. Monroe seconded the motion, and the vote was 5 to 0 in favor.

E. REVIEW OF DRAFT NOVEMBER 13, 2008, BOARD AGENDA

Chairman Mathis pointed out Agenda Item No. 4 of the December 11, 2008, board agenda relates to amendments to Policy 22 that would allow former Board members to serve on certain committees. He pointed out that a copy of the agenda item was placed at each members' place prior to the start of the meeting. He referred to the specific paragraphs that deal with this matter and the committees for which this can be done. He also reported

that the agenda item details the regulations and bylaws of respective agencies and committees that permit this action to be taken.

Recommended Consent Items

There was no additional discussion of the recommended Consent Items.

Recommended Board Discussion Items

There was no discussion of recommended Discussion Items.

F. REVIEW OF SANDAG TRANSPORTATION COMMITTEE AGENDA

Ms. Cooney reported that the SANDAG Transportation Committee and SANDAG Board will be having a special joint meeting at Caltrans the next day at which time they would be discussing the Compass Card as well as SB 375, which addresses climate change issues and how they are integrated into the planning process.

G. COMMITTEE MEMBER COMMUNICATIONS AND OTHER BUSINESS

There were no Committee Member communications.

H. PUBLIC COMMENTS

There were no general Public Comments.

I. NEXT MEETING DATE:

The next meeting is scheduled for Thursday, January 8, 2009, at 9:00 a.m., in the Executive Conference Room.

J. ADJOURNMENT

Chairman Mathis adjourned the meeting at 10:44 a.m.

Chairman

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

**EXECUTIVE COMMITTEE
METROPOLITAN TRANSIT SYSTEM**

ROLL CALL

MEETING OF (DATE) 12/04/08

CALL TO ORDER (TIME) 9:04 a.m.

RECESS _____

RECONVENE _____

CLOSED SESSION _____

RECONVENE _____

ADJOURN 10:44 a.m.

BOARD MEMBER (Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
ATKINS <input type="checkbox"/> (Young) <input type="checkbox"/>		<input checked="" type="checkbox"/>
EMERY <input checked="" type="checkbox"/> (Cafagna) <input type="checkbox"/>		
EWIN <input type="checkbox"/> (Clabby) <input type="checkbox"/>		<input checked="" type="checkbox"/>
MATHIS <input checked="" type="checkbox"/>		
MCLEAN <input checked="" type="checkbox"/> (McLean) <input type="checkbox"/>		
RINDONE <input checked="" type="checkbox"/> (Emery) <input type="checkbox"/>	9:10 a.m. during AI C1	
ROBERTS <input checked="" type="checkbox"/> (Cox) <input type="checkbox"/>		

SIGNED BY OFFICE OF THE CLERK OF THE BOARD

Gail Williams

CONFIRMED BY OFFICE OF THE GENERAL COUNSEL:

[Signature]



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

Agenda

Item No. C1

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

LEG 405 (PC 50101)

January 8, 2009

SUBJECT:

MTS: APPOINTMENT OF SAN DIEGO ASSOCIATION OF GOVERNMENTS
TRANSPORTATION COMMITTEE REPRESENTATIVE AND ALTERNATE

RECOMMENDATION:

That the Executive Committee take nominations from the floor and elect and appoint a representative and an alternate from the MTS Board to serve on the San Diego Association of Governments (SANDAG) Transportation Committee for the 2009 calendar year.

Budget Impact

None.

DISCUSSION:

MTS Board Policy No. 22 specifies:

On or before its first meeting in January, the Executive Committee shall appoint one of its members to serve as the representative and one of its members to serve as the alternate to the San Diego Association of Governments (SANDAG) Transportation Committee to serve for a term of one year. In the event that the Executive Committee feels a member of the Board who does not serve on the Executive Committee is their preferred representative or alternate for the SANDAG Transportation Committee, the Executive Committee shall have the ability to select the




representative or alternate from the full Board. In that instance, the SANDAG Transportation Committee representative, or the alternate in his or her absence, shall attend the Executive Committee meetings as a voting member.

The most recent SANDAG Transportation Committee representative was Bob Emery, and the alternate is Harry Mathis.

The nomination and election procedures pursuant to Robert's Rules of Order are as follows:

1. The Chairman of the Executive Committee opens the agenda item.
2. The Chairman requests nominations from the floor. Nominations do not require a second.
3. The Chairman closes the nominations.
4. The Chairman asks for any Executive Committee discussion.
5. The Chairman calls for the vote on each candidate in the order in which they were received. The vote continues until a candidate is elected.



Paul C. Jablonski
Chief Executive Officer

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

JAN8-08.C1.SANDAG REP.COONEY.doc



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

Agenda

Item No. C2

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

FIN 310.1 (PC 50601)

January 8, 2009

SUBJECT:

MTS: FISCAL YEAR 2010 CAPITAL IMPROVEMENT (CIP) PROGRAM

RECOMMENDATION:

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

1. approve the fiscal year 2010 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels (Attachments A and B). As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels;
2. recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of federal Sections 5307 and 5309 applications for the MTS fiscal year 2010 CIP (shown in Attachment A) after the federal appropriations are finalized;
3. approve the \$12.5 million Preventative Maintenance increase and, in turn, swap Transportation Development Act (TDA) funding from operations to the CIP. There would be no net change to operations or capital; this exercise would simply provide more flexibility in funding within the CIP and would permit the agency to expend federal funding more quickly;
4. approve the transfer of \$1,627,724 from previous CIP projects to the fiscal year 2010 CIP;
5. approve the transfer of \$27,787,888 in nonfederal funding from previous fiscal year CIP projects to fiscal year 2010 Blue Line Rehabilitation (11266) to reflect



Metropolitan Transit System (MTS) is comprised of the Metropolitan Transit Development Board (MTDB) a California public agency, San Diego Transit Corp., and San Diego Trolley, Inc., in cooperation with Chula Vista Transit and National City Transit. MTS is Taxicab Administrator for eight cities. MTDB is owner of the San Diego and Arizona Eastern Railway Company. MTDB 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 San Marcos, and the County of San Diego.

the receipt of Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA);

6. approve the transfer of \$3.1 million of nonfederal funds currently allocated to the East County Bus Maintenance Facility (ECBMF) in exchange for \$3.1 million of federal funding currently allocated to bus procurement projects in fiscal year 2010; and
7. recommend that the SANDAG Board of Directors approve the amendment of the Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2010 CIP recommendations.

Budget Impact

Pending final approval by the SANDAG Board of Directors, the fiscal year 2010 MTS CIP would be included in the regional 5307 Urbanized Area Formula and Section 5309 grant applications (total federal formula program estimated at \$68.1 million including local match). Additional federal formula funds from prior years totaling \$4.1 million, including local match, have been added to the 2010 CIP. MTS also received a federal earmark for the East County Bus Maintenance Facility totaling \$129,488, including matching funds.

A final review of previous year's Job Access and Reverse Commute Program (JARC) and Congestion Mitigation and Air Quality (CMAQ) funding has provided for an additional \$78,540 and \$70,646 (including required local match), respectively.

As a result of the Transportation Security Grant Program (TSGP), funding projections of \$1.5 million for federal fiscal year 2008 have been applied to this year's CIP.

The Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA), authorized by California Proposition 1B (2006), provides an allocation for calendar year 2008 totaling \$27.8 million, and another \$15.6 million is projected for receipt in calendar year 2009. The \$27.8 million replaces the same amount of nonfederal dollars budgeted for bus replacements in previous year's CIPs thereby freeing up those funds for allocation to Blue Line Rehabilitation in the fiscal year 2010 CIP.

Also created by Proposition 1B, the Transit System Safety, Security, and Disaster Response Account (TSSSDRA) resulted in allocations for 2008 and 2009 that is expected to provide \$5,479,400 for safety and security projects in the 2010 CIP.

The State of California's final TDA revision for 2008 resulted in a surplus of \$98,000 in funding that is included in the fiscal year 2010 CIP.

The Federal Transit Administration (FTA) funding that MTS receives is structured on a reimbursement basis (after expenses are incurred). Local funding (TDA/TransNet) that MTS receives is scheduled at the beginning of the fiscal year and is received monthly. In many situations, funds are received before expenses are incurred. The FTA allows federal recipients to move federal dollars to operations to fund the organization's Preventative Maintenance. Since fiscal year 2003, the current policy has shifted \$29 million of federal funding into operations (supporting preventative maintenance). MTS, as a policy decision, has frozen the level at \$29 million since 2004. In terms of cash flow, MTS has the ability to draw down the full \$29 million right after the new fiscal year

begins as these funds support the previous fiscal year's expenses. (See Attachment C for more detail.)

Prior to finalizing the recommendation, all previously budgeted capital projects were reviewed to identify certain projects that may have been delayed or completed under budget to be sure that deserving new projects do not go unfunded while prior year capital programming remains tied up and unused. As a result of this review, we identified and transferred \$1,627,724 to the fiscal year 2010 CIP.

The total estimated funding for fiscal year 2010 is \$137.2 million. (Attachment D) After the utilization of \$41.5 million in Preventative Maintenance (fiscal year 2009 operating budget) and funding of planning studies for SANDAG totaling \$857,751, \$94.8 million is available for capital projects.

DISCUSSION:

Availability of Section 5307 and Section 5309 Funds

The fiscal year 2010 recommended MTS CIP (Attachment A) would serve as the basis for the federal formula grant applications. The FTA requires submission of grant applications to obligate annual appropriations under Section 5309 (Rail Modernization and Fixed-Guideway New Starts) and Section 5307 (Urbanized Area Formula Assistance).

The Section 5307 and Section 5309 funding levels as indicated within Attachment A are estimates. We have currently estimated the federal funding levels as an approximate 6.5 percent increase compared to fiscal year 2009.

Traditionally, SANDAG has apportioned the formula funds between MTS and the North County Transit District (NCTD) based on population with MTS receiving approximately 70 percent and NCTD receiving approximately 30 percent of the Section 5307 funds after the off-the-top funds are programmed for the regional vanpool program. Section 5307 and Section 5309 funds can generally be used to provide 80 percent of the cost of capital projects and the cost of preventive maintenance activities, which is an operating cost. The ratio increases to 83 percent for the "clean-fuel" buses and vehicles meeting the Americans with Disabilities Act (ADA) requirements.

The Section 5307 Urbanized Area Formula Program is a block grant program in which each urbanized area over 50,000 in population receives financial assistance to provide public transit. The formula for determining each metropolitan area's share of funds is based on an urbanized area's population, population density, levels of existing fixed-guideway service, and levels of existing bus service and ridership. The Section 5307 program is designed to meet routine capital needs. Section 5307 Formula funds may not be used for operating assistance; however, the Transportation Equity Act for the 21st Century (TEA-21) expanded the definition of capital to include preventive maintenance, thereby, in effect, mitigating the relative lack of federal assistance for operations. The estimated allocation for the MTS Section 5307 program is \$40.1 million, which would be matched with local funds of \$10 million. This program would provide an estimated \$50.1 million to fund fiscal year 2010 capital projects.

The Fixed-Guideway Modernization (also known as Rail Mod) Program is one of three categories of funding under the Section 5309 Capital Investment Program, which also

includes the Bus Capital and Fixed-Guideway New Starts Programs. Unlike the Section 5309 Bus Capital and Fixed-Guideway New Starts Programs, which are designed to assist in meeting extraordinary capital needs and are awarded generally at the discretion of Congress or the FTA, Section 5309 Rail Mod funds are allocated on a formula basis to rail systems that have been in operation for at least seven years. Eligible projects include the modernization of existing fixed-guideway systems, including rolling stock. For fiscal year 2010, the Section 5309 funds estimated allocation to MTS is \$14.4 million and would be matched with local funds of \$3.6 million. The program would provide an estimated \$18 million to fund fiscal year 2010 capital projects.

Local Match

The local match for CIP projects will come from the pooled transit finances for the MTS region. While it is likely that the actual funds used would be TDA funds, final decisions on the matching source would be made during the fiscal year 2010 CIP implementation process in order to maximize the availability and flexibility of funding.

Preventative Maintenance and Operations Funding Swap

As indicated within Attachment C, MTS has the capacity to increase the Preventative Maintenance amount from \$29 million to \$41.5 million. Staff recommends that the Board approve the \$12.5 million Preventative Maintenance increase and, in turn, swap TDA from operations to the CIP. There is no net change to operations or capital; this exercise simply provides more flexibility in the funding within the CIP. Some benefits of this funding swap include improved cash flow with the ability to draw federal funds at the beginning of the fiscal year, assistance in compliance of FTA grant closeout, ability to earn interest on the TDA funds, and increased flexibility with the TDA funds in the CIP.

Development of the MTS Fiscal Year 2010 CIP

The CIP process began in July 2009 with the call for projects. The recommended CIP assumes \$41.5 million for PM and \$857,751 in SANDAG Planning Studies. The remaining projects compete for the balance of available funding. A meeting of the Capital Projects Review Committee (CPRC) was held to review the project list and to develop a CIP recommendation for fiscal year 2010. In accordance with the Capital Projects Selection Process, the CPRC is comprised of representatives from MTS Bus, MTS Rail, MTS Administration, Chula Vista Transit (CVT), and SANDAG. Each CPRC member was responsible for submitting the capital requests for its division, agency, or city. The CPRC reviewed and approved the prioritization of those capital requests.

The capital project list (Attachment A) represents the five-year, unconstrained need for the MTS operators. Each MTS agency submitted its capital project requests in priority order and the lists were consolidated for review by the CPRC. The CPRC reviewed the projects in the context of their impact on operations and determined the most critical projects to fund this year. The remaining projects were deferred; however, it is recognized that the continued deferral of some projects could have negative impacts on system infrastructure in future years.

As an organization, MTS is in critical need of buses and rail infrastructure. In the fiscal year 2008 CIP, the procurement of buses began to rectify this problem. In the fiscal year 2009 and 2010 CIPs, MTS continues to address this organizational need and recommends allocation of significant available funds to continue the schedule of the procurement of vehicles and to address the need for rail infrastructure rehabilitation.

The California electorate's approval of the PTMISEA as part of Proposition 1B in November 2006 provided a potentially significant source of funding for the rehabilitation of MTS's oldest rail lines. That account provided funding by formula to State Transit Assistance (STA)-eligible transit agencies for use on capital projects. It was estimated that through the life of the account, MTS would receive \$164 million, contingent upon annual appropriations by the state legislature, and that that funding would be used as a match for the TransNet funding for the Blue and Orange Line Trolley Rehabilitation Project. Appropriations already approved by the state provide an eligible allocation for calendar years 2008 and 2009 totaling \$43.4 million to MTS. Due to the timing of the initial appropriation, PTMISEA funding was not reflected in CIPs in prior years. The agency received an allocation for fiscal year 2008 totaling \$27 million. Due to the requirement that projects receiving this money be "ready to go", staff applied for all of its funding in fiscal year 2008 to purchase new buses, which left an equal amount of nonfederal funding available for transfer to the fiscal year 2010 CIP for the Trolley rehabilitation project as needed. It is staff's recommendation that MTS continue this practice with the fiscal year 2009 PTMISEA allocation, if and when that allocation is permitted by the State Treasurer's office.

Another funding source authorized in Proposition 1B was the Transit System Safety, Security, and Disaster Response Account (TSSDRA). MTS's total allocations under this program are anticipated to total \$5.5 million, and this subsidy is reflected in the fiscal year 2010 CIP.

Of the \$94.8 million available after Preventative Maintenance and SANDAG Planning Studies, \$16.0 million, or 16.8 percent, would be dedicated to the procurement of buses. This allocation would fund approximately 38 40-foot compressed natural gas (CNG) vehicles. With approval of the recommended CIP, a total of 165 buses will have received funding in fiscal years 2008, 2009, and 2010.

The table below is a summary of the CPRC recommendations, the major categories that are proposed to be funded, and the percentage of total available funding.

Project	FY10 Funding	% of Total
40 foot CNG Vehicles (38 vehicles [13 years old])	15,950.0	16.8%
Rail Infrastructure (Blue Line Project)	43,441.6	45.8%
Other Rail Infrastructure (Catenary, Traction Motors, Other)	6,000.0	6.3%
Major Facility & Construction Projects	14,644.6	15.4%
LRV Components (Tires, Body Rehab, Other)	5,325.0	5.6%
Security Projects	7,315.4	7.7%
Other Facility and Operating Equipment	1,638.5	1.7%
Miscellaneous Operating Capital	500.0	0.5%
Total Project Funding Available	<u>\$94,815.2</u>	100.0%

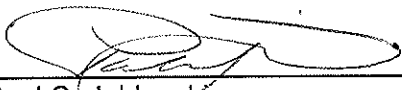
The fiscal year 2010 funding levels represent 85 percent of the total project needs after funding Preventative Maintenance and SANDAG Planning Studies.

Five-Year Capital Program Projections

Attachment B summarizes a high-level look at the five-year capital program. The federal 5307 and 5309 funding levels are projected to increase by 6.5 percent for fiscal year 2010 and by 4 percent through 2014. Based on staff recommendation, PM has been increased to \$41.5 million offset by additional TDA totaling \$12.5 million in our future projections.

Total capital needs for fiscal year 2010 and beyond exceed the available projected funding levels. The fiscal year 2010 capital needs total \$111.6 million, and the available funding for the year is 85.0 percent of total project needs. The disparity between funding levels and capital needs will continue in future years without the identification of additional revenue sources. Total project needs over the five-year term are projected to be \$662.7 million. Projected deficits from fiscal year 2010 to fiscal year 2014 total \$386.9 million. The ratio of total funding to total capital needs over the five-year term is projected at 41.6 percent.

There are several unknowns that could impact fiscal year 2010 and future capital funding. Discussions at the federal level indicate interest in funding capital infrastructure as a way to spur economic growth. SANDAG has submitted a list of projects to Caltrans for potential economic stimulus funding that includes several MTS capital projects. Use of these funds would be contingent on the region's ability to deliver the projects quickly. In addition, the state's budget crisis could impact MTS's available transit funding. Several proposals have been discussed that would eliminate or significantly curtail future funding of transit through the STA, while the state's continued inability to fix its budgetary deficit has made it difficult to gain the bond funding necessary to continue to fund the PTMISEA and TSSSDRA.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Lisa Fowler, 619.557.4510, lisa.fowler@sdmts.com

Attachments: A. Fiscal Year 2010 Detailed CIP
B. Fiscal Year 2010 Capital Improvement Program Summary
C. Preventative Maintenance Recommended Policy Change
D. Revenue Detail

File	Funding Description	Grant	FY10	FY11	FY12	FY13	FY14
5307 80% Funding Estimate			40,101.0	41,705.0	43,373.2	45,108.2	46,912.5
TDA Local Match (5307) 20%			10,025.3	10,426.3	10,843.3	11,277.0	11,728.1
5307 80% carryover			1,661.0				
TDA Local Match (5307- carryover) 20%			415.3				
5309 Rail Mod 80% Funding Estimate			14,383.0	14,988.3	15,556.7	16,178.9	16,826.1
TDA Local Match (5309) 20%			3,595.8	3,739.6	3,889.2	4,044.7	4,206.5
5309 Rail Mod 80% carryover			1,633.0				
TDA Local Match (5309- carryover) 20%			413.3				
5311 f - El Cajon Transit Center			114.6				
TDA Local Match (5311 f)			14.9				
JARC for HASTOPS	Federal		62.8				
JARC match	TDA		15.7				
CMAQ for Buses	X051		62.5				
CMAQ match (11.47%)	TDA		8.1				
TSGP- FFY08 Rail & Bus	TSGP		1,500.0				
Security- Prop 1B Rail (FFY08)	State		1,500.0				
Security- Prop 1B Bus (FFY08)	State		1,200.0				
Proposition 1B (FFY08)	State		27,787.9				
Security- Prop 1B Bus & Rail (FFY09)	State		2,779.4				
Proposition 1B (FFY09)	State		15,653.7				
FY08 TDA Unallocated	TDA		88.0				
TDA (increase PM to \$41.5M)	TDA		12,500.0	12,500.0	12,500.0	12,500.0	12,500.0
Project Transfer #11199-Misc capital	Y474, 0206, Y350		477.0				
Project Transfer #11199- Misc capital match	MATCH		119.24				
Project Transfer #11215- non federal	STA		151.3				
SANDAG Project Transfer #1108400	5309 CA-03-0690		286.3				
SANDAG Project Transfer #1108400- match	MATCH		71.6				
Project Transfer #11217- station improv.	5309-0220		29.0				
Project Transfer #11217- station improv. match	MATCH		33.8				
Project Transfer #11221- low volt wiring	5309-0233		140.0				
Project Transfer #11221- low volt wiring match	MATCH		35.0				
Project Transfer #11226-Special Event	5307-Y677		27.2				
Project Transfer #11226- special event match	MATCH		6.8				
Project Transfer #11202-Non revenue Vehicles	5309-0205307-Y677		200.4				
Project Transfer #11202- Non revenue Vehicles	MATCH		50.1				
SANDAG Planning Study			(857.8)	(892.1)	(927.7)	(964.9)	(1,003.4)
Preventive Maintenance			(41,500.0)	(41,500.0)	(41,500.0)	(41,500.0)	(41,500.0)
Available Funding for FY 10 Capital Program			94,815.2	40,937.1	43,734.6	46,644.0	49,669.8

Submittal Number	Division	Category	FY 2010 Priority	Project Number	Project Description	Funded thru FY09	FY10 Funded Projects	FY10 Unfunded	FY11	FY12	FY13	FY14	BUDGET FY10- FY14
44	SDTI	LRV Rehab	1.0	11266	Blue Line Rehabilitation	-	43,441.6	-	48,000.1	64,000.0	121,712.0	122,500.0	399,653.7
32	MTS Bus	Buses	1.0	11239	40 FT. CNG Buses (37)	37,754.8	15,000.0	-	27,500.0	-	-	-	42,500.0
33	MTS Bus	Facilities	1.1	1048500	SBMF Expansion	10,432.9	9,252.0	-	28,748.0	7,000.0	-	-	45,000.0
11	SDTI	Rail infra	1.1	1142000	Overhead Catenary Wire Replacement	7,422.0	4,000.0	-	-	3,000.0	2,000.0	3,000.0	12,000.0
34	MTS Bus	Facilities	1.1	11237	ECBMF	5,672.3	3,647.1	-	6,890.0	25,000.0	-	-	35,537.1
53	MTS	Security	1.0	11237	Security Prop 1B	-	2,779.4	-	-	-	-	-	2,779.4
39	MTS	Security	1.0	11184	CCTV Bus- On Board Security Prop 1B	2,188.7	1,950.0	-	-	-	-	-	1,950.0
15	SDTI	LRV rehab.	1.0	11214	SD100 HVAC Unit Rehab/Retrofit	453.5	1,775.0	-	1,248.0	1,248.0	1,248.0	1,248.0	6,767.0
12	SDTI	LRV rehab.	1.0	11251	SDTI-LJ2 SD100 Gear Box Rehab	500.0	1,500.0	-	1,000.0	1,000.0	1,000.0	1,000.0	5,500.0
40	MTS	Security	1.0	11166	CCTV Rail- In Station Security Prop 1B	1,029.4	1,500.0	-	-	-	-	-	1,500.0
45	MTS	Security	1.0	11271	LRV On Board Cameras (match only)	1,008.0	1,086.0	-	-	-	-	-	1,086.0
57	MTS Bus	Facilities	1.1	1048500	SBMF Site Prep	-	1,000.0	-	-	-	-	-	1,000.0
25	CVT	Buses	1.0	11250	CVT 40 FT. CNG Buses	2,460.0	950.0	-	-	-	-	-	950.0
4	SDTI	Rail infra.	1.5	1129300	System Grade Crossing Replacements	780.0	900.0	-	900.0	1,000.0	1,100.0	1,100.0	5,000.0
43	SDTI	Equipment	1.8	1142800	OCS Strain Insulator Replacement	1,186.0	780.0	-	-	-	-	-	780.0
7	SDTI	Rail infra.	1.3	11255	Broadway Wye Switch Machines	100.0	750.0	-	-	-	-	-	750.0
13	SDTI	LRV rehab.	1.7	11165	LRV Body & Paint Rehab	2,160.0	550.0	-	550.0	-	-	-	1,100.0
54	MTS	Admin	1.0	11200	Misc Capital (Non Federal)	542.1	500.0	-	500.0	500.0	500.0	500.0	2,500.0
17	SDTI	LRV rehab.	1.2	11167	LRV Tires	1,626.4	491.0	-	545.5	589.2	636.3	687.2	2,949.2
20	SDTI	LRV Rehab.	1.4	11254	SD100 Brake Rehabilitation	125.0	350.0	-	-	-	-	-	350.0
10	SDTI	Rail infra.	1.6	11206	Rail Profile Grinding	973.0	350.0	-	350.0	350.0	350.0	350.0	1,750.0
51	SANDAG	Construction	1.0	1128300	H street Trolley & Bus ADA improvements	115.0	327.0	-	-	-	-	-	327.0

18	SDTI	LRV rehab.	1.0	11219	Pilot Motor Control Unit Drive Rehab	200.0	284.0	284.0	284.0	284.0	1,420.0
24	SDTI	Equipment	1.0	11183	SDTI Cross Tie Procurement	-	280.0	280.0	280.0	280.0	1,440.0
50	SANDAG	Construction	1.0	1128400	Configuration Management	100.0	200.0	-	-	-	200.0
19	SDTI	LRV rehab.	1.0	11252	SD100 Blower Motor Conversion	290.0	100.0	-	-	-	100.0
52	SANDAG	Construction	1.0	1128300	Old town Trolley & Bus ADA Improvements	115.0	89.0	-	-	-	89.0
46	MTS	Admin	1.0		Hasstop module for Planning Hasstop Program	-	78.5	-	-	-	78.5
XX	MTS Bus	Facilities	1.0		El Cajon Transit Center	-	129.5	-	-	-	129.5
21	SDTI	LRV rehab.	1.1		SD100 Traction Motor Disconnections	-	275.0	275.0	275.0	1,375.0	
23	SDTI	Equipment	1.1		SDTI Ticket Vending Equipment (TVM)	-	500.0	868.8	-	-	1,868.8
37	MTS Bus	Equipment	1.1	1049000	MCS -AVL/MDT Technology on 370 Buses (RTMS)	-	5,500.0	105.0	4,200.0	-	12,700.0
56	SANDAG	Construction	1.5	1049700	Grossmont Pedestrian Enhancement	4,700.0	3,095.0	-	-	-	3,200.0
47	SANDAG	Construction	1.5	1095600	San Ysidro Slope	135.0	2,080.0	-	-	-	2,080.0
49	SANDAG	Construction	1.5	1128100	Mainline Drainage Improvements	260.0	645.0	-	-	-	645.0
48	SANDAG	Construction	1.5		Trolley Platform Repairs	-	342.9	-	-	-	342.9
27	CVT	Security	1.5		CVT Bus Security Cameras	-	277.5	-	-	-	277.5
55	MTS	Admin	1.5		Enterprise Planning System	-	150.0	-	-	-	150.0
35	MTS Bus	Equipment	1.5	11198	MTS Bus Farebox Support Equipment	424.7	100.0	-	-	-	100.0
30	MTS Bus	Equipment	1.5		MTS Bus Fleetwatch Data Logger Installation	-	95.0	-	-	-	95.0
36	MTS Bus	Equipment	1.5		SBMF/ECBMF Heavy Duty Lifts	-	75.0	145.0	155.0	160.0	685.0
38	MTS Bus	Equipment	1.5		MTS Bus Service Trucks	-	55.0	270.0	650.0	-	975.0
31	MTS Bus	Equipment	1.5		MTS Bus Regional Transit IT	-	45.0	-	-	-	45.0
14	SDTI	Construction	3.4	1128600	LRV Car Wash	100.0	1,184.7	-	-	-	1,184.7
3	SDTI	Rail infra.	2.2		Substation Retrofit Modifications	-	1,000.0	1,000.0	1,500.0	1,500.0	6,200.0
2	SDTI	Equipment	2.7	11186	Crane Truck	-	400.0	-	-	-	400.0
8	SDTI	Rail infra.	3.8	1142800	Catenary Catch Cable Restoration	390.0	390.0	-	-	-	390.0
5	SDTI	Rail infra.	3.6		SDTI VMS Sign Replacement	-	375.0	-	-	-	750.0
1	SDTI	Rail infra.	2.8		Signal System Design/ Schematic Updates	-	250.0	250.0	-	-	500.0
22	SDTI	LRV rehab.	3.3	11216	Electronic Control Circuit U2 Rehab	230.3	250.0	250.0	250.0	-	1,000.0
6	SDTI	Facilities	2.9	11228	SDTI Yard Facilities Building Repair	135.0	175.0	-	-	-	175.0
16	SDTI	LRV rehab.	3.5		U2 LRV Interior Rehab	-	100.0	100.0	100.0	-	400.0
9	SDTI	Facilities	3.7		Old Town Station Building Repairs	-	75.0	-	-	-	75.0
28	MTS Bus	Security	3.0	11212	Transit Store Security Improvements	69.0	50.0	-	-	-	50.0
41	MTS	Security	3.0	11258	DVR Replacement	24.0	36.0	36.0	36.0	36.0	180.0
29	MTS Bus	Equipment	2.0		MTS Bus IAD Roof & HVAC Repairs	-	35.0	915.0	-	-	950.0
26	CVT	Admin	3.0		CVT AVL & APC System	-	-	-	-	-	-
42	SANDAG	Equipment	3.0	1049000	RTMS	16,774.0	-	-	-	-	-
	SDTI	Equipment			Transformer Rewinding	-	200.0	-	-	-	200.0
	SDTI	Construction			Fashion Valley Station Improvements	-	400.0	-	-	-	400.0
	SDTI	Equipment			Station Lighting Electrical Usage Improvements	-	125.0	125.0	-	-	250.0
	SDTI	LRV Rehab			Signal Cases & Relay Replacement	-	960.0	-	-	-	960.0
	SDTI	LRV Rehab			Curve Rehabilitation	-	2,100.0	2,100.0	2,100.0	-	6,300.0
	SDTI	Equipment			ROW Drainage Improvements	-	-	2,600.0	1,200.0	1,200.0	5,000.0
	SDTI	Construction			Station Parking Lots	-	-	300.0	300.0	-	600.0
	SDTI	Equipment			Power Switch Replacement	-	-	275.0	-	-	275.0
	SDTI	LRV Rehab			Street Running Track Replacement	-	-	1,200.0	1,200.0	1,200.0	3,600.0
	SDTI	Equipment			Switches 1,3,9 & 11	-	-	1,500.0	-	-	3,000.0
	SDTI	Construction			ROW Fence Replacement	-	-	250.0	-	-	250.0
	SDTI	Equipment			Substation Isolation Switches	-	-	-	1,295.0	-	1,295.0
	SDTI	Equipment			Commercial Street Frt. Switch removal	-	-	-	200.0	200.0	500.0
	SDTI	Equipment			System Station Repairs	-	-	-	-	500.0	750.0
	SDTI	Construction			Substation Building Improvements	-	-	-	-	-	1,863.0
	MTS Bus	Equip			AVU/MDT Technology ADA Paratransit Buses	-	-	1,863.0	-	-	4,500.0
	MTS Bus	Buses			Mid size Buses (14)	-	-	4,500.0	-	-	5,400.0
	MTS Bus	Buses			45ft. Commuter Buses (26)	-	-	5,400.0	-	-	12,500.0
	MTS Bus	Buses			ADA Buses (120)	-	-	-	-	5,500.0	3,600.0
	MTS Bus	Buses			MiniBuses (25)	-	-	-	-	-	-

TOTAL	112,239.3	94,815.2	16,781.0	131,164.6	130,640.9	142,631.3	146,715.2	862,748.3
ANNUAL DEFICIT	0.0	(16,781.0)	(90,227.5)	(86,906.3)	(95,987.3)	(97,045.4)	(386,947.5)	

San Diego Metropolitan Transit System
Capital Improvement Program
Fiscal Years 2010 - 2014
CIP Forecast

	Proposed FY10	Projected FY11	Projected FY12	Projected FY13	Projected FY14	FY10 to FY14
Total Revenues						
Recurring Dedicated Federal CIP Revenues	68,105.0	70,829.2	73,662.4	76,608.9	79,673.2	368,878.6
Recurring TDA for Preventative Maintenance Increase	12,500.0	12,500.0	12,500.0	12,500.0	12,500.0	62,500.0
Other Non Recurring Revenues	56,567.9	-	-	-	-	56,567.9
Total Capital Revenues	137,172.9	83,329.2	86,162.4	89,108.9	92,173.2	487,946.6
Less: "Off the Top" Expenses						
SANDAG Planning Studies	(857.8)	(892.1)	(927.7)	(964.9)	(1,003.4)	(4,645.9)
Preventative Maintenance	(41,500.0)	(41,500.0)	(41,500.0)	(41,500.0)	(41,500.0)	(207,500.0)
Total "Off The Top" Expenses	(42,357.8)	(42,392.1)	(42,427.7)	(42,464.9)	(42,503.4)	(212,145.9)
Adjusted Available CIP Revenues	94,815.2	40,937.1	43,734.6	46,644.0	49,669.8	275,800.7
Total Project Needs	111,596.2	131,164.6	130,640.9	142,631.3	146,715.2	662,748.3
Total Deficit	(16,781.0)	(90,227.5)	(86,906.3)	(95,987.3)	(97,045.4)	(386,947.5)
% of Funding / Needs	85.0%	31.2%	33.5%	32.7%	33.9%	41.6%
Accumulated Deficit	(16,781.0)	(107,008.5)	(193,914.8)	(289,902.1)	(386,947.5)	
Accumulated % Funding / Needs	85.0%	55.9%	48.1%	43.8%	41.6%	

Preventative Maintenance Policy Change

	Capital Budget	Increase PM to Ops	Adj Cap Budget	Operating Budget	Incr PM to Ops	Adj Oper Budget
CIP Revenues	123,815	-	123,815	39,638	-	39,638
Federal PM	(23,200)	(10,000)	(33,200)	23,200	10,000	33,200
TDA Match PM	(5,800)	(2,500)	(8,300)	5,800	2,500	8,300
TDA Transfer	-	12,500	12,500	64,869	(12,500)	52,369
Total CIP Revenues	94,815	-	94,815	133,507	-	133,507

**San Diego Metropolitan Transit System
Capital Improvement Program
Fiscal Years 2010 - 2014
Estimated Revenue Detail**

Revenue Source	Proposed FY 2010
Federal Funding Levels (includes local match)	68,105.0
Federal Funding - FY08 Carry Forward (includes local match)	4,272.0
* CMAQ & JARC Funding	149.2
* Transit Security Grant Program (TSGP)	1,500.0
* Proposition 1B- Security Funding (TSSSDRA)	5,479.4
* Proposition 1B- FY09 Funding (PTMISEA)	27,787.9
* Proposition 1B- FY10 Funding (PTMISEA)	15,653.7
FY08 TDA Final Carry Forward	98.0
Capital Project Transfers	1,627.7
Transportation Development Act (TDA)	12,500.0
Total Funding Available	<u><u>\$ 137,172.9</u></u>
*Restricted revenues total	\$ 50,570.3
Unrestricted CIP funds	\$ 86,602.7
Preventative Maintenance	(41,500.0)
SANDAG Planning Studies	(857.8)
Net Unrestricted CIP Funds	<u><u>\$ 44,244.9</u></u>



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

Agenda

Item No. C3

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

CIP 11457

January 8, 2009

SUBJECT:

MTS: LEGISLATIVE UPDATE

RECOMMENDATION:

That the Executive Committee receive a report on relevant state and federal legislative activities.

Budget Impact

None.

DISCUSSION:

State Budget Crisis

The state continues to grapple with what is now being portrayed as a \$40 billion budget deficit in fiscal years 2009 and 2010. The Governor proposed a midyear budget solution in November that included a 75 percent decrease in the State Transit Assistance (STA) program in this fiscal year and complete elimination of the program going forward.

In December, the legislature passed an alternative legislative leadership proposal. That proposal included significant changes in the way transportation would be funded by the state, including the elimination of the state sales tax on gasoline and the state excise taxes on gas and diesel fuel, and replacement of those revenues with a 39 cent per gallon "fee" on gasoline. The taxes being proposed for elimination are currently allocated by Proposition 42, which amended the constitution to ensure allocation of these funds to streets & roads, the State Transportation Improvement Program (STIP), and public transit. The new gasoline fee would have replaced the value of the eliminated taxes while generating more funding, but would not have funded transit.



Under the legislature's proposal, the sales tax on diesel fuel, the largest single revenue stream into the Public Transportation Account (PTA), would have remained. This source currently funds the PTA at an average of \$400 million annually, with 50 percent going to transit operators through the STA; however, the proposal would have capped the STA appropriation at \$150 million per year starting with this fiscal year. The legislative budget proposal would have resulted in a 50 percent reduction in the operating assistance that was approved in October 2008, a \$7 million cut in MTS's budgeted STA subsidy. To help make up for the loss of STA revenue, the package included a proposal to introduce legislation to make it easier for counties to double the quarter-cent sales tax, which is currently dedicated to transit through the Transportation Development Act (TDA).

The Governor refused to sign the legislative proposal, and, on December 31, he unveiled a new budget package intended to address both fiscal year 2009 and 2010 deficits. In that package, he has included only 25 percent of the STA funding approved in October 2008 for fiscal year 2009 and the complete elimination of STA in future years. If enacted, the proposal would result in a \$10.6 million negative budgetary impact for MTS in the current fiscal year and a \$14 million negative budgetary impact in fiscal year 2010.



Paul C. Jablonski
Chief Executive Officer

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

JAN8-09.C3.LEG.COONEY.doc



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

Agenda

Item No. C4

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

CIP 11457

January 8, 2009

SUBJECT:

MTS: COMPASS CARD IMPLEMENTATION

RECOMMENDATION:

That the Executive Committee receive a status report on development and implementation of the Compass Card fare system.

Budget Impact

None.

DISCUSSION:

Compass Card (SANDAG Capital Improvement Program [CIP] 1145700) is a multiyear project that will create a regional fare collection system for the San Diego region's fixed-route bus and rail operations. Formerly known as "Smart Card," the Compass Card is being designed by Cubic to provide a better fare product for the transit customer and to allow the area's transit operators to collect enhanced ridership and revenue data. The plastic cards will be reusable and reloadable and will eventually replace all paper fare media for MTS and North County Transit District (NCTD) operations. Riders will be able to reload the cards at transit stores and all ticket vending machines.

In December, SANDAG changed the Regional Fare Ordinance to begin rollout of the Compass Card on March 1, 2009. The Compass Card would replace paper passes for MTS Express Bus Services and NCTD Coaster and Sprinter Services, and riders on other services could voluntarily choose to move to the Compass Card. Both calendar monthly passes and 30-day passes would be available to customers beginning March 1, 2009. Equipment and software installation and testing is continuing, with the goal of verifying that the system is fully operational prior to rollout to ensure a smooth transition. Staff will provide a status report on implementation.





Paul C. Jablonski
Chief Executive Officer

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

JAN8-09.C4.COMPASSCARD.COONEY.doc



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

DRAFT

Agenda

JOINT MEETING OF THE BOARD OF DIRECTORS

for the

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

January 15, 2009

9:00 a.m.

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

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

ACTION RECOMMENDED

1. Roll Call
2. Approval of Minutes - December 11, 2008 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.
4. MTS: Election of Vice Chair and Chair Pro Tem and Appointments to Committees for 2009 Elect
Action would: (1) elect a Vice Chair and a Chair Pro Tem for 2009; and (2) consider the nominating slate proposed by the Ad Hoc Nominating Committee for the appointment of representatives to the 2009 MTS Committees and vote to appoint representatives to those committees.

Please turn off cell phones and pagers
during the meeting



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.

CONSENT ITEMS

- | | | |
|-----|--|----------------|
| 6. | <u>MTS: Trash Disposal Services (SDTC and SDTI)</u>
Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1209.0-09 with Daily Disposal Services, Inc. for trash disposal services for a period of five years. | Approve |
| 7. | <u>MTS: Amendments to Assignment of Contract for San Diego Association of Governments' On-Call General Transportation Planning Services (IBI Group)</u>
Action would authorize the CEO to ratify MTS Doc. No. G1135.0-08 and execute Amendment No. 1 to MTS Doc. No. G1135.0-08 with IBI Group as part of the San Diego Association of Governments' (SANDAG's) On-Call General Transportation Planning Service Agreement, which was established as a jobs order contract with MTS. Amendment No. 1 would allow MTS to proceed with evaluating weekend service structure and productivity. | Ratify/Approve |
| 8. | <u>MTS: Bus Operator Uniforms - Contract Award</u>
Action would authorize the CEO to execute MTS Doc. No. B0509.0-09 with Kingsbury Uniforms, Inc. for bus operator uniforms for up to a five-year period. | Approve |
| 9. | <u>MTS: Transportation Development Act (TDA) Claim Amendments</u>
Action would adopt Resolution Nos. 09-1, 09-2, and 09-3 approving the revised FY 2009 Transportation Development Act (TDA) Article 4.0, 4.5, and 8.0 claims. | Approve |
| 10. | <u>SDTI: Security Patrol Services - Contract Amendment (Option Years One and Two)</u>
Action would authorize the CEO to exercise option years 1 and 2 to MTS Doc. No. C.O.066.0-06 with Heritage Security Services/Transit Systems Security for security patrol services pursuant to the original Request for Proposals. | Approve |

CLOSED SESSION

- | | | |
|-----|---|-----------------|
| 24. | d. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION Pursuant to California Government Code section 54956.9(b) (<u>Transit Enforcement Officers Association</u>) | Possible Action |
| | b. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(a) (<u>MTS v. Zurich Insurance</u> , AAA Case No. 51 195 Y 00164 08) | Possible Action |
| | c. 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 |

d. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION Pursuant to California Government Code section 54956.9(b) (San Diego Riders Union) Possible Action

e. MTS: CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant Exposure to Litigation Pursuant to California Government Code Section 54956.9(b): One Potential Case Possible Action

Oral Report of Final Actions Taken in Closed Session

NOTICED PUBLIC HEARING

25. MTS: Public Hearing - Service Adjustments for Sorrento Valley Coaster Connection Approve
- That the Board of Directors: (1) conduct a public hearing on the recommended service adjustments for the Sorrento Valley Coaster Connection; and (2) approve the changes for implementation immediately (as soon as operationally possible).

DISCUSSION ITEMS

30. MTS: Fiscal Year 2010 Capital Improvement (CIP) Program Approve
- Action would: (1) approve the fiscal year 2010 Capital Improvement Program (CIP) with the estimated federal and nonfederal funding levels. As the federal appropriation figures are finalized and/or other project funding sources become available, allow the Chief Executive Officer (CEO) to identify and adjust projects for the adjusted funding levels; (2) recommend that the San Diego Association of Governments (SANDAG) Board of Directors approve the submittal of federal Sections 5307 and 5309 applications for the MTS fiscal year 2010 CIP after the federal appropriations are finalized; (3) approve the \$12.5 million preventative maintenance increase and, in turn, swap Transportation Development Act (TDA) funding from operations to the CIP. There would be no net change to operations or capital; this exercise would simply provide more flexibility in funding within the CIP and would permit the agency to expend federal funding more quickly; (4) approve the transfer of \$1,627,724 from previous CIP projects to the fiscal year 2010 CIP; (5) approve the transfer of \$27,787,888 in nonfederal funding from previous fiscal year CIP projects to fiscal year 2010 Blue Line Rehabilitation (11266) to reflect the receipt of Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA); (6) approve the transfer of \$3.1 million of nonfederal funds currently allocated to the East County Bus Maintenance Facility (ECBMF) in exchange for \$3.1 million of federal funding currently allocated to bus procurement projects in fiscal year 2010; and (7) recommend that the SANDAG Board of Directors approve the amendment of the Regional Transportation Improvement Program (RTIP) in accordance with the fiscal year 2010 CIP recommendations.

- | | | |
|-----|---|---------|
| 31. | <u>MTS: Disadvantaged Business Enterprise (DBE) Semiannual Report and Triennial DBE Program</u>
Action would receive a report for information. | Receive |
| 32. | <u>MTS: Design Approval of OTTC Station Improvements</u>
Action would approve the design of the proposed improvements for the Old Town Transit Center. | Approve |
| 33. | <u>MTS: New Flyer 40-Foot Buses - Contact Amendment</u>
Action would approve Amendment No. 5 to MTS Doc. No. G1101.5-07 with New Flyer of America to add 36 option 40-foot, low-floor compressed natural gas-powered buses to the order to replace old buses in MTS's fleet. | Approve |

REPORT ITEMS

- | | | |
|-----|---|-------------|
| 45. | <u>MTS: 511 Program and Transit Information</u>
Action would receive a report for information. | Receive |
| 46. | <u>MTS: Year-to-Date Operations Budget Status Report Through October 2008</u>
Action would receive the MTS Year-to-Date Operations Budget Status Report through October 2008. | Receive |
| 47. | <u>MTS: First Quarter Performance Monitoring Report</u>
Action would receive a report for information. | Receive |
| 48. | <u>MTS: Investment Report - November 2008</u>
Action would receive a report for information. | 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 Comments. | |
| 65. | <u>Next Meeting Date:</u> February 19, 2009 | |
| 66. | <u>Adjournment</u> | |



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

Agenda

Item No. 6

JOINT MEETING OF THE BOARD OF DIRECTORS for the

CIP 53710

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

January 15, 2009

**Draft for
Executive Committee
Review Date: 01/08/09**

SUBJECT:

MTS: TRASH DISPOSAL SERVICES (SDTC AND SDTI)

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. G1209.0-09 (in substantially the same format as Attachment A) with Daily Disposal Services, Inc. for trash disposal services for a period of five years.

Budget Impact

The five-year contract period would begin on February 1, 2009, and end on January 31, 2014. This project would be federally and state funded under the operating budgets of San Diego Transit Corporation (SDTC) and San Diego Trolley, Inc. (SDTI) for a total of \$606,544.00 (FY 09 through FY 13). The operating budgets are comprised of 80% federal and 20% local funds.

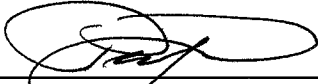
DISCUSSION:

An Invitation for Bids (IFB) for Trash Disposal Services was issued on September 8, 2008. The project was advertised on August 14, 2008, and a letter of interest was mailed to five contractors on September 8, 2008. A total of four sealed bids were received on October 31, 2008.

An investigation of responsiveness and responsibility was conducted in accordance with MTS Policy No. 52 (Procurement of Goods and Services), which requires a formal competitive bid process for procurements of goods and services exceeding \$100,000, and a bid summary was prepared (Attachment B).



After evaluating the bids and fully reviewing the prices, three bids were found to be responsive and responsible based on the evaluation criteria outlined in the IFB. Further evaluation found that Daily Disposal Services, Inc. provided the lowest responsive and responsible bid. Therefore, staff recommends that MTS award a contract to Daily Disposal Services, Inc. in the amount of \$606,544.00.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contacts: Frank Toth, 619.238.0100, Ext. 6511, frank.toth@sdmts.com
Vance Williams, 619.595.4978, vance.williams@sdmts.com

JAN15-09.6.TRASHDISPOSALSVCS.JMILLER.doc

Attachments: A. Draft MTS Doc. No. G1209.0-09
B. Bid Summary

STANDARD SERVICES AGREEMENT

MTS Doc. No. G1209.0-09
 CONTRACT NUMBER
 OPS 920.6
 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: Daily Disposal Services, Inc. Address: 9201 Campo Road
 Form of Business: Corporation Spring Valley, CA 91977-1102
 (Corporation, partnership, sole proprietor, etc.)
 Telephone: 619-938-1081
 Authorized person to sign contracts: Christine Elias Sales 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 trash disposal services to the Metropolitan Transit System for five years as stipulated in MTS's Invitation for Bids (IFB) for Trash Disposal Services, MTS Document No. G1209.0-09; including Addendum Nos. 1, 2, and 3, MTS's response to written Questions/Clarifications, Federal Requirements, and in accordance with the Standard Services Agreement, including the Standard Conditions Services and Daily Disposal Services, Inc.'s bid dated October 31, 2008. If there are inconsistencies between the IFB and Addendums, Responses to Written Questions/Clarifications, Federal Requirements, Standard Services Agreement, and the Standard Conditions Services, the following order of precedence will govern the interpretation of this contract:

1. MTS's IFB for Trash Disposal Services No. G1209.0-09, including Addendum Nos. 1, 2, and 3, MTS's response to written questions, and Daily Disposal Services, Inc.'s bid dated October 31, 2008.
2. Standard Services Agreement, including Standard Conditions Services and Federal Requirements.

This contract shall be for a five-year base period effective February 1, 2009, through January 31, 2014. The total contract amount for trash disposal services shall not exceed \$606,544.00.

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

AMOUNT ENCUMBERED	BUDGET ITEM	FISCAL YEAR
\$606,544.00	Cost Center 331, 332, 380; Expense Element 53710	09-14

By: _____
 Chief Financial Officer
 (____ total pages, each bearing contract number)

JAN15-08.6.AttA.TRASH DISPOSAL G1209.0-09.JMILLER.Doc

**IFB for Trash Disposal Services
MTS Doc No. G1209.0-09**

Att. B, AI 6, 1/15/09

GRAND TOTALS - BASIS OF AWARD:

	DAILY DISPOSAL SVCS, INC.	WASTE MANAGEMENT	EDCO	ALLIED WASTE SRV.
Year 1:	\$ 106,096.00	\$ 109,277.32	\$ 111,739.46	\$ -
Year 2:	\$ 121,836.00	\$ 124,719.00	\$ 133,014.00	\$ -
Year 3:	\$ 123,972.00	\$ 126,974.04	\$ 212,024.82	\$ -
Year 4:	\$ 126,180.00	\$ 129,295.68	\$ 146,653.68	\$ -
Year 5:	\$ 128,460.00	\$ 131,679.60	\$ 153,992.34	\$ -
	\$ 606,544.00	\$ 621,945.64	\$ 757,424.30	\$ -
				Allied Waste Services' Bid Deemed Nonresponsive - incomplete Buy America Form



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

CIP 50451

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

**Draft for
Executive Committee
Review Date: 1/8/09**

January 15, 2009

SUBJECT:

MTS: AMENDMENTS TO ASSIGNMENT OF CONTRACT FOR SAN DIEGO
ASSOCIATION OF GOVERNMENTS' ON-CALL GENERAL TRANSPORTATION
PLANNING SERVICES (IBI GROUP)

RECOMMENDATION:

That the MTS Board of Directors authorize the Chief Executive Officer (CEO) to ratify MTS Doc. No. G1135.0-08 (Attachment A) and execute Amendment No. 1 (Attachment B) to MTS Doc. No G1135.0-08 with IBI Group as part of the San Diego Association of Governments' (SANDAG's) On-Call General Transportation Planning Service Agreement, which was established as a jobs order contract with MTS. Amendment No. 1 would allow MTS to proceed with evaluating weekend service structure and productivity.

Budget Impact

The amount of contract Amendment No. 1 (MTS Doc. No. G1135.1-08) would be \$100,000. Of this amount, \$97,205 would be assigned to the weekend service evaluation study to be paid by MTS budget line item 50451. The source of funding would come from a California Department of Transportation (Caltrans) Statewide Transit Planning Studies grant awarded to MTS.

DISCUSSION:

On April 13, 2007, SANDAG and MTS conducted and completed a competitive procurement process for general on-call transportation planning services that is available



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.

to MTS through a job order contract process under SANDAG Contract No. 5000664. The original amount of this contract was \$100,000.

Contract Amendment No. 1 would allow MTS to execute the agreement with IBI Group to assist MTS Planning Department staff with the evaluation of weekend service structure, performance, and productivity as part of a Caltrans' Statewide Transit Planning Studies grant awarded to MTS in the amount of \$97,205.

Therefore, staff recommends ratifying MTS Doc. No. G1135.0-08 (Attachment A) and executing Amendment No. 1 (Attachment B) to MTS Doc. No G1135.0-08 with IBI Group as part of SANDAG's On-Call General Transportation Planning Service Agreement, which would allow MTS to proceed with evaluating weekend service structure and productivity.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Mike Daney, 619.557.1932, mike.daney@sdmts.com

JAN15-09.7.IBIGROUP PLANNINGSVCS.MDANEY.doc

Attachments: A. MTS Doc. No. G1135.0-08
B. MTS Doc. No. G1135.1-08

Project Number: 8000100
SANDAG Contract Number: 5000664
MTS Doc. Number G1135.0-08

**Assignment of Contract For
San Diego Association of Government's
On-Call General Transportation Planning Services
(IBI Group)**

THIS ASSIGNMENT AND ASSUMPTION OF CONTRACT FOR ON-CALL GENERAL TRANSPORTATION SERVICES, herein after "Assignment," is made and entered into on this 28th day of September 2007, between the San Diego Association of Governments (SANDAG), a public agency (hereinafter "Assignor"), the Metropolitan Transit System (MTS), a public agency (hereinafter "Assignee"), and IBI Group (Contractor).

WHEREAS, Assignor entered into an On-Call General Transportation Services Contract with Contractor on April 13, 2007, for SANDAG Contract Number 5000664; and

WHEREAS, when Assignor procured the On-Call General Transportation Services that are the subject of this Assignment, the solicitation included language permitting assignment to Assignee of a portion of Contract Number 5000664;

NOW THEREFORE, the parties agree as follows:

1. Assignor hereby assigns, transfers, and sets over unto Assignee a \$100,000 portion all of Assignor's interest in its contract for On-Call General Transportation Services, Contract Number 5000664, a copy of which is incorporated herein by reference.
2. Assignee hereby: (i) accepts the partial assignment of Assignor's interest in the On-Call General Transportation Services Contract; (ii) assumes the relevant portion of Assignor's obligations under the Contract arising from and after September 24, 2007; and (iii) agrees to fully and faithfully perform each and every term and condition of Assignor under the On-Call General Transportation Services Contract, arising from and after September 28, 2007, for task or work orders issued by Assignee.
3. Assignor makes no warranty, representation, guarantee, covenant, or averment of any nature whatsoever concerning SANDAG Contract Number 5000664.
4. Should any suit be commenced to enforce, protect, or establish any right or remedy of any of the terms and conditions of this Assignment, the prevailing party shall be entitled to have and recover from the losing party reasonable attorney fees and costs of suit.
5. All task or work orders issued by Assignee shall be labeled with a letter or other distinct numbering designation that clearly distinguishes the documents from Task Orders issued by Assignor to Contractor.
6. This Assignment may be executed and delivered by facsimile signature and a facsimile signature shall be treated as an original. This Assignment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Assignment.

THE EFFECTIVE DATE OF THIS AGREEMENT IS on or after September 28, 2007.

IN WITNESS WHEREOF, Assignor, Assignee, and Contractor have caused this Agreement to be executed and delivered as of the date first set forth above.

SAN DIEGO ASSOCIATION OF GOVERNMENTS

By: _____
Bob Leiter, Director of Planning

Approved as to form:

By: _____
Office of General Counsel

METROPOLITAN TRANSIT SYSTEM

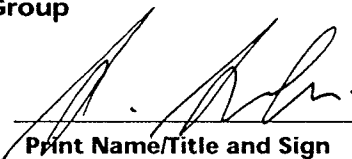
By: _____
Paul Jablonski, Chief Executive Officer

Approved as to form:

By: _____
Office of General Counsel

Contractor hereby consents to the assignment of \$100,000 of SANDAG Contract Number 5000664 from Assignor to Assignee Consent granted on this 1st of OCTOBER 2007.

IBI Group

By:  S. SCHIBUOLA, DIRECTOR
Print Name/Title and Sign

ORIGINAL

Project Number: 8000100
SANDAG Contract Number: 5000664
MTS Doc. Number G1135.0-08

**Assignment of Contract For
San Diego Association of Government's
On-Call General Transportation Planning Services
(IBI Group)**

THIS ASSIGNMENT AND ASSUMPTION OF CONTRACT FOR ON-CALL GENERAL TRANSPORTATION SERVICES, herein after "Assignment," is made and entered into on this 28th day of September 2007, between the San Diego Association of Governments (SANDAG), a public agency (hereinafter "Assignor"), the Metropolitan Transit System (MTS), a public agency (hereinafter "Assignee"), and IBI Group (Contractor).

WHEREAS, Assignor entered into an On-Call General Transportation Services Contract with Contractor on April 13, 2007, for SANDAG Contract Number 5000664; and

WHEREAS, when Assignor procured the On-Call General Transportation Services that are the subject of this Assignment, the solicitation included language permitting assignment to Assignee of a portion of Contract Number 5000664;


NOW THEREFORE, the parties agree as follows:

1. Assignor hereby assigns, transfers, and sets over unto Assignee a \$100,000 portion all of Assignor's interest in its contract for On-Call General Transportation Services, Contract Number 5000664, a copy of which is incorporated herein by reference.
2. Assignee hereby: (i) accepts the partial assignment of Assignor's interest in the On-Call General Transportation Services Contract; (ii) assumes the relevant portion of Assignor's obligations under the Contract arising from and after September 24, 2007; and (iii) agrees to fully and faithfully perform each and every term and condition of Assignor under the On-Call General Transportation Services Contract, arising from and after September 28, 2007, for task or work orders issued by Assignee.
3. Assignor makes no warranty, representation, guarantee, covenant, or averment of any nature whatsoever concerning SANDAG Contract Number 5000664.
4. Should any suit be commenced to enforce, protect, or establish any right or remedy of any of the terms and conditions of this Assignment, the prevailing party shall be entitled to have and recover from the losing party reasonable attorney fees and costs of suit.
5. All task or work orders issued by Assignee shall be labeled with a letter or other distinct numbering designation that clearly distinguishes the documents from Task Orders issued by Assignor to Contractor.
6. This Assignment may be executed and delivered by facsimile signature and a facsimile signature shall be treated as an original. This Assignment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Assignment.


THE EFFECTIVE DATE OF THIS AGREEMENT IS on or after September 28, 2007.

IN WITNESS WHEREOF, Assignor, Assignee, and Contractor have caused this Agreement to be executed and delivered as of the date first set forth above.

SAN DIEGO ASSOCIATION OF GOVERNMENTS

By: 
Bob Leiter, Director of Planning


Approved as to form:

By: 
Office of General Counsel

METROPOLITAN TRANSIT SYSTEM

By: 
Paul Jablonski, Chief Executive Officer

Approved as to form:

By: 
Office of General Counsel

Contractor hereby consents to the assignment of \$100,000 of SANDAG Contract Number 5000664 from Assignor to Assignee Consent granted on this _____ of _____ 2007.

IBI Group

By: _____
Print Name/Title and Sign



Amendment No.1 to Assignment No. 1 to MTS
to SANDAG Agreement No. 5000664

I. Amendment Summary

Contract No.: 5000664			
Amendment No.: 1 to Assignment No. 1 to MTS			
Consultant: IBI Group			
Work Description: Planning On-Call Services			
A. This Amendment Only (Revisions)		B. Original Assignment	D. Revised (Total) Amended Assignment
Revisions to:	Choose One Below	Amount: \$100,000	% Over Original Amount: 100%
<input type="checkbox"/> Scope	<input checked="" type="checkbox"/> Terms & Conditions (T&C) <input type="checkbox"/> Scope of Work (SOW) <input type="checkbox"/> Both (T&C) and (SOW)	End Date: 3/31/2012	
<input checked="" type="checkbox"/> Amount	Amount: \$100,000	C. Current Assignment*	Amount: \$ 200,000
<input type="checkbox"/> Exp. Date	End Date: List End Date	Amount: \$100,000	End Date: 3/31/2010
		End Date: 3/31/2012	

* This includes original agreement and all previously approved amendments

II. Standard Provisions

- A. Under the Agreement identified by the Contract Number in Article I and any previous amendments thereto (referred to herein as "Agreement") between San Diego Association of Governments ("SANDAG") and Contractor/Consultant identified in Article I of this Amendment (referred to herein as "Consultant"), a portion of the value of Consultant's services under the Agreement has been assigned to the Metropolitan Transit System (MTS) by SANDAG pursuant to Assignment No. 1.
- B. Consultant shall remain bound to the terms of the Agreement, except to the extent the terms of this Amendment conflict with the Agreement or a previous amendment, in which case this Amendment shall supersede. Nothing in this Amendment to Assignment No. 1 relieves the Consultant of its obligation to perform as required by the Agreement or any previous amendment unless expressly stated herein.

III. Agreement Revisions (See Article I.A – Amendment Summary, if applicable)

A. Scope of Work

SANDAG and Consultant agree that there shall be no change to the scope of the Agreement.

B. Costs

1. SANDAG and Consultant agree that the amount of the Agreement assigned to MTS shall be revised. The revised amount of the Assignment is summarized in Article I.A.
2. Consultant shall invoice MTS directly for any work authorized by MTS under Assignment No. 1 and this Amendment. SANDAG shall have no liability or responsibility for overseeing or paying for any services authorized by MTS under the Assignment or any amendments thereto.

C. Schedule of Services/Milestones/Deliverables

SANDAG and Consultant agree that there shall be no change to the termination date of the Agreement.

IV. Signatures

This Amendment may be executed and delivered by facsimile signature and a facsimile signature shall be treated as an original. This Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Amendment.

IN WITNESS WHEREOF, this Amendment to Assignment No. 1 to MTS has been executed under the provisions of the Agreement between SANDAG and Consultant. By signing below, the parties hereto agree that all terms and conditions of this Amendment and the Agreement and any previous amendments shall be in full force and effect.

The persons below assert that they are authorized to execute this Amendment and have executed it effective as of this _____ day of December, 2008.

SAN DIEGO ASSOCIATION OF GOVERNMENTS

IBI GROUP



12/09/08

BOB LEITER
Director of Planning

Date

STEVE SCHIBUOLA
Consultant Project Manager

Date

Approved as to form and legality:

Office Of General Counsel

Date

METROPOLITAN TRANSIT SYSTEM

PAUL C. JABLONSKI
CHIEF EXECUTIVE OFFICER

Date

Approved as to form and legality:

MTS Office Of General Counsel

Date

Attachments:

☐ Scope of Work (Attachment A)

☒ No Attachments

☐ Payments (Attachment B)

☐ Schedule (Attachment C)



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

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 960.6

January 15, 2009

**Draft for
Executive Committee
Review Date: 1/8/09**

SUBJECT:

MTS: BUS OPERATOR UNIFORMS - CONTRACT AWARD

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. B0509.0-09 (in substantially the same format as Attachment A) with Kingsbury Uniforms, Inc. for bus operator uniforms for up to a five-year period.

Budget Impact

Kingsbury Uniform Inc.'s bid prices per year are as follows:

➤	Year 1	\$136,976.39
➤	Year 2	\$140,512.01
➤	Year 3	\$142,686.83
➤	Year 4	\$144,003.72
➤	Year 5	\$145,900.06

This contract would cover up to a five-year period, and the total cost would not exceed \$710,079.01. The cost is based on the estimated quantities of uniforms budgeted annually under MTS Bus operations using local funds.

DISCUSSION:

Background

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



On October 9, 2008, MTS issued an Invitation for Bids (IFB) to interested parties for bus operator uniforms. The annual uniform replacement amount is stipulated in the Collective Bargaining Agreement with Amalgamated Transit Union Local 1309 and for the issuance of uniforms for new hires. We anticipate providing uniforms for approximately 540 bus operators every year. This contract would provide the initial provision of three shirts and three pants for approximately 150 new hires per year. It would also include the annual replacement allowance of bus operators at \$200 per full-time bus operator (approximately 524 operators) and \$100 per part-time bus operator (approximately 16 operators).

A total of three bids were received on November 5, 2008 (see Bid Summary – Attachment B)—two responsive bids and one nonresponsive bid. Ace Uniforms submittal was deemed nonresponsive because its bid was incomplete (several pages of the required pricing forms were not submitted). Kingsbury Uniforms, Inc. was the lowest responsive, responsible bidder for the five-year period at \$710,079.01, therefore; pursuant to MTS policy, staff recommends award of the contract to Kingsbury Uniforms, Inc.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: Jim Byrne, 619.238.0100, Ext. 6420, jim.byrne@sdmts.com

JAN15-09.8.BUS UNIFORMS.CAQUINO.doc

Attachments: A. Draft Agreement for Kingsbury Uniforms, Inc. (MTS Doc. No. B0509.0-09)
B. Bid Summary

STANDARD PROCUREMENT AGREEMENT

DRAFT

B0509.0-09
 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: Kingsbury Uniforms, Inc. Address: 112 West 9th Street, #301
Los Angeles, CA 90015
 Form of Business: Corporation
 (Corporation, partnership, sole proprietor, etc.)
 Telephone: 213.623.3386
 Authorized person to sign contracts: Catherine Brown President
Name Title

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

Provide operator uniforms for MTS Bus operations as stipulated in MTS's Invitation for Bid (IFB) for Bus Operator Uniforms, MTS Doc. No. B0509.0-09; including Addendum Nos. 1 and 2, MTS's Responses to Written Questions/Clarifications; and in accordance with the Standard Procurement Agreement, including the Standard Conditions Procurement, Safety Department's Standard Operating Procedure (SOP) (SAF-016), and Kingsbury Uniform, Inc.'s Bid Proposal dated 11/5/08. If there are inconsistencies between the IFB and Addendum, Responses to Questions/Clarifications, Standard Procurement Agreement, and/or the Standard Conditions Procurement, the following order of precedence will govern the interpretation of this contract:

1. MTS's Bus Operator Uniform IFB, Addendum No. 1 and 2, MTS's Responses to Written Questions/Clarifications, and Kingsbury Uniform Inc.'s Bid Proposal dated 11/5/08.
2. Standard Procurement Agreement, including the Standard Conditions Procurement.

This contract shall remain in effect for three full years with two 1-year options exercisable at MTS's sole discretion (January 1, 2009, through December 31, 2013). The total contract amount shall not exceed \$710,079.01.

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
\$710,079.01	213-52610	09-13

By: _____ Date
 Chief Financial Officer



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

BID SUMMARY

MTS IFB NO. B0509.0-09
BUS OPERATOR UNIFORMS

COMPANY NAME	BID AMOUNT
Kingsbury Uniforms, Inc.* 112 W. 9 th Street, #301 Los Angeles, CA 90015	\$ 710,079.01
Ace Uniforms** 633 16 th Street San Diego, CA 92101	\$ 681,583.27
Western Pacific Union 1975 Diamond Street San Marcos, CA 92078	\$ 1,243,922.85

* Lowest responsive, responsible bidder

** Nonresponsive bidder



Metropolitan Transit System

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

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.

FIN 340.2

**Draft for
Executive Committee
Review Date: 1/8/09**

January 15, 2009

SUBJECT:

MTS: TRANSPORTATION DEVELOPMENT ACT (TDA) CLAIM AMENDMENT

RECOMMENDATION:

That the MTS Board of Directors adopt Resolution Nos. 09-1 (Attachment A), 09-2 (Attachment B), and 09-3 (Attachment C) approving the revised FY 2009 Transportation Development Act (TDA) Article 4.0, 4.5, and 8.0 claims.

Budget Impact

The TDA claims amendments would result in the reduction of receipts by \$3,674,833 in TDA Article 4.0 funds and a reduction of \$220,528 in TDA Article 4.5 funds for MTS. The claim for Article 8.0 would remain unchanged. Article 4.0 provides authority for claiming funds for general transit operations and capital. Article 4.5 funds are set aside by the San Diego Association of Governments (SANDAG) for Americans with Disabilities Act (ADA) Access services. Article 8.0 funds are used for the ferry/commuter express.

DISCUSSION:

Sales tax revenues have fallen by 1.4% from fiscal year 2007 to 2008, and an estimate by SANDAG projects that they may fall as much as 4.0% from fiscal year 2008 to 2009. As a result of these decreasing revenues, at its November 21, 2008, meeting, the SANDAG Board of Directors approved a reduction in total FY 2009 TDA allocations for MTS by \$3,895,362.

Paul C. Jablonski
Chief Executive Officer

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

JAN15-09.9.TDA CLAIMS.NDALL.doc

Attachments: A. Resolution No. 09-1
B. Resolution No. 09-2
C. Resolution No. 09-3



SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 09-1

Resolution Amending Fiscal Year 2009 Transportation Development Act

WHEREAS, effective August 10, 2000, the 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 MTS's FY 2009 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 an amendment revising the FY 2009 TDA Article 4.0 decreasing MTS TDA claims by \$3,674,834 to \$68,666,848 as a result of the continuing reduction in sales tax revenues for the San Diego area. The allocation of the newly revised TDA allocation is included in the attached table.

PASSED AND ADOPTED by the Board of Directors this _____ day of January 2009 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

Office of the General Counsel
San Diego Metropolitan Transit System

JAN15-09.9.AttA.TDA RESO 09-1.NDALL.doc

Attachment: Table of 4.0 Claim Amounts

TABLE

APPROVED FY 09 TDA ARTICLE 4.0 CLAIM AMOUNTS

Claim Purpose	Claim Amount
MTS Operations	\$58,651,162
MTS ADA Paratransit	\$3,532,851
MTS Capital	<u>\$6,482,835</u>
TOTAL:	<u>\$68,666,848</u>

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 09-2

Resolution Amending Fiscal Year 2009 Transportation Development Act

WHEREAS, effective August 10, 2000, the 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 MTS's FY 2009 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 an amendment revising the FY 2009 TDA Article 4.5 decreasing MTS TDA claims by \$220,258 to \$3,745,346 as a result of the continuing reduction in sales tax revenues for the San Diego area. The allocation will be used to fund the MTS Access/CTS Paratransit services.

PASSED AND ADOPTED by the Board of Directors this _____ day of January 2009, 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

Office of the General Counsel
San Diego Metropolitan Transit System

JAN15-09.9.AttB.TDA RESO 09-2.NDALL...doc

SAN DIEGO METROPOLITAN TRANSIT SYSTEM

RESOLUTION NO. 09-3

Resolution Amending Fiscal Year 2009 Transportation Development Act

WHEREAS, effective August 10, 2000, the 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 MTS's FY 2009 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 an amendment revising the FY 2009 TDA Article 8.0 with no change, and funding levels will remain at \$844,188. The allocation will be used to fund the ferry/commuter express services.

PASSED AND ADOPTED by the Board of Directors this _____ day of January 2009, 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

Office of the General Counsel
San Diego Metropolitan Transit System

JAN15-09.9.AttC.TDA RESO 09-2.NDALL..doc



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

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.

January 15, 2009

OPS 970.6, 970.11

**Draft for
Executive Committee
Review Date: 1/8/09**

SUBJECT:

SDTI: SECURITY PATROL SERVICES - CONTRACT AMENDMENT (OPTION YEARS ONE AND TWO)

RECOMMENDATION:

That the Board of Directors authorize the Chief Executive Officer (CEO) to exercise option years 1 and 2 to MTS Doc. No. C.O.066.0-06 with Heritage Security Services/Transit Systems Security for security patrol services pursuant to the original Request for Proposals.

Budget Impact

The not-to-exceed amount of \$25,000,000 for these services would come from the FY 09 SDTI operating budget line item 420-53510 (Security Patrol Services). The option years will be funded with the balance of the contract amount. Staff is working on a new procurement.

DISCUSSION:

On December 2005, the MTS Board of Directors approved a three-year base contract (SDTI Doc. No. C.O.066.0-06) with an option for two single-year extensions for a total cost not to exceed \$25 million for security patrol services. Staff is recommending that option years 1 and 2 be exercised simultaneously to ensure that adequate funds are available to cover expenses in calendar year 2009 and a portion of 2010. The Procurement Department intends to prepare a new Request for Proposals to ensure that there is no lapse in service.

The current contractor, Heritage Security Services/Transit Systems Security, has met its duties and responsibilities in providing security patrol services to SDTI and San Diego



Transit Corporation (SDTC). Staff is satisfied with the contractor's performance and would like to continue using its services without interruption for one additional year by exercising the first option year of the contract.

Staff believes that pricing (see Attachment B) for option year one is fair and reasonable and recommends approval of the first option year of this agreement.



Paul C. Jablonski
Chief Executive Officer

Key Staff Contact: William Burke, 619.595.4947, bill.burke@sdmts.com

JAN15-09.10.SECURITY SVCS.HERITAGE.MLAWRENCE.doc

Attachments: A. SDTI Doc. No. C.O.066.1-06
B. Cost Proposal

DRAFT

January 15, 2009

MTS Doc. No. C.O.066.1-06
OPS 970.06, 970.11

Mr. Lawrence Richman
Chairman
Heritage Security Services/Transit Systems Security
1260 Morena Boulevard, Suite 200
San Diego, CA 92110

Dear Mr. Richman:

Subject: AMENDMENT NO. 1 TO MTS DOC. NO. C.O.066.0-06; EXERCISE OPTION YEAR ONE FOR
SDTI SECURITY PATROL SERVICES

This shall serve as Amendment No. 1 to our agreement for San Diego Trolley, Inc. (SDTI) security patrol services as further described below.

SCOPE OF SERVICES

Provide SDTI, MTS, and San Diego Transit (SDTC) with security services for one additional year in accordance with the terms and conditions of the Security Patrol Services Agreement Request for Proposals (RFP) and increase the total contract amount to \$25,000,000 to cover increases in services and special events and for potential unforeseen Homeland Security issues. This amendment will exercise the dollar value of both option years early.

SCHEDULE

This amendment extends the contract term for 12 months until January 31, 2010.

PAYMENT

Payment shall be based on the actual cost not to exceed \$10,000,000, as reflected below, without prior written approval from MTS. The total value of this contract, including this amendment, shall not exceed \$25,000,000.

All other conditions remain unchanged. If you agree with the above, please sign below, and return the document marked "Original" to the Contracts Administrator at MTS. The other copy is for your records. MTS recommends that you send a copy of this amendment to your insurance carrier.

Sincerely,

Accepted:

Paul C. Jablonski
Chief Executive Officer

Lawrence Richman
Heritage Security Services/Transit Systems Security

JAN15-09.10.AttA.SECURITY SVCS.MLAWRENCE.doc

Date: _____

COST PROPOSAL

UNARMED Officers @ 2.5% Annual Step Increases

		Hourly Pay	Multiplier	Bill Rate	No. of Unarmed Officers Goal 30	Hourly charge for total number of officers	Annual hours Per Officer	Annual Cost
P		9.00	1.66	14.94	3	44.82	2080	93,225.60 3 mo.
NOW		9.50						
A	1.0125	\$ 9.62	1.66	15.97	13.5	215.56	2080	448,356.87 3 mo.
B		\$ 9.74	1.66	16.17	13.5	218.25	2080	453,961.33 6 mo.
C		\$ 9.86	1.66	16.37	0	0.00	2080	0.00
D		\$ 9.98	1.66	16.57	0	0.00	2080	0.00
E		\$ 10.11	1.66	16.78	0	0.00	2080	0.00
F		\$ 10.24	1.66	16.99	0	0.00	2080	0.00
G		\$ 10.36	1.66	17.20	0	0.00	2080	0.00
H		\$ 10.49	1.66	17.42	0	0.00	2080	0.00
I		\$ 10.62	1.66	17.64	0	0.00	2080	0.00
J		\$ 10.76	1.66	17.86	0	0.00	2080	0.00
					30			995,543.80
					Officers			Includes Annual Increase of 2.5%

ARMED Officers @ 3.5% Annual Step Increases

		Hourly Pay	Multiplier	Bill Rate	No. of Armed Officers Goal 85	Hourly charge for total number of officers	Annual hours Per Officer	Annual Cost
P		10.50	1.66	17.43	6	104.58	2080	217,526.40 3 mo.
NOW		10.70						
A	1.0175	\$ 10.89	1.66	18.07	21.25	384.05	2080	798,819.31 3 mo.
B		\$ 11.08	1.66	18.39	21.25	390.77	2080	812,798.64 6 mo.
C		\$ 11.27	1.66	18.71	17.5	327.44	2080	681,077.45
D		\$ 11.47	1.66	19.04	8.5	161.83	2080	336,598.21
E		\$ 11.67	1.66	19.37	5.5	106.54	2080	221,610.32
F		\$ 11.87	1.66	19.71	5	98.55	2080	204,989.55
G		\$ 12.08	1.66	20.06	0	0.00	2080	0.00
H		\$ 12.29	1.66	20.41	0	0.00	2080	0.00
I		\$ 12.51	1.66	20.76	0	0.00	2080	0.00
J		\$ 12.73	1.66	21.13	0	0.00	2080	0.00
					85			3,273,419.88
					Officers			Includes Annual Increase of 3.5%

ARMED Part Time EVENT Officers @ 2.5% Annual Step Increases

		Hourly Pay	Multiplier	Bill Rate	No. of Armed PT EVENT Officers Goal 7	Hourly charge for total number of officers	Annual hours Per Officer	Annual Cost
NOW		10.70						
A	1.0125	\$ 10.83	1.66	17.98	3	53.95	960	51,793.99 6 mo.
B		\$ 10.97	1.66	18.21	3	54.63	960	52,441.42
C		\$ 11.11	1.66	18.44	1	18.44	960	17,698.98
D		\$ 11.25	1.66	18.67	0	0.00	960	0.00
E		\$ 11.39	1.66	18.90	0	0.00	960	0.00
F		\$ 11.53	1.66	19.14	0	0.00	960	0.00
G		\$ 11.67	1.66	19.38	0	0.00	960	0.00
H		\$ 11.82	1.66	19.62	0	0.00	960	0.00
I		\$ 11.97	1.66	19.86	0	0.00	960	0.00
J		\$ 12.12	1.66	20.11	0	0.00	960	0.00
					7			121,934.39
					Officers			Includes Annual Increase of 2.5%

UNARMED Part Time EVENT Officers @ 2.5% Annual Step Increases

		Hourly Pay	Multiplier	Bill Rate	No. of Unarmed Event Officers Goal 25	Hourly charge for total number of officers	Annual hours Per Officer	Annual Cost
		7.50						
A	1.0125	\$ 7.59	1.68	12.76	11.25	143.52	960	137,781.00 6 mo.
B		\$ 7.69	1.68	12.92	10.75	138.86	960	133,303.12
C		\$ 7.78	1.68	13.08	3	39.24	960	37,665.88
D		\$ 7.88	1.68	13.24	0	0.00	960	0.00
E		\$ 7.98	1.68	13.41	0	0.00	960	0.00
F		\$ 8.08	1.68	13.58	0	0.00	960	0.00
G		\$ 8.18	1.68	13.74	0	0.00	960	0.00
H		\$ 8.28	1.68	13.92	0	0.00	960	0.00
I		\$ 8.39	1.68	14.09	0	0.00	960	0.00
J		\$ 8.49	1.68	14.27	0	0.00	960	0.00
					25			308,750.00
					Officers			Includes Annual Increase of 2.5%

ARMED Supervisors @ 3.5% Annual Step Increases

		Hourly Pay	Multiplier	Bill Rate	No. of Armed Supvs. Goal 4	Hourly charge for total number of officers	Annual hours Per Officer	Annual Cost
NOW		13.40						
A		13.76	1.62	22.29	1	22.29	2080	46,365.70 6 mo.
B	1.0175	\$ 14.00	1.62	22.68	1	22.68	2080	47,177.10
C		\$ 14.25	1.62	23.08	1	23.08	2080	48,002.69
D		\$ 14.50	1.62	23.48	1	23.48	2080	48,842.74
E		\$ 14.75	1.62	23.89	0	0.00	2080	0.00
F		\$ 15.01	1.62	24.31	0	0.00	2080	0.00
G		\$ 15.27	1.62	24.74	0	0.00	2080	0.00
H		\$ 15.54	1.62	25.17	0	0.00	2080	0.00
I		\$ 15.81	1.62	25.61	0	0.00	2080	0.00
J		\$ 16.09	1.62	26.06	0	0.00	2080	0.00
					4			190,388.23
					Supervisors			Includes Annual Increase of 3.5%

ARMED Lieutenant @ 3.5% Annual Step Increases

		Hourly Pay	Multiplier	Bill Rate	No. of Armed Lt Goal 2	Hourly charge for total number of officers	Annual hours Per Officer	Annual Cost
A		15.15	1.4	21.21	1	21.21	2080	44,116.80 6 mo.
B	1.0175	\$ 15.42	1.4	21.58	0	0.00	2080	0.00
C		\$ 15.68	1.4	21.96	0	0.00	2080	0.00
D		\$ 15.96	1.4	22.34	0	0.00	2080	0.00
E		\$ 16.24	1.4	22.73	0	0.00	2080	0.00
F		\$ 16.52	1.4	23.13	0	0.00	2080	0.00
G		\$ 16.81	1.4	23.54	0	0.00	2080	0.00
H		\$ 17.11	1.4	23.95	0	0.00	2080	0.00
I		\$ 17.41	1.4	24.37	0	0.00	2080	0.00
J		\$ 17.71	1.4	24.79	0	0.00	2080	0.00
K		\$ 18.02	1.4	25.23	1	25.23	2080	52,474.48
L		\$ 18.34	1.4	25.67	0	0.00	2080	0.00
					2			96,591.28
					Lieutenants			Includes Annual Increase of 3.5%

ARMED Captain @ 3.5% Annual Step Increases

				No. of	Hourly charge	Att. B, AI 10, 1/15/09	
				Armed Cpts.	for total number	Annual hours	Annual Cost
				Goal 1	of officers	Per Officer	
		Hourly Pay	Multiplier	Bill Rate			
		22.31	1.4	31.23	0	0.00	2080
			1.4	31.78	0	0.00	2080
A	1.0175	\$ 22.70	1.4	32.34	1	32.34	2080
B		\$ 23.10	1.4	32.90	0	0.00	2080
C		\$ 23.50	1.4	33.48	0	0.00	2080
D		\$ 23.91	1.4	34.06	0	0.00	2080
E		\$ 24.33	1.4	34.66	0	0.00	2080
F		\$ 24.76	1.4	35.27	0	0.00	2080
G		\$ 25.19	1.4	35.88	0	0.00	2080
H		\$ 25.63	1.4	36.51	0	0.00	2080
I		\$ 26.08	1.4	37.15	0	0.00	2080
J		\$ 26.54	1.4	37.80	0	0.00	2080
K		\$ 27.00	1.4	38.46	0	0.00	2080
L		\$ 27.47	1.4		1		
				Captain	Includes Annual Increase of 3.5%		

Courier Per Pick Up 13.75 240 <-- est. # of pickups 3,300.00

	Per Mo	# of Mo /Vehicles		
Equipment	680	12		8,160.00
Contract Admin.	950	12		11,400.00
Auto Insurance	130.45	13	\$130.45/veh/mo	12 20,350.20
Four Line Subtotal				43,210.20

30	Unarmed (Incl 4 CCTV)	995,543.80
85	Armed(Incl 3 Rev/4 Aux Sup)	3,273,419.88
7	Armed Event Part Time	121,934.39
25	Unarmed Event Part Time	308,750.00
4	Armed Supervisors	190,388.23
2	Armed Lieutenants	98,591.28
1	Armed Captain	67,260.45
154	Persons	TOTAL 5,097,098.23

Upon hire, officers enter at the Probationary (P) wage for a 3-month period (520 hours not incl. OT/DT). Upon satisfactory performance during Probation, Officers may be moved into Step A for a period of three months, then to Step B for 6 months (1,040 hours, not incl. OT/DT). All other steps are at 6-month (1,040 hours, not incl. OT/DT) intervals and contingent upon satisfactory performance in the officer's current step. For those classifications that do not have Step P, Officers are hired into Step A for a period of six months (1,040 hours, not incl. OT/DT). With the exception of Part-Time Employees, all "time" is based on hours of service.

Fees and all other charges will be billed bimonthly, on the first and sixteenth, and the net amount shall be due at the time of billing. Invoices must include officer name, hire date, and classification date, officer classification and step, part-time or full-time, the classification multiplier, and overtime/double-time charges, and a summary of the number of officers in each step per classification. Invoices must be auditable by MTS staff.

The attached Cost Proposal accounts for 85 armed officers. MTS accepts that the exact number in each classification may not be feasible on the start date of this contract. It is expected, however, that the overall total FTE hours be met without over-time charges to MTS (nonbillable over-time). It is expected that the armed officer classification be increased by twelve (12) officers per year/one (1) per month to reach 85-armed officers by the end of the contract term.

Upon contract approval, officers who have been employed in a full-time status at least three months and have satisfactory performance may be moved into Step A of their classification. Step increases are based on satisfactory officer performance at their current step. All step increases will be effective with the first or sixteenth of each month, whichever date falls *after* the actual classification anniversary date.