



**VENTURA COUNTY TRANSPORTATION COMMISSION
AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY**

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AGENDA*

**Actions may be taken on any item listed on the agenda*

**CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA**

**FRIDAY, NOVEMBER 3, 2017
9:00 AM**

In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Commission meeting, please contact the Clerk of the Board at (805) 642-1591 ext 101. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PUBLIC COMMENTS** – *Each individual speaker is limited to speak three (3) continuous minutes or less. The Commission may, either at the direction of the Chair or by majority vote of the Commission, waive this three minute time limitation. Depending on the number of items on the Agenda and the number of speakers, the Chair may, at his/her discretion, reduce the time of each speaker to two (2) continuous minutes. In addition, the maximum time for public comment for any individual item or topic is thirty (30) minutes. Also, the Commission may terminate public comments if such comments become repetitious. Speakers may not yield their time to others without the consent of the Chair. Any written documents to be distributed or presented to the Commission shall be submitted to the Clerk of the Board. This policy applies to Public Comments and comments on Agenda Items.*

Under the Brown Act, the Board should not take action on or discuss matters raised during Public Comment portion of the agenda which are not listed on the agenda. Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.

5. **CALTRANS REPORT** - *This item provides the opportunity for the Caltrans representative to give update and status reports on current projects.*
6. **COMMISSIONERS / EXECUTIVE DIRECTOR REPORT** - *This item provides the opportunity for the commissioners and the Executive Director to report on attended meetings/conferences and any other items related to Commission activities.*
7. **ADDITIONS/REVISIONS** – *The Commission may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Commission subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Commission. If there are less than 2/3 of the Commission members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.*
8. **CONSENT CALENDAR** - *All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no discussion of these items unless members of the Commission request specific items to be removed from the Consent Calendar for separate action.*

8A. APPROVE SUMMARY FROM OCTOBER 6, 2017 VCTC MEETING – PG. 7

Recommended Action:

Approve

Responsible Staff: Donna Cole

8B. SEPTEMBER MONTHLY BUDGET REPORT – PG. 11

Recommended Action:

Receive and File

Responsible Staff: Sally DeGeorge

8C. PASSENGER RAIL UPDATE – PG. 19

Recommended Action:

Receive and File

Responsible Staff: Heather Miller

8D. LEGISLATIVE UPDATE – PG. 23

Recommended Action:

Receive and File

Responsible Staff: Peter De Haan

8E. REVISE THE SEPTEMBER 2017 BUDGET AMENDMENT FOR FILLMORE & WESTERN FOR FISCAL YEAR ALLOCATION – PG. 41

Recommended Action:

Approve revising the budget amendment portion of the September 2017 Item #11, “Amendment #3 to Fillmore and Western Railway Agreement and related Budget Amendment”, to the following:

- Amend the Fiscal Year 2017/2018 Santa Paula Branch Line Budget increasing the State Transit Assistance (STA) fund transfer by \$150,000 and correspondingly increasing the maintenance line item for the same amount. Also, amend the STA Fund budget by increasing the STA Fund transfer expenditures by \$150,000, AND

(Item #8E Recommended Action Continued)

- Amend the Fiscal Year 2016/2017 Santa Paula Branch Line Budget increasing the State Transit Assistance (STA) fund transfer by \$2,148,000 and correspondingly increasing the charges for past maintenance/track repair and related expenses for the same amount. Also, amend the STA Fund budget by increasing the STA Fund transfer expenditures by \$2,148,000.

Responsible Staff: Sally DeGeorge

8F. INSURANCE COVERAGE - PG. 43

Recommended Action

Approve the insurance renewal as presented for a total insurance cost of \$234,950 funded as part of the operational cost/indirect cost allocation plan in the Fiscal Year 2017/2018 Budget.

Responsible Staff: Sally DeGeorge

8G. INSURANCE BROKERAGE SERVICE AGREEMENT- PG. 45

Recommended Action:

Authorize the Executive Director to enter into an agreement for Insurance Brokerage Services with Alliant Insurance Services, Inc.

Responsible Staff: Sally DeGeorge

8H. VALLEY EXPRESS BUDGET AMENDMENT- PG. 47

Recommended Action:

Approve amendment to the Valley Express program budget by: adding a revenues line-item, Proposition 1B Carryover, in the amount of \$220,000; and increasing the expenditures line-item of Bus Purchase/Farebox Capital Equipment by an equal amount of \$220,000

Responsible Staff: Aaron Bonfilio

8I. AGREEMENT WITH WILSON & COMPANY FOR BRIDGE INSPECTION - PG. 49

Recommended Action:

Approve an agreement with Wilson & Company not to exceed \$40,000 for engineering services to perform annual bridge inspections on the Santa Paula Branch Line as required by 49 CFR Part 237, Bridge Safety Standards.

Responsible Staff: Steve DeGeorge

8J. AGREEMENT WITH INNOVATIVE TDM SOLUTIONS - PG. 61

Recommended Action:

Approve a sole source agreement with Innovative TDM Solutions not to exceed \$53,100 for database management related to VCTC's Commuter Assistance Program

Responsible Staff: Steve DeGeorge

8K. MV TRANSPORTATION CONTRACT AMENDMENT - PG.73

Recommended Action:

Approve the amendment to the Agreement between VCTC and MV Transportation

Responsible Staff: Aaron Bonfilio

8L. AMERICANS WITH DISABILITIES ACT (ADA) CERTIFICATION CONTRACT EXTENSION- PG. 85

Recommended Action:

Approve contract amendment (Attachment A) to exercise the option with Mobility Management Partners, Inc., (MMP) to extend the contract by one year through June 30, 2019 at a cost not to exceed \$292,288 for the extension period, as specified in the option.

Responsible Staff: Peter De Haan

8M. VENTURA COUNTY TRAFFIC MODEL CONTRACT EXTENSION – PG. 95

Recommended Action:

Approve a contract extension with Iteris Inc. through June 2018 for modeling services.

Responsible Staff: Steve DeGeorge

8N. CALTRANS SUSTAINABLE TRANSPORTATION PLANNING GRANT – PG. 97

Recommended Action:

- Ratify a Caltrans Sustainable Transportation Planning Grant Application in the amount of \$200,000 and allocate a local match of \$25,000 from Local Transportation Funds.
- Authorize the Executive Director to execute grant documents should the grant be awarded

Responsible Staff: Steve DeGeorge

9. RICE AVENUE GRADE SEPARATION FUNDING – PG. 99

Recommended Action:

Approve programming of \$1.5 million of Regional Surface Transportation Program (STP) funds for the Rice Avenue Grade Separation final design.

Responsible Staff: Peter De Haan

10. EAST-WEST CONNECTOR LAUNCH – PG. 103

Recommended Action:

Receive and File.

Responsible Staff: Aaron Bonfilio

11. AUTOMATIC VEHICLE LOCATION AND PASSENGER INFORMATION SYSTEM AGREEMENT AND PROJECT FUNDING - PG. 105

Recommended Action:

- Approve the Agreement with Syncromatics Corporation for Automatic Vehicle Location and Passenger Information System (Agreement) in an amount not-to-exceed \$4,480,000, and authorize the Executive Director to execute the Agreement; and,
- Approve amendment to the Transit Stop Enhancements budget task by: increasing FTA 5307 revenues by \$260,000, and adding a new revenues line-item for the local match, State Transit Assistance (STA) Fund Transfer, in the amount of \$65,000, increasing total budget task revenues by \$325,000; and by increasing the Professional Services expenditure line-item by an equal amount of \$325,000; and,
- Approve amendment to the Fare Collection and APC Systems budget task by: increasing FTA 5307 revenues by \$266,240, and adding a new revenues line-item for the local match, STA Fund Transfer, in the amount of \$66,560, increasing total revenues by \$332,800; and, by increasing the Professional Services expenditure line-item by an equal amount of \$332,800; and,
- Approve amending the STA budget by increasing STA Fund Transfer expenditures by \$131,560, for Transit Stop Enhancements and Fare Collection and APC Systems expenditures.

Responsible Staff: Aaron Bonfilio

12. VCTC GENERAL COUNSEL'S REPORT

13. AGENCY REPORTS

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14. CLOSED SESSION -

Closed Session: Conference with Real Property Negotiator
(Pursuant to Government Code Section 54956.8)
Property: 4001 Mission Oaks Blvd
Agency Negotiators: Bryan MacDonald and Steve Mattas
Negotiating Parties: VCTC and VCCF Nonprofit Center, LLC
Under Negotiation: Lease Terms and Conditions

15. ADJOURN to 9:00 a.m. Friday, December 1, 2017

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Item #8A

Meeting Summary

**VENTURA COUNTY TRANSPORTATION COMMISSION
LOCAL TRANSPORTATION AGENCY
AIRPORT LAND USE COMMISSION
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
CONSOLIDATED TRANSPORTATION SERVICE AGENCY
CONGESTION MANAGEMENT AGENCY**

**CAMARILLO CITY HALL
601 CARMEN DRIVE
CAMARILLO, CA
FRIDAY, OCTOBER 6, 2017
9:00 AM**

MEMBERS PRESENT:

Bryan MacDonald, City of Oxnard, Chair
Jan McDonald, City of Camarillo
Manuel Minjares, City of Fillmore
Ken Simons, City of Moorpark
Randy Haney, City of Ojai
Will Berg, City of Port Hueneme
Ginger Gherardi, City of Santa Paula
Mike Judge, City of Simi Valley
Claudia Bill-de la Peña, City of Thousand Oaks
Kelly Long, County of Ventura
John Zaragoza, County of Ventura
Brian Humphrey, Citizen Rep., Cities
Jim White, Citizen Rep., County
Carrie Bowen, Caltrans District 7

ABSENT:

Linda Parks, County of Ventura, Vice Chair
Neal Andrews, City of San Buenaventura
Peter Foy, County of Ventura
Steve Bennett, County of Ventura

CALL TO ORDER

PLEDGE OF ALLGIANCE

ROLL CALL

PUBLIC COMMENTS FOR THOSE ITEMS NOT LISTED ON THIS AGENDA

Linda Boicourt – Rides VCTC Coastal Express to the Braille Institute in Santa Barbara. Several months ago their group requested an extra stop for students and the request was granted. The new stop is now located only ½ block from the school instead of 7 blocks. The impact is huge and life is so much better for the students who use the service.

Jack Nosco – President of a non-profit charity started when his brother was killed in a transportation accident. He spoke in support of the proposed bike lane in Thousand Oaks Hidden Valley, which would make travel safer for both cars and cyclists.

Miryam Lieberman – Has physical challenges and rides an electric bike to get around her hilly community. She has ridden 5,000 miles in the past 2 years, but said it is terrifying and challenging to ride on Potrero Road on a rainy day. She is in support of funding bike lanes.

CALTRANS REPORT –

Carrie Bowen said District 7 expects to receive \$2.6 billion overall for its SHOPP projects through the new SB1 funding over the next 10 years, including \$227 million for Ventura County. SB1 provides opportunities for smaller businesses. For example, Caltrans is currently testing a remotely operated safety assistant so workers don't get hit by vehicles as often.

Currently Ventura County has a total of \$126 million in construction and \$290 million of projects in design.

In August, 2018, on Routes 5, 10 and 101 the striping will change from 4" to 6" stripes for better visibility and for automated vehicle recognition.

EXECUTIVE DIRECTOR REPORT -

Darren Kettle introduced VCTC's new Planning/GIS Analyst, Andrew Kent.

ADDITIONS/REVISIONS – *None*

CONSENT CALENDAR – *Commissioner McDonald pulled Item #8F for discussion.*

Commissioner Gherardi made a motion to approve all remaining Consent Calendar items as recommended.

8A. APPROVE SUMMARY FROM SEPTEMBER 8, 2017 VCTC MEETING – *Approve*

8B. JULY MONTHLY BUDGET REPORT – *Receive and File*

8C. AUGUST MONTHLY BUDGET REPORT – *Receive and File*

8D. PASSENGER RAIL UPDATE – *Receive and File*

8E. LEGISLATIVE UPDATE – *Receive and File*

8G. REVISION TO PROPOSITION 1B TRANSIT CAPITAL PROGRAM-

- *Reprogram \$657,690 and accumulated interest (approximately \$12,848) from the Gold Coast Transit Automatic Vehicle Stop Annunciator Project to the Gold Coast Transit New Facility Project.*
- *Revise the project description of the Gold Coast Transit Replacement Paratransit Vehicle Project to include the purchase of two additional vehicles and the purchase of transit scheduling software.*

8H. SB 1 IMPLEMENTATION – ACTIVE TRANSPORTATION PROGRAM (ATP) - Receive and File

The motion was seconded by Commissioner Zaragoza and passed by the following roll call vote:

Yes: Commissioners McDonald, Judge, Long, Bill-de la Peña, Gherardi, Zaragoza, Berg, Minjares, White, Simons, Haney, Humphrey, MacDonald

No: None

Abstain: *Commissioner Humphrey abstained on Item #8A*

Absent: Commissioner Andrews, Parks, Bennett, and Foy

8F. INVESTMENT POLICY UPDATE–

Commissioner McDonald said she has concerns that investments are not conservative and not in the best interest of VCTC. Sally DeGeorge said there are no new investments and no current long term investments. All have appeared in a prior report and the purpose of this update is to bring our policy up to code by bringing an update to the board every year to keep them informed.

Commissioner Long made a motion to adopt the updated Investment Policy and Adopt Resolution 2017-09, authorizing the ability to invest funds in the Local Agency Investment Fund (LAIF). The motion was seconded by Commissioner Gherardi and passed by the following roll call vote:

Yes: Commissioners Judge, Long, Bill-de la Peña, Gherardi, Zaragoza, Berg, Minjares, White, Simons, Haney, Humphrey, MacDonald

No: Commissioner McDonald

Abstain: None

Absent: Commissioner Andrews, Parks, Bennett, and Foy

9. SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (METROLINK) UPDATE –

Metrolink CEO Art Leahy and Metrolink CFO Ronnie Campbell provided an overview of Metrolink operations and activities.

Commissioner Gherardi left the meeting.

10. APPROVE PRIORITY RANKING FOR COMBINED CALL-FOR-PROJECTS FOR CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDS AND TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 BICYCLE AND PEDESTRIAN FUNDS – PUBLIC HEARING –

Commissioner Long made a motion to

- *Program \$7,639,749 CMAQ funds and \$1,222,251 in TDA Article 3 Bicycle & Pedestrian funds (for a total of \$8,862,000) to the non-transit projects prioritized “above the line” in the Attachment.*
- *Program \$6,150,000 in CMAQ funds to the transit projects prioritized “above the line” in the Attachment.*
- *Approve for the Shelf List \$2,669,142 for transit projects and \$3,354,769 for non-transit projects as specified in the Attachment.*
- *Approve the prior-year carryover and FY 2017/18 TDA Article 3 allocations of \$691,071 as shown in the Attachment.*

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The motion was seconded by Commissioner Simons and passed by the following roll call vote:

Yes: Commissioners McDonald, Judge, Long, Bill –de la Peña, Zaragoza, Berg, Minjares, White, Simons, Haney, Humphrey, MacDonald
No: None
Abstain: None
Absent: Commissioners Andrews, Parks, Bennett, Foy, and Gherardi

Commissioner Minjares left the meeting.

11. 2018 STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) SUBMITTAL –
Commissioner Humphrey made a motion to approve the 2018 STIP submittal to the California Transportation Commission. The motion was seconded by Commissioner Berg and passed by the following roll call vote:

Yes: Commissioners McDonald, Judge, Long, Bill –de la Peña, Zaragoza, Berg, White, Simons, Haney, Humphrey, MacDonald
No: None
Abstain: None
Absent: Commissioners Andrews, Parks, Bennett, Foy, Gherardi, and Minjares

12. AUTHORIZE RELEASE OF REQUEST FOR PROPOSALS FOR VCTC INTERCITY TRANSIT SERVICE AND RECEIVE COMMENTS FROM RATP DEV NORTH AMERICA BUS –
Commissioner McDonald made a motion to approve release of the Request for Proposals for VCTC Intercity Transit Service. The motion was seconded by Commissioner Bill-de la Peña and passed by the following roll call vote:

Yes: Commissioners McDonald, Judge, Long, Bill –de la Peña, Zaragoza, Berg, White, Simons, Haney, Humphrey, MacDonald
No: None
Abstain: None
Absent: Commissioners Andrews, Parks, Bennett, Foy, Gherardi, and Minjares

13. VCTC GENERAL COUNSEL’S REPORT- *No report*

14. AGENCY REPORTS – *No reports*

15. CLOSED SESSION - *None*

16. ADJOURN to 9:00 a.m. Friday, November 3, 2017

Commissioner Bill-de la Peña requested a moment of silence for the victims of the Las Vegas shooting and adjourn in their memory.



Item # 8B

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: MONTHLY BUDGET REPORT

RECOMMENDATION:

- Receive and file the monthly budget report for September 2017

DISCUSSION:

The monthly budget report is presented in a comprehensive agency-wide format on a modified accrual basis. The reports include a combined Balance Sheet, a Statement of Revenues, Expenditures and Changes in Fund Balance detailed by fund and an Investment Report by institution. There are six funds presented consisting of the General Fund, the Local Transportation Fund (LTF), the State Transit Assistance Fund (STA), the Service Authority for Freeway Emergencies (SAFE) fund, the VCTC Intercity fund and the Valley Express fund. The Statement of Revenues, Expenditures and Changes in Fund Balance also includes the annual budgeted numbers that are updated as the Commission approves budget amendments or administrative budget amendments are approved by the Executive Director. Staff monitors the revenues and expenditures of the Commission on an on-going basis.

The September 30, 2017 budget reports indicate that revenues were approximately 12.19% of the adopted budget while expenditures were approximately 13.59% of the adopted budget. The revenues and expenditures are as expected. Although the percentage of the budget year completed is shown, be advised that neither the revenues nor the expenditures occur on a percentage or monthly basis. Furthermore, revenues are often billed and reimbursed in arrears.

Some revenues are received at the beginning of the year while other revenues are received after grants are approved. In many instances, the Ventura County Transportation Commission (VCTC) incurs expenses and then submits for reimbursement from federal, state and local agencies which may also cause a slight lag in reporting revenues. Furthermore, the State Transit Assistance (STA), Local Transportation Fund (LTF) and Service Authority for Freeway Emergencies (SAFE) revenues are received in arrears. The State Board of Equalization collects the taxes and remits them to the Commission after the reporting period for the business. STA revenues are paid quarterly with a two to three month additional lag and LTF receipts are paid monthly with a two month lag. For example, the July

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through September STA receipts are often not received until October or November and the July LTF receipts are not received until September. The Department of Motor Vehicles collects the SAFE funds and remits them monthly with a two month lag.

The Commission's capital assets are presented on the Balance Sheet. Capital assets that are "undepreciated" consist of land and rail lines owned by the Commission. Capital assets that are depreciated consist of buildings, rail stations, transit equipment, highway call box equipment and office furniture. Capital assets and depreciation are adjusted annually at year-end.

The Commission's deferred outflows, deferred inflows and pension liability are presented on the Balance Sheet. These accounts represent the accrual information for pension accruals with the implementation of the Government Accounting Standards Board (GASB) Statement 68. This information is based on actuarial information that is provided once a year. The deferred outflows, deferred inflows and pension liability are adjusted annually at year-end.

The Commission's liability for employee vacation accrual is presented on the Balance Sheet. The vacation accrual is adjusted annually at year-end.

Fiscal Year 2016/2017 is closed but the audit is not final. The fund balances and accruals are considered estimates until Fiscal Year 2016/2017 is closed and the audit is final.

**VENTURA COUNTY TRANSPORTATION COMMISSION
BALANCE SHEET
AS OF SEPTEMBER 30, 2017**

ASSETS AND DEFERRED OUTFLOWS

Assets and Deferred Outflows

Cash and Investments - Wells Fargo Bank	\$ 9,975,545
Cash and Investments - County Treasury	13,932,738
Petty Cash	130
Receivables/Due from other funds	1,752,544
Prepaid Expenditures	30,424
Deposits	17,134
Capital Assets, undepreciated	26,236,267
Capital Assets, depreciated, net	32,286,944
Deferred Outflows for pension	488,680
Total Assets and Deferred Outflows	<u>\$84,720,406</u>

LIABILITIES, DEFERRED INFLOWS AND FUND BALANCE

Liabilities and Deferred Inflows:

Accrued Expenses/Due to other funds	\$ 1,261,132
Deferred Revenue	4,235,498
Deposits	400
Accrued Vacation	159,661
Pension Liability	1,716,672
Deferred Inflows	351,041
Total Liabilities and Deferred Inflows:	<u>\$ 7,724,404</u>

Net Position:

Invested in Capital Assets	\$58,523,211
Fund Balance	18,472,791
Total Net Position	<u>\$76,996,002</u>

Total Liabilities and Fund Balance:	<u>\$84,720,406</u>
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For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
FOR THE THREE MONTHS ENDING SEPTEMBER 30, 2017**

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Budgeted to Date	Variance Actual	% Year Actual
Revenues										
Federal Revenues	\$ 483,802	\$ -	\$ -	\$ -	\$ 941,971	\$ 103,280	\$ 1,529,053	\$15,467,001	\$(13,937,948)	9.89
State Revenues	111,521	3,717,017	-	66,551	161,745	-	4,056,834	42,348,061	(38,291,227)	9.58
Local Revenues	447,973	-	-	-	462,468	1,074,485	1,984,926	4,188,223	(2,203,297)	47.39
Other Revenues	50	-	-	-	-	-	50	-	50	-
Interest	659	-	-	26	321	105	1,111	105,000	(103,889)	1.06
Total Revenues	1,044,005	3,717,017	-	66,577	1,566,505	1,177,870	7,571,974	62,108,285	(54,536,311)	12.19
Expenditures										
Administration										
Personnel Expenditures	590,141	-	-	-	38,735	18,200	647,076	3,011,400	(2,364,324)	21.49
Legal Services	1,674	-	-	-	-	-	1,674	25,000	(23,326)	6.70
Professional Services	16,492	-	-	-	-	-	16,492	121,200	(104,708)	13.61
Office Leases	43,021	-	-	-	-	-	43,021	158,000	(114,979)	27.23
Office Expenditures	(9,599)	-	-	-	24,566	11,543	26,510	585,900	(559,390)	4.52
Total Administration	641,729	-	-	-	63,301	29,743	734,773	3,901,500	(3,166,727)	18.83
Programs and Projects										
Transit & Transportation Program										
Senior-Disabled Transportation	53,184	-	-	-	-	-	53,184	263,500	(210,316)	20.18
Fare Collection APC Systems	1,665	-	-	-	-	-	1,665	178,800	(177,135)	0.93
VCTC Intercity Bus Services	-	-	-	-	2,051,276	-	2,051,276	8,587,800	(6,536,524)	23.89
Valley Express Bus Services	-	-	-	-	-	303,167	303,167	1,807,500	(1,504,333)	16.77
Transit Stop Enhancement	3,697	-	-	-	-	-	3,697	1,541,650	(1,537,953)	0.24
Transit Grant Administration	73,479	-	-	-	-	-	73,479	7,105,300	(7,031,821)	1.03
Total Transit & Transportation	132,025	-	-	-	2,051,276	303,167	2,486,468	19,484,550	(16,998,082)	12.76
Highway Program										
Motorist Aid Call Box System	-	-	-	44,874	-	-	44,874	695,000	(650,126)	6.46
Highway Project Management	3,300	-	-	-	-	-	3,300	697,800	(694,500)	0.47
SpeedInfo Highway Speed Sensor	-	-	-	20,800	-	-	20,800	144,000	(123,200)	14.44
Total Highway	3,300	-	-	65,674	-	-	68,974	1,536,800	(1,467,826)	4.49

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Budgeted to Date	Variance Actual	% Year Actual
Rail Program										
Metrolink & Commuter Rail	1,489,355	-	-	-	-	-	1,489,355	5,040,032	(3,550,677)	29.55
LOSSAN & Coastal Rail	59	-	-	-	-	-	59	4,700	(4,641)	1.26
Santa Paula Branch Line	199,035	-	-	-	-	-	199,035	3,114,652	(2,915,617)	6.39
Total Rail	1,688,449	-	-	-	-	-	1,688,449	8,159,384	(6,470,935)	20.69
Commuter Assistance Program										
Transit Information Center	1,522	-	-	-	-	-	1,522	13,400	(11,878)	11.36
Rideshare Programs	28,316	-	-	-	-	-	28,316	179,200	(150,884)	15.80
Total Commuter Assistance	29,838	-	-	-	-	-	29,838	192,600	(162,762)	15.49
Planning & Programming										
Transportation Development Act	75,469	4,116,215	-	-	-	-	4,191,684	30,204,232	(26,012,548)	13.88
Transportation Improvement Program	3,594	-	-	-	-	-	3,594	58,900	(55,306)	6.10
Regional Transportation Planning	25,615	-	-	-	-	-	25,615	378,500	(352,885)	6.77
Airport Land Use Commission	-	-	-	-	-	-	-	9,000	(9,000)	-
Regional Transit Planning	39,158	-	-	-	-	-	39,158	531,100	(491,942)	7.37
Freight Movement	71	-	-	-	-	-	71	21,800	(21,729)	0.33
Total Planning & Programming	143,907	4,116,215	-	-	-	-	4,260,122	31,203,532	(26,943,410)	13.65
General Government										
Community Outreach & Marketing	45,281	-	-	-	-	-	45,281	229,400	(184,119)	19.74
State & Federal Relations	40,481	-	-	-	-	-	40,481	108,100	(67,619)	37.45
Management & Administration	15,703	-	-	-	-	-	15,703	74,900	(59,197)	20.97
Office Building Purchase	11,363	-	-	-	-	-	11,363	4,135,801	(4,124,438)	0.27
Total General Government	112,828	-	-	-	-	-	112,828	4,548,201	(4,435,373)	2.48
Total Expenditures	2,752,076	4,116,215	-	65,674	2,114,577	332,910	9,381,452	69,026,567	(59,645,115)	13.59

	General Fund Actual	LTF Actual	STA Actual	SAFE Actual	VCTC Intercity Actual	Valley Express Actual	Fund Totals Over (Under)	Budgeted to Date	Variance Actual
Revenues over (under) expenditures	(1,708,071)	(399,198)	-	903	(548,072)	844,960	(1,809,478)	(6,918,282)	5,108,804
Other Financing Sources									
Transfers Into GF from LTF	3,361,038	-	-	-	-	-	3,361,038	4,506,731	(1,145,693)
Transfers Into GF from STA	92,138	-	-	-	-	-	92,138	6,450,025	(6,357,887)
Transfers Into GF from SAFE	1,243	-	-	-	-	-	1,243	28,300	(27,057)
Transfers Into VI from STA	-	-	-	-	2,132,525	-	2,132,525	3,320,144	(1,187,619)
Transfers Out of LTF into GF	-	(3,361,038)	-	-	-	-	(3,361,038)	(4,624,331)	1,263,293
Transfers Out of STA into GF	-	-	(92,138)	-	-	-	(92,138)	(9,770,169)	9,678,031
Transfers Out of SAFE into GF	-	-	-	(1,243)	-	-	(1,243)	(28,300)	27,057
Transfers Out of STA into VI	-	-	(2,132,525)	-	-	-	(2,132,525)	-	(2,132,525)
Total Other Financing Sources	3,454,419	(3,361,038)	(2,224,663)	(1,243)	2,132,525	-	-	(117,600)	117,600
Net Change in Fund Balances	1,746,348	(3,760,236)	(2,224,663)	(340)	1,584,453	844,960	(1,809,478)	(7,035,882)	5,226,404
Beginning Fund Balance	1,464,395	7,651,852	8,338,130	4,406,925	-	-	21,861,302	17,255,238	4,606,064
Long-term Pension Liability*	(1,499,349)	-	-	-	(79,684)	-	(1,579,033)	-	(1,579,033)
Ending Fund Balance	<u>\$ 1,711,394</u>	<u>\$3,891,616</u>	<u>\$6,113,467</u>	<u>\$4,406,585</u>	<u>\$ 1,504,769</u>	<u>\$ 844,960</u>	<u>\$ 18,472,791</u>	<u>\$10,219,356</u>	<u>\$ 8,253,435</u>

*Government Accounting Standards Board (GASB), Statement 68, *Accounting Reporting and Financials for Pensions*, requires the full pension liability be accrued on financial statements.

For Management Reporting Purposes Only

**VENTURA COUNTY TRANSPORTATION COMMISSION
INVESTMENT REPORT
AS OF SEPTEMBER 30, 2017**

As stated in the Commission's investment policy, the Commission's investment objectives are safety, liquidity, diversification, return on investment, prudence and public trust with the foremost objective being safety. VCTC has the ability to meet its expenditure requirements, at a minimum, for the next six months. Below is a summary of the Commission's investments that are in compliance with the Commission's investment policy and bond documents, if applicable.

Institution	Investment Type	Maturity Date	Interest to Date	Rate	Balance
Wells Fargo – Checking	Government Checking	N/A	\$1,110.70	0.08%	\$ 9,975,544.94
County of Ventura	Treasury Pool	N/A	0.00	0.00%	13,928,621.58
Total			\$1,110.70		\$23,904,166.52

Because VCTC receives a large portion of their state and federal funding on a reimbursement basis, the Commission must keep sufficient funds liquid to meet changing cash flow requirements. For this reason, VCTC maintains checking accounts at Wells Fargo Bank. A small portion of interest earned in the Wells Fargo accounts is for unearned revenues and the interest is not recognized until the revenues are recognized.

The Commission's checking accounts for the General Fund are swept daily into a money market account. The interest earnings are deposited the following day. The first \$250,000 of the combined deposit balance is federally insured and the remaining balance is collateralized by Wells Fargo Bank. A portion of interest earned in the General Fund is for Proposition 1B funds and is reclassified and is not shown as General Fund interest in the Statement of Revenues, Expenditures and Changes in Fund Balance.

The Commission's Local Transportation Funds (LTF), State Transit Assistance (STA) funds and SAFE funds are invested in the Ventura County investment pool. Interest is apportioned quarterly, in arrears, based on the average daily balance. The investment earnings are generally deposited into the accounts in two payments within the next quarter. Amounts shown are not adjusted for fair market valuations.

For Management Reporting Purposes Only

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Item #8C

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: HEATHER MILLER, TRANSIT PLANNER

SUBJECT: PASSENGER RAIL UPDATE

RECOMMENDATION:

- Receive and file.

BACKGROUND:

This report provides a monthly update of regional passenger rail activities. The information in this update focuses on regional Commuter rail (Metrolink), Intercity rail (Amtrak), and other rail-related issues pertinent to Ventura County.

DISCUSSION:

Metrolink Commuter Rail

Ridership and On-Time Performance

Based on data provided by Metrolink, system-wide ridership on commuter rail dropped 7% over last year's average in the same month with 36,825 Daily Passengers for the month of September. The Ventura County Line, which includes both Ventura County and Los Angeles County Stations, averaged 3,349 daily passenger trips for September; this represents an 8.2% decrease from the previous year's average during the same month and represents a 2.7% decrease from August's average of 3,444. A "10-Year Snapshot" of ridership trends is provided in Attachment A.

Metrolink ridership originating from Ventura County Stations on the Ventura County Line for the month of September averaged 804 total boardings per weekday. This represents a decrease of 2.8% compared to the same month in the previous year, however, it represents a 5% increase from last month's boardings. Ventura County boardings represent approximately 23% of all boardings on the Ventura County Line. Station boardings for the month of September are shown in Attachment B.

Metrolink on-time performance, which denotes trains arriving within five minutes of scheduled time, averaged 95.75% "On Time" arrival on the Ventura County Line for the month of September, a drop in performance from 96.3% in August. "On Time" performance on the Ventura County Line continues to perform above the system-wide average which averaged 91.82% in September.

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LOSSAN Intercity Rail Corridor (Amtrak Pacific Surfliner)

2018 California State Rail Plan

The draft 2018 California State Rail Plan (Plan) was released on October 11th and is available for review during a 60-day public comment period ending on December 11, 2017. The State Plan includes rail capacity issues and outlines infrastructure needs statewide. The Plan identified “immediate deficiencies” that include infrastructure constraints such as stations that are too small or require reversing maneuvers, and identified the East Ventura (Montalvo) Station among them due to the reversing maneuver required to access the station’s platform. The draft State Plan also proposed Passenger Improvements and Investments in the LOSSAN North corridor and supported the “ongoing planning to address regional rail service needs between Ventura and Santa Barbara Counties during peak periods, building on peak period service planned for implementation in 2018.” LOSSAN Rail Corridor Agency staff will be reviewing the Plan in the coming weeks in order to prepare a comment letter that will be submitted to the California Department of Transportation (Caltrans).

Attachment A

METROLINK RIDERSHIP

Month Year	Ventura County Station Boardings*	% Change Ventura County Station Boardings	Ventura County Line Passenger Trips	% Change Ventura County Line	Metrolink System Passengers Grand Total	% Change Metrolink System Grand Total	Metrolink Monthly Passholders on Amtrak (Rail-2-Rail program)
September 2017	804	-5%	3,349	-8%	36,825	-7%	168
September 2016	851	-6%	3,650	-2%	39,604	-4%	187
September 2015	904	-5%	3,738	-2%	41,375	-2%	182
September 2014	953	2%	3,803	1%	42,034	1%	188
September 2013	936	-3%	3,773	-3%	41,677	-3%	231
September 2012	968	0%	3,880	-5%	43,135	3%	175
September 2011	969	8%	4,066	13%	42,007	8%	276
September 2010	896	-3%	3,600	-5%	39,068	-4%	285
September 2009	923	-6%	3,782	-11%	40,878	-14%	298
September 2008	977	-4%	4,260	5%	47,416	12%	300

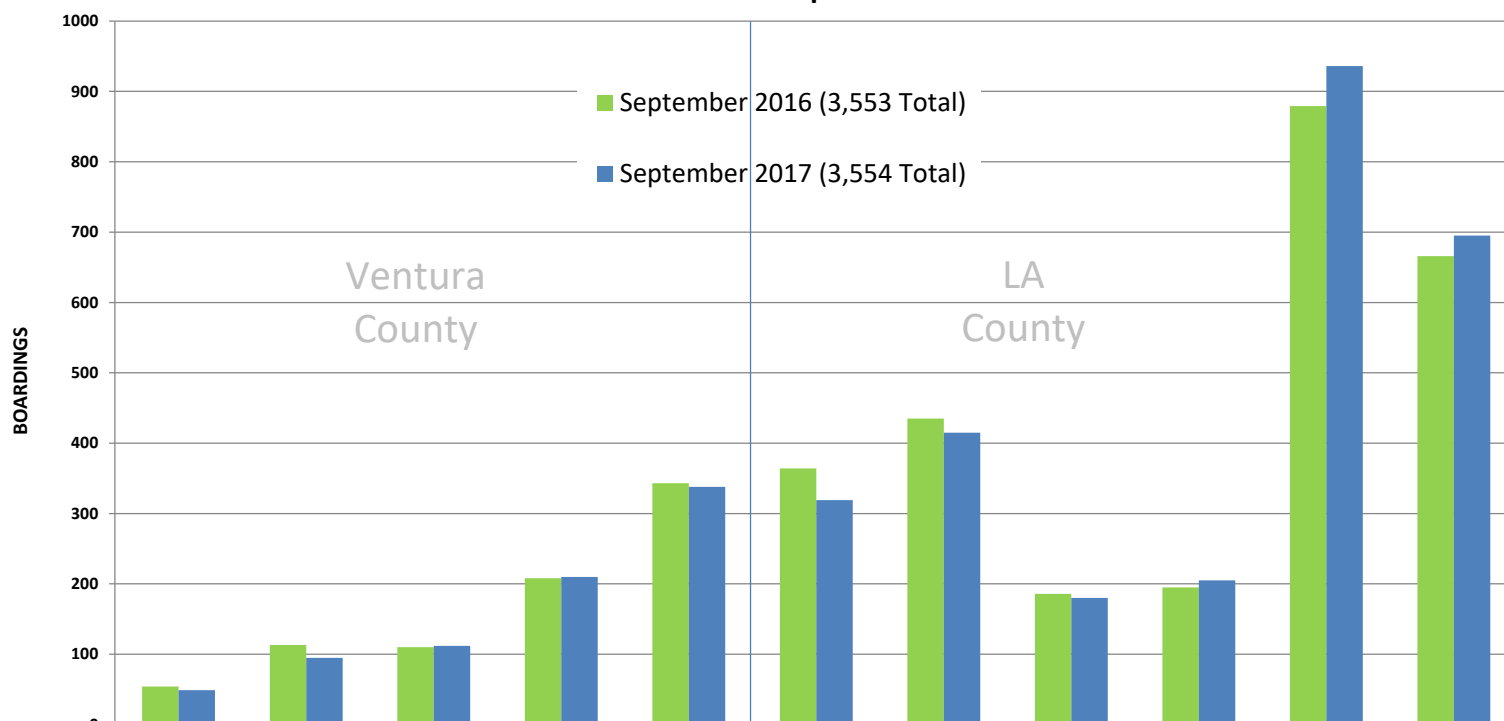
10 Year Snapshot of Monthly

Year over Year Change in Average Weekday Ridership

* East Ventura, Oxnard, Camarillo, Moorpark and Simi Valley.

Attachment B

**Ventura County Line
Average Daily Station Boardings
Year over Year Comparison**



	EAST VENTURA	OXNARD	CAMARILLO	MOORPARK	SIMI VALLEY	CHATSWORTH	NORTHRIDGE	VAN NUYS	BURBANK AIRPORT	BURBANK	GLENDALE
September 2016 (3,553 Total)	54	113	110	208	343	364	435	186	195	879	666
September 2017 (3,554 Total)	49	95	112	210	338	319	415	180	205	936	695

Source: SCRR TAC Reporting Portal.



Item #8D

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: LEGISLATIVE UPDATE

RECOMMENDATION:

- Receive and file Legislative Update.

DISCUSSION

State Issues

Attachment A provides the monthly report of Delaney Hunter, the Commission's state lobbyist. The report includes information on the Governor's actions to sign or veto transportation-related bills that passed the State Legislature.

Attachment B provides the status of bills being tracked by VCTC. Of the three bills tracked that awaited the Governor's signature as of the Legislature's adjournment, two were signed by the Governor. AB 17 (Holden), on which VCTC had a "Support" position, was vetoed.

As the Commission will recall, in last month's Legislative Report staff expressed concerns regarding AB 17 in its final form, although staff did not recommend a change in VCTC's position. Attachment C provides the Governor's veto message for this bill.



VENTURA COUNTY TRANSPORTATION COMMISSION

MONTHLY STATE ADVOCACY REPORT

OCTOBER 2017

Legislative Update

The Legislature concluded the first of the current two year session late into the night on Friday, September 15. In the end, the Senate and Assembly sent more than 1000 bills to the Governor. Governor Brown had until Sunday, October 15th to take action on all pending legislation. Ultimately, the governor vetoed just 118 of the 977 bills that came to his desk, one of his lower veto rates in recent years. The Legislature will reconvene the regular session on January 3, 2018.

Upcoming Bill Deadlines and 2 Year Bills

January 2 – Regular legislative session reconvenes.

January 10 – Budget must be submitted by Governor

January 12 – 2 year bills must be out of 1st house policy committee.

January 19 – 2 year bills must be out of all 1st house fiscal and policy committees.

January 31 – Deadline for 2 year bills to make it out of house of origin.

Below is a list of VCTC signed/vetoed bills:

AB 17 (Holden D) Transit Pass Pilot Program: free or reduced-fare transit passes.

Introduced: 12/5/2016

Status: Vetoed by Governor

Summary: Would create the Transit Pass Pilot Program to be administered by the Department of Transportation to provide free or reduced-fare transit passes to specified pupils and students by supporting new, or expanding existing, transit pass programs. The bill would require the department to develop guidelines that describe the application process and selection criteria for awarding the moneys made available for the program, and would exempt the development of those guidelines from the Administrative Procedure Act. The bill ultimately required STA to be the funding source for such a program.

AB 179 (Cervantes D) California Transportation Commission.

Introduced: 1/18/2017

Status: 10/13/17 Approved by the Governor. Chaptered by Secretary of State - Chapter 737, Statutes of 2017.

Summary: Under current law, the California Transportation Commission consists of 13 members, 9 of whom are to be appointed by the Governor in consultation with the Senate. Current law requires the Governor, in appointing members, to use every effort to ensure geographic balance of representation. This bill would additionally require the Governor, in appointing members, to use every effort to ensure that the commission has a diverse membership with expertise in transportation issues, taking into consideration factors including, but not limited to, socioeconomic background and professional experience, which may include experience working in, or representing, disadvantaged communities.

AB 467 (Mullin D) Local transportation authorities: transactions and use taxes.

Introduced: 2/13/2017

Status: 10/10/17 Approved by the Governor. Chaptered by Secretary of State - Chapter 640, Statutes of 2017.

Summary: Current law provides for a local transportation authority to adopt a transportation expenditure plan for the proceeds of the retail transactions and use tax, and requires the entire adopted transportation expenditure plan to be included in the voter information guide sent to voters. This bill, upon the request of an authority, would exempt a county elections official from including the entire adopted transportation expenditure plan in the voter information guide, if the authority posts the plan on its Internet Web site, and the sample ballot and the voter information guide sent to voters include information on viewing an electronic version of the plan on the Internet Web site and for obtaining a printed copy of the plan by calling the county elections office.

AB 503 (Lackey R) Vehicles: parking violations: registration or driver's license renewal.

Introduced: 2/13/2017

Status: 10/13/17 Approved by the Governor. Chaptered by Secretary of State - Chapter 741, Statutes of 2017.

Summary: Current law, with specified exceptions, requires an agency that processes notices of parking violations and notices of delinquent parking violations to proceed under only one of 3 specified options in order to collect an unpaid parking penalty, including filing an itemization of unpaid parking penalties and service fees with the Department of Motor Vehicles for collection with the registration of the vehicle. This bill would instead authorize a processing agency to proceed under one of those 3 specified options.

AB 515 (Frazier D) State Highway System Management Plan.

Introduced: 2/13/2017

Status: 9/27/17 Approved by the Governor. Chaptered by Secretary of State - Chapter 314, Statutes of 2017.

Summary: Would require the Department of Transportation to prepare a draft State Highway System Management Plan, which would consist both of the 10-year state highway rehabilitation plan and the 5-year maintenance plan. The bill would require the department to make the draft of its proposed State Highway System Management Plan available to regional transportation agencies for review and comment, and would require the department to include and respond to the comments in the final plan to the commission by February 15 of each odd-numbered year.

AB 1069 (Low D) Local government: taxicab transportation services.

Introduced: 2/16/2017

Status: 10/13/17 Approved by the Governor. Chaptered by Secretary of State - Chapter 753, Statutes of 2017.

Summary: Current law requires every city or county to adopt an ordinance or resolution in regard to taxicab transportation service and requires each city or county to provide for a policy for entry into the business of providing taxicab transportation service, the establishment or registration of rates for the provision of taxicab transportation service, and a mandatory controlled substance and alcohol testing certification program for drivers, as specified. Current law also authorizes a city or county to levy a charge on a taxicab transportation service that is sufficient to pay for the costs of carrying out the ordinance or resolution adopted by the city or county in regards to taxicab transportation services. This bill would authorize each of 10 specified counties to regulate taxi service within the respective county by means of a countywide transportation agency, as defined for each of those counties.

AB 1282 (Mullin D) Transportation Permitting Taskforce.

Introduced: 2/17/2017

Status: 10/10/17 Approved by the Governor. Chaptered by Secretary of State - Chapter 643, Statutes of 2017.

Summary: Would require, by April 1, 2018, the Secretary of Transportation, in consultation with the Secretary of the Natural Resources Agency, to establish a Transportation Permitting Taskforce consisting of representatives from specified entities to develop a process for early engagement for all parties in the development of transportation projects, establish reasonable deadlines for permit approvals, and provide for greater certainty of permit approval requirements. The bill would require the Secretary of Transportation, by December 1, 2019, to prepare and submit to the relevant policy and fiscal committees of the Legislature a report of findings based on the efforts of the taskforce.

SB 150 (Allen D) Regional transportation plans.

Introduced: 1/18/2017

Status: 10/10/17 Approved by the Governor. Chaptered by Secretary of State. Chapter 646, Statutes of 2017.

Summary: Current law requires metropolitan planning organizations to adopt a sustainable communities strategy or alternative planning strategy, subject to specified requirements, as part of a regional transportation plan, which is to be designed to achieve certain targets for 2020 and 2035 established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. This bill would require the State Air Resources Board by September 1, 2018, and every 4 years thereafter, to prepare a report that assesses progress made by each metropolitan planning organization in meeting the regional greenhouse gas emission reduction targets set by the state board.

SB 406 (Leyva D) Vehicles: high-occupancy vehicle lanes: exceptions.

Introduced: 2/15/2017

Status: 9/30/17 Approved by the Governor. Chaptered by Secretary of State. Chapter 392, Statutes of 2017.

Summary: Current law authorizes the Department of Transportation and local authorities to designate certain highway lanes for the exclusive or preferential use of high-occupancy vehicles (HOVs), requires the department or local authorities to place signage advising motorists of the rules governing the use of those lanes, and prohibits the use of those lanes by motorists other than in conformity with the posted rules.

Current law provides a limited exemption allowing motorcycles, mass transit vehicles, and paratransit vehicles to use HOV lanes. This bill would provide an exemption to allow for blood transport vehicles, as defined, to use HOV lanes, regardless of the number of occupants.

SB 810 (Committee on Transportation and Housing) Transportation: omnibus bill.

Introduced: 3/8/2017

Status: 9/30/17 Approved by the Governor. Chaptered by Secretary of State. Chapter 397, Statutes of 2017.

Summary: Current law prohibits a person holding a class A, class B, or class C driver's license from operating a vehicle hauling fissile class III shipments or large quantity radioactive materials, as defined, unless the person possesses both a valid license of the appropriate class and a radioactive materials driver's certificate issued by the Department of Motor Vehicles that permits the person to operate the vehicle. This bill would delete the existing examination and certificate requirement and instead prohibit a person holding a class A, class B, or class C driver's license from operating a vehicle hauling highway route controlled quantities of radioactive materials, as defined, unless the person possesses both a valid license of the appropriate class and a certificate of training, as required under specified federal law.

Below is a list of VCTC tracked 2 year bills that will be subject to the January deadline schedule:

AB 33 (Quirk D) Transportation electrification: electric vehicle service equipment: electrical corporations: rates.

Introduced: 12/5/2016

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E. U., & C. on 6/14/2017) (May be acted upon Jan 2018)

Summary: Would require the PUC, by March 30, 2018, in consultation with the State Air Resources Board and the Energy Commission, to consider authorizing electrical corporations to offer programs and investments that support customers who purchase a used electric vehicle. If authorized by the PUC, the bill would require that the programs and investments be designed to accelerate widespread transportation electrification, achieve ratepayer benefits, reduce dependence on petroleum, meet air quality standards, and reduce emissions of greenhouse gases.

AB 65 (Patterson R) Transportation bond debt service.

Introduced: 12/13/2016

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 1/19/2017) (May be acted upon Jan 2018)

Summary: Current law provides for transfer of certain vehicle weight fee revenues to the Transportation Debt Service Fund to reimburse the General Fund for payment of current year debt service on general obligation bonds issued for transportation purposes, including bonds issued for high-speed rail and associated purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A of 2008). This bill would specifically exclude from payment under these provisions the debt service for Proposition 1A bonds.

AB 66 (Patterson R) High-Speed Rail Authority: reports.

Introduced: 12/13/2016

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 1/19/2017)
(May be acted upon Jan 2018)

Summary: Would require the business plan of the High-Speed Rail Authority to identify projected financing costs for each segment or combination of segments of the high-speed rail system, if financing is proposed by the authority. The bill would require the authority to identify in the business plan and in another report any significant changes in scope for segments of the high-speed rail system identified in the previous version of each report and to provide an explanation of adjustments in cost and schedule attributable to the changes.

AB 239 (Ridley-Thomas D) California Environmental Quality Act: urbanized areas.

Introduced: 1/30/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was NAT. RES. on 2/6/2017)
(May be acted upon Jan 2018)

Summary: CEQA defines the terms “urban area” and “urbanized area” to mean, among other things, an unincorporated area that is completely surrounded by one or more incorporated cities and the population density of the unincorporated area at least equals the population density of the surrounding city or cities. This bill would instead specify that the population density of the unincorporated area be at least 1,000 persons per square mile.

AB 241 (Dababneh D) Personal information: privacy: state and local agency breach.

Introduced: 1/30/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/26/2017)
(May be acted upon Jan 2018)

Summary: Current law requires a person or business, if it was the source of a data security breach, to offer to provide appropriate identity theft prevention and mitigation services at no cost to the person whose information was or may have been breached if the breach exposed or may have exposed the person’s social security number, driver’s license number, or California identification card number. This bill also would require a state or local agency, if it was the source of the breach, to offer to provide appropriate identity theft prevention and mitigation services at no cost to a person whose information was or may have been breached if the breach exposed or may have exposed the person’s social security number, driver’s license number, or California identification card number.

AB 278 (Steinorth R) California Environmental Quality Act: exemption: existing transportation infrastructure.

Introduced: 2/2/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/13/2017)
(May be acted upon Jan 2018)

Summary: Would exempt from the provisions of CEQA a project, or the issuance of a permit for a project, that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of, or the addition of an auxiliary lane or bikeway to, existing transportation infrastructure and that meets certain requirements. The bill would require the public agency carrying out the project to take certain actions.

AB 330 (Colley D) Highway safety.

Introduced: 2/7/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was PUB. S. on 4/3/2017) (May be acted upon Jan 2018)

Summary: Current law prohibits a person while having 0.08% or more, by weight, of alcohol in his or her blood from driving a vehicle and concurrently doing any act forbidden by law, or neglecting any duty imposed by law in driving the vehicle, when the act or neglect proximately causes bodily injury to a person other than the driver. This bill would, until January 1, 2022, authorize the court to order a person convicted of a crime described above to enroll and participate in, and successfully complete, a qualified "24/7 Sobriety program," as defined, as a condition of probation, if the program is available and deemed appropriate, and the person committed the crime within 10 years of one or more separate crimes described above that resulted in a conviction.

AB 344 (Melendez R) Toll evasion violations.

Introduced: 2/7/2017

Status: 7/21/2017-Failed Deadline pursuant to Rule 61(a)(11). (Last location was T. & H. on 5/10/2017) (May be acted upon Jan 2018)

Summary: Would not require a person contesting a notice of toll evasion violation or notice of delinquent toll evasion to pay the toll evasion penalty until after the processing agency or issuing agency finds as a result of an investigation, or the processing agency finds as a result of an administrative review, or a court finds as a result of a hearing, that the contestant did commit a toll evasion violation, whichever occurs later. The bill would authorize an administrative review to include reviews of multiple notices of toll evasion violation or notices of delinquent toll evasion of a person.

AB 351 (Melendez R) Transportation funding.

Introduced: 2/8/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/21/2017) (May be acted upon Jan 2018)

Summary: Current law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified. This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, would require the loans to be repaid by December 31, 2018.

AB 382 (Voepel R) Fuel taxes: State Parks and Recreation Fund: Off-Highway Vehicle Trust Fund.

Introduced: 2/9/2017

Status: 7/21/2017-Failed Deadline pursuant to Rule 61(a)(11). (Last location was T. & H. on 6/14/2017) (May be acted upon Jan 2018)

Summary: Would provide that in the 2017–18 fiscal year up to \$1,000,000 of the revenues transferred to the State Parks and Recreation Fund may be transferred to the Off-Highway Vehicle Trust Fund to be available for specified purposes and would express the intent of the Legislature to make this transfer in the Budget Act of 2017.

AB 476 (Gipson D) Vehicular air pollution: heavy-duty vehicles.

Introduced: 2/13/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/17/2017) (May be acted upon Jan 2018)

Summary: Current law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Current law defines a heavy-duty vehicle as having a manufacturer's maximum gross vehicle weight rating of 6,001 or more pounds, a light-duty vehicle as having a manufacturer's gross vehicle weight rating of under 6,001 pounds, and a medium duty vehicle as a heavy-duty vehicle having a manufacturer's gross vehicle weight rating under a limit established by the state board. This bill instead would define a heavy-duty vehicle as having a manufacturer's maximum gross vehicle weight rating of 26,001 or more pounds.

AB 548 (Steinorth R) Omnitrans Transit District.

Introduced: 2/14/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/23/2017) (May be acted upon Jan 2018)

Summary: Would create the Omnitrans Transit District in the County of San Bernardino. The bill would provide that the jurisdiction of the district would initially include the Cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Rancho Cucamonga, Redlands, Rialto, San Bernardino, Upland, and Yucaipa, and unspecified portions of the unincorporated areas of the County of San Bernardino. The bill would authorize other cities in the County of San Bernardino to subsequently join the district.

AB 577 (Caballero D) Disadvantaged communities.

Introduced: 2/14/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a) (2). (Last location was E.S. & T.M. on 2/27/2017) (May be acted upon Jan 2018)

Summary: Current law defines a disadvantaged community as a community with an annual median household income that is less than 80% of the statewide annual median household income for various purposes, that include, but are not limited to, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, eligibility for certain entities to apply for funds from the State Water Pollution Cleanup and Abatement Account, and authorization for a community revitalization and investment authority to carry out a community revitalization plan. This bill would expand the definition of a disadvantaged community to include a community with an annual per capita income that is less than 80% of the statewide annual per capita income.

AB 636 (Irwin D) Local streets and roads: expenditure reports.

Introduced: 2/14/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a) (10). (Last location was RLS. on 5/10/2017) (May be acted upon Jan 2018)

Summary: Current law, with limited exceptions, requires each city and county to submit to the Controller a complete report of expenditures for street and road purposes by October 1 of each year relative to the preceding fiscal year ending on June 30. This bill would instead require the report to be submitted to the Controller within 7 months after the close of the fiscal year adopted by a county, city, or city and county. The bill would make other conforming changes.

AB 687 (Chen R) State highway routes: route numbers.

Introduced: 2/15/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/15/2017) (May be acted upon Jan 2018)

Summary: Current law gives the Department of Transportation full possession and control of all state highways. Current law describes the authorized routes in the state highway system by route numbers and

provides that the route numbers are those given to the routes by the California Transportation Commission. This bill would make nonsubstantive changes to the latter provision.

AB 788 (Frazier D) Department of Transportation: administration.

Introduced: 2/15/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/30/2017) (May be acted upon Jan 2018)

Summary: Current law provides that the Department of Transportation has possession and control of all property, real or personal, held for the benefit, use, or obligation of the Department of Aeronautics, the Department of Public Works, and the Office of Transportation Planning and Research in connection with the functions of those former organizations that were transferred to or vested in the department. This bill would additionally provide that the Department of Transportation has possession and control of all supporting documentation and data, electronic or otherwise, held for the benefit, use, or obligation of the Department of Aeronautics, the Department of Public Works, and the Office of Transportation Planning and Research in connection with the functions of those former organizations that were transferred to or vested in the department.

AB 964 (Calderon D) Economic development: Capital Access Loan Program: California Affordable Clean Vehicle Program.

Introduced: 2/16/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 7/11/2017) (May be acted upon Jan 2018)

Summary: Would, until January 1, 2027, create the California Affordable Clean Vehicle Program to assist low-income individuals in the purchase or lease of zero emission or plug-in vehicles for personal or commercial use, and other eligible projects. The bill would require the California Pollution Control Financing Authority to administer the program in consultation with the State Air Resources Board and consistent with the requirements of the Capital Access Loan Program and other related programs related to financing of clean energy vehicles.

AB 965 (Kiley R) Department of Transportation: civil liability.

Introduced: 2/16/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 4/17/2017) (May be acted upon Jan 2018)

Summary: Would provide that, in an action against the Department of Transportation for personal injury, property damage, or wrongful death, based upon principles of comparative fault, the liability of the department for economic damages shall be several only and shall not be joint. The bill would further provide that the department shall be liable in those actions only for the amount of economic damages allocated to it in direct proportion to its percentage of fault, and would require a separate judgment to be rendered against the department for that amount.

AB 980 (Wood D) Department of Transportation: broadband: fiber optic cables: priority areas.

Introduced: 2/16/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was C. & C. on 3/20/2017) (May be acted upon Jan 2018)

Summary: Current law requires the Department of Transportation to notify companies and organizations working on broadband deployment on its Internet Web site of specified department-led highway construction

projects and authorizes those companies and organizations to collaborate with the department to install broadband conduits as part of those projects. This bill would require the department, as part of those projects that are located in priority areas, as defined, to install broadband conduits capable of supporting fiber optic communication cables.

AB 1063 (Fong R) Transportation funds.

Introduced: 2/16/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2017) (May be acted upon Jan 2018)

Summary: Current law requires funds in the State Highway Account to be programmed, budgeted, and expended to maximize the use of federal funds and according to a specified sequence of priorities. Current law requires the Department of Transportation to provide certain information to the Legislature to substantiate the department's proposed capital outlay support budget. This bill would make nonsubstantive changes to these provisions.

AB 1233 (Cunningham R) Transportation Inspector General.

Introduced: 2/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/9/2017) (May be acted upon Jan 2018)

Summary: Current law creates various state agencies, including the Department of Transportation and the High-Speed Rail Authority, with specified powers and duties. Existing law provides for the allocation of state transportation funds to various transportation purposes. This bill would create the Office of the Transportation Inspector General in state government, as an independent office that would not be a subdivision of any other government entity, to ensure that the above-referenced state agencies and all other state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws.

AB 1324 (Gloria D) Metropolitan planning organizations: transactions and use taxes.

Introduced: 2/17/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/13/2017) (May be acted upon Jan 2018)

Summary: Would authorize a metropolitan planning organization or regional transportation planning agency that is authorized by law to levy, expand, increase, or extend a transactions and use tax to levy, expand, increase, or extend that tax in only a portion of the jurisdiction, as an alternative to the entire jurisdiction, in which the organization or agency is authorized to levy, expand, increase, or extend the tax, if approved by the required percentage of the voters in that portion of the jurisdiction.

AB 1363 (Baker R) Transportation revenues.

Introduced: 2/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/13/2017) (May be acted upon Jan 2018) (CORRECTED)

Summary: Current law requires certain miscellaneous revenues deposited in the State Highway Account that are not restricted as to expenditure by Article XIX of the California Constitution to be transferred to the Transportation Debt Service Fund in the State Transportation Fund, as specified, and requires the Controller to transfer from the fund to the General Fund an amount of those revenues necessary to offset the current year debt service made from the General Fund on general obligation transportation bonds issued pursuant to Proposition 116 of 1990. This bill would, on July 1, 2018, delete the transfer of these miscellaneous revenues to

the Transportation Debt Service Fund, thereby eliminating the offsetting transfer to the General Fund for debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990.

AB 1395 (Chu D) State highways: uniform financial plan.

Introduced: 2/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/30/2017) (May be acted upon Jan 2018)

Summary: Would require the Department of Transportation, on or before January 1, 2019, to develop a uniform financial plan to remediate debris to maintain and preserve the state highway and freeway systems. The bill would require the uniform financial plan to include recommendations that allow a municipality to carry out obligations specified in the plan with reimbursement provided by the state. By imposing new duties on local municipalities, the bill would impose a state-mandated local program.

AB 1421 (Dababneh D) Railroads: noise and vibration levels.

Introduced: 2/17/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a) (10). (Last location was RLS. on 6/8/2017) (May be acted upon Jan 2018)

Summary: Current law creates the State Department of Public Health with various powers and duties. This bill would require the department to conduct a study to determine the noise and vibration levels associated with all railroad lines in the vicinity of residential areas or schools.

AB 1436 (Levine D) County highways.

Introduced: 2/17/2017

Status: 7/21/2017-Failed Deadline pursuant to Rule 61(a) (11). (Last location was GOV. & F. on 6/1/2017) (May be acted upon Jan 2018)

Summary: Current law authorizes the board of supervisors of a county, by resolution adopted by a 4/5 vote of its members, to determine that specified activities relating to streets are of general county interest and that county aid shall be extended therefore. This bill would instead authorize the board of supervisors of a county to adopt this resolution by a 3/5 vote of its members and would make nonsubstantive changes to this law.

AB 1454 (Bloom D) Transportation projects: lease agreements.

Introduced: 2/17/2017

Status: 6/2/2017-Failed Deadline pursuant to Rule 61(a)(8). (Last location was RLS. on 5/4/2017) (May be acted upon Jan 2018)

Summary: Would state the intent of the Legislature to reestablish the authority under state law to engage in public-private partnerships for projects on the state highway system with appropriate public interest and safety protections.

AB 1579 (Daly D) California Environmental Quality Act: vehicle-miles-traveled database.

Introduced: 2/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/30/2017) (May be acted upon Jan 2018)

Summary: CEQA requires the Office of Planning and Research to develop criteria for determining the significance of transportation impacts of project within transit priority areas that promote, among other things, the reduction of greenhouse gas emissions. CEQA requires the office, in developing the criteria, to recommend

potential metrics to measure transportation impacts of projects that may include, among other things, vehicle miles traveled. CEQA authorizes the office to adopt those criteria for determining the significance of transportation impacts of projects outside transit priority areas. This bill would require the office to establish and maintain a vehicle-miles-traveled database containing methodological guidance on which models should be used for particular types of projects and the best sources of trip-length data for various land-use types.

AB 1630 (Bloom D) Transportation: wildlife movement and barriers to passage.

Introduced: 2/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/4/2017) (May be acted upon Jan 2018)

Summary: Current law requires the department to seek input from representatives of other state agencies, local government, federal agencies, nongovernmental conservation organizations, landowners, agriculture, recreation, scientific entities, and industry in determining essential wildlife corridors and habitat linkages. Current law also declares that it is the policy of the state to encourage, wherever feasible and practicable, voluntary steps to protect the functioning of wildlife corridors through various means. This bill would authorize the Department of Fish and Wildlife or the Department of Transportation to pursue development of a programmatic environmental review process with appropriate state and federal regulatory agencies for wildlife connectivity-related transportation infrastructure.

AB 1640 (Garcia, Eduardo D) Transportation funding: low-income communities.

Introduced: 2/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/16/2017) (May be acted upon Jan 2018)

Summary: Would require, beginning January 1, 2020, each regional transportation improvement program to allocate a minimum of 25% of available funds to projects or programs that provide direct, meaningful, and assured benefits to low-income individuals who live in certain identified communities or to riders of transit service that connects low-income residents to critical amenities and services. The bill would require the Department of Transportation, in consultation with residents of low-income communities and specified state agencies, to adopt guidelines for this allocation no later than January 1, 2018.

AB 1684 (Bloom D) Vehicles: traffic violator schools.

Introduced: 2/17/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/3/2017) (May be acted upon Jan 2018)

Summary: Current law requires the Department of Motor Vehicles to license traffic violator schools. Current law prescribes the requirements for a traffic violator school to be licensed, authorizes the department to charge a fee for licensing, and authorizes the department to suspend or revoke a license, as specified. This bill would require department to conduct a study on the impact of the traffic violator school program on reducing subsequent traffic offenses by a violator. The bill would also require the department to submit a report on the findings of the study to the Legislature on or before January 1, 2020.

SB 185 (Hertzberg D) Crimes: infractions.

Introduced: 1/25/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. SUSPENSE FILE on 8/23/2017) (May be acted upon Jan 2018)

Summary: Existing law requires a court, in any case when a person appears before a traffic referee or judge of

the superior court for adjudication of a violation of the Vehicle Code, upon request of the defendant, to consider the defendant's ability to pay, as specified. This bill would require the court, in any case involving an infraction filed with the court, to determine whether the defendant is indigent for purposes of determining what portion of the statutory amount of any associated fine, fee, assessment, or other financial penalties the person can afford to pay.

SB 200 (Morrell R) Public employees' retirement benefits: final compensation.

Introduced: 1/31/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 1/31/2017) (May be acted upon Jan 2018)

Summary: The California Public Employees' Pension Reform Act of 2013 provides, for purposes of determining a retirement benefit paid to a person who first becomes a member of a public retirement system on or after January 1, 2013, that final compensation means the highest average annual pensionable compensation earned, as defined, during a period of at least 36 consecutive months, or at least 3 consecutive school years. This bill would make a nonsubstantive change to that provision.

SB 264 (Nguyen R) High-occupancy toll lanes: Interstate 405 Improvement Project high-occupancy toll lanes.

Introduced: 2/8/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was T. & H. on 4/6/2017)(May be acted upon Jan 2018)

Summary: Current law requires certain excess revenue generated by the toll facility to be used in the corridor from which the revenue was generated pursuant to an expenditure plan developed by the sponsoring agency, as provided. This bill would instead require net excess toll revenues, as defined, received from high-occupancy toll lanes on a specified portion of an approximately 16-mile-long project corridor in the County of Orange on Interstate 405 and that traverses the Cities of Costa Mesa, Fountain Valley, Huntington Beach, Westminster, and Seal Beach to be allocated to the Orange County Transportation Authority and certain project corridor jurisdictions according to a specified schedule.

SB 389 (Roth D) Department of Transportation: transportation project delivery services.

Introduced: 2/14/2017

Status: 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 8/23/2017) (May be acted upon Jan 2018)

Summary: Would authorize the Department of Transportation to establish a fee schedule and to charge a fee relative to transportation project delivery services requested by a local agency or other entity, as specified, including job mix formula verifications, material plant quality program inspections, and laboratory accreditations. The bill would authorize the department to adopt regulations to, among other things, specify the terms and conditions for performing these tasks and would require that the department's total estimated revenue from the fee schedule not exceed the department's estimated total cost for providing these services.

SB 415 (Vidak R) High-speed rail: rights-of-way.

Introduced: 2/15/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was T. & H. on 2/23/2017) (May be acted upon Jan 2018)

Summary: Would require the High-Speed Rail Authority to make a good faith effort to sell or exchange real property or an interest in real property acquired by the state for high-speed rail purposes on or after January 1,

2018, within 3 years from the date of acquisition if the authority has not begun construction on the property or interest in the property within that 3-year period. For real property or an interest in real property acquired before January 1, 2018, the bill would require the authority to dispose of the property on or before January 1, 2021, or, for property subject to a lease as of January 1, 2018, within 3 years of the expiration of the lease, if the authority has not begun construction during those 3-year periods.

SB 422 (Wilk R) Transportation projects: comprehensive development lease agreements.

Introduced: 2/15/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was T. & H. on 3/29/2017)
(May be acted upon Jan 2018)

Summary: Current law authorizes the Department of Transportation and regional transportation agencies, as defined, to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. These arrangements are commonly known as public-private partnerships. Current law provides that a lease agreement may not be entered into under these provisions on or after January 1, 2017. This bill would extend this authorization indefinitely and would include within the definition of "regional transportation agency" the Santa Clara Valley Transportation Authority, thereby authorizing the authority to enter into public-private partnerships under these provisions.

SB 423 (Cannella R) Indemnity: design professionals.

Introduced: 2/15/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was JUD. on 3/29/2017)
(May be acted upon Jan 2018)

Summary: Current law provides, with respect to contracts and amendments to contracts entered into on or after January 1, 2011, with a public agency for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting these contracts or amendments to contracts that purport to require the design professional to defend the public agency under an indemnity agreement, including the duty and the cost to defend, are unenforceable, except for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. Current law provides that all contracts and all solicitation documents between a public agency and a design professional are deemed to incorporate these provisions by reference. This bill would make these provisions applicable to all contracts for design professional services entered into by any person or public or private entity on or after January 1, 2018.

SB 545 (Beall D) Vehicles: 24/7 Sobriety program.

Introduced: 2/16/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017) (May be acted upon Jan 2018)

Summary: Current law prohibits a person who has 0.08% or more, by weight, of alcohol in his or her blood from driving a vehicle. Current law also prohibits a person while having 0.08% or more, by weight, of alcohol in his or her blood from driving a vehicle and concurrently doing any act forbidden by law, or neglecting any duty imposed by law in driving the vehicle, when the act or neglect proximately causes bodily injury to a person other than the driver. This bill would authorize the court to order a person convicted of a crime described above to enroll and participate in, and successfully complete, a qualified "24/7 Sobriety program," as defined, as a condition of probation, if the program is available and deemed appropriate, and the person committed the crime

within 10 years of one or more separate crimes described above that resulted in a conviction.

SB 760 (Wiener D) Transportation funding: active transportation: complete streets.

Introduced: 2/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was T. & H. on 3/9/2017) (May be acted upon Jan 2018)

Summary: Would establish a Division of Active Transportation within the Department of Transportation and require that an undersecretary of the Transportation Agency be assigned to give attention to active transportation program matters to guide progress toward meeting the department's active transportation program goals and objectives. The bill would require the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities.

SB 768 (Allen D) Transportation projects: comprehensive development lease agreements.

Introduced: 2/17/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017) (May be acted upon Jan 2018)

Summary: Current law authorizes the Department of Transportation and regional transportation agencies to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. These arrangements are commonly known as public-private partnerships. Current law provides that a lease agreement may not be entered into under these provisions on or after January 1, 2017. This bill would extend this authorization indefinitely.

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VENTURA COUNTY TRANSPORTATION COMMISSION STATE LEGISLATIVE MATRIX BILL SUMMARY October 16, 2017			
BILL/AUTHOR	SUBJECT	POSITION	STATUS
AB 17 Holden	Provides funds to transit operators by formula in support of student bus pass programs. Amended to become contingent on appropriation of Public Transportation Account funds.	Support	Vetoed by Governor.
AB 467 Mullin	Allows transportation expenditure plans to be posted on line and available by mail, rather than printed in voter pamphlet.	Work with Author	Signed by Governor.
AB 805 Gonzalez Fletcher	Changes the SANDAG Board composition in a manner opposed by SANDAG.	Oppose	Signed by Governor.



OFFICE OF THE GOVERNOR

OCT 15 2017

To the Members of the California State Assembly:

I am returning Assembly Bill 17 without my signature.

This bill requires the Department of Transportation to create a competitive grant program for local transit agencies to provide free and reduced-fare transit passes for low-income students.

Many transit agencies, including the Los Angeles County Metropolitan Transportation Authority, already have a variety of reduced-fare transit programs for students. Before we create this new statewide program, I think we should have a fuller discussion on how local transit discount programs work and how any new ones should be paid for.

Sincerely,


Edmund G. Brown Jr.



Item #8E

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: SALLY DEGEORGE, FINANCE DIRECTOR

SUBJECT: REVISE THE SEPTEMBER 2017 BUDGET AMENDMENT FOR FILLMORE & WESTERN FOR FISCAL YEAR ALLOCATION

RECOMMENDATION:

- Approve revising the budget amendment portion of the September 2017 Item #11, "Amendment #3 to Fillmore and Western Railway Agreement and related Budget Amendment", to the following:
- Amend the Fiscal Year 2017/2018 Santa Paula Branch Line Budget increasing the State Transit Assistance (STA) fund transfer by \$150,000 and correspondingly increasing the maintenance line item for the same amount. Also, amend the STA Fund budget by increasing the STA Fund transfer expenditures by \$150,000, AND
- Amend the Fiscal Year 2016/2017 Santa Paula Branch Line Budget increasing the State Transit Assistance (STA) fund transfer by \$2,148,000 and correspondingly increasing the charges for past maintenance/track repair and related expenses for the same amount. Also, amend the STA Fund budget by increasing the STA Fund transfer expenditures by \$2,148,000.

DISCUSSION:

After review by VCTC's auditors, the Pun Group, it was recommended that the budget amendment contained in Item #11, "Amendment #3 to Fillmore and Western Railway Agreement and related Budget Amendment", from the September 2017 agenda be modified to properly reflect Generally Accepted Accounting Principles (GAAP). The "charges for past maintenance/track repair and related expense" should be recorded in Fiscal Year 2016/2017; therefore, a budget amendment revision was needed to split the budgeted revenue and expenditures between fiscal years.

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Staff, following the advice of the VCTC auditors, is recommending that the amendment be modified as follows:

Amend the Fiscal Year 2017/2018 Santa Paula Branch Line Budget increasing the State Transit Assistance (STA) fund transfer by \$150,000 and correspondingly increasing the maintenance line item for the same amount. Also, amend the STA Fund budget by increasing the STA Fund transfer expenditures by \$150,000, AND

Amend the Fiscal Year 2016/2017 Santa Paula Branch Line Budget increasing the State Transit Assistance (STA) fund transfer by \$2,148,000 and correspondingly increasing the charges for past maintenance/track repair and related expenses for the same amount. Also, amend the STA Fund budget by increasing the STA Fund transfer expenditures by \$2,148,000.



Item #8F

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: SALLY DEGEORGE, FINANCE DIRECTOR
SUBJECT: INSURANCE COVERAGE

RECOMMENDATION:

- Approve the insurance renewal as presented for a total insurance cost of \$234,950 funded as part of the operational cost/indirect cost allocation plan in the Fiscal Year 2017/2018 Budget.

BACKGROUND:

Over the normal course of business, the Commission is exposed to various risks of loss related to torts; theft of, damage to, or destruction of assets; errors or omissions; and natural disasters. The Commission protects itself against such losses by a balanced program of risk retention, risk transfer and the purchase of commercial insurance. Capital projects and rail properties are protected through a combination of commercial insurance, insurance required by Commission consultants and a self-insurance fund established by the Southern California Regional Rail Authority (SCRRA). The Commission's worker's compensation insurance is covered through the State Compensation Insurance Fund.

In September 2012 the Commission engaged Alliant Insurance Services, Inc. to be VCTC's insurance broker. Since then Alliant has assisted VCTC in obtaining insurance through several providers. Alliant continues to expertly assist VCTC staff by providing recommendations for activity appropriate coverage.

DISCUSSION:

In mid-October, Alliant provided VCTC with an insurance proposal (see attachment) for General Liability, Excess Liability, Public Officials Liability, and Crime after marketing VCTC's insurance needs. The property insurance was renewed with the Alliant Special Property Insurance Program on July 1, 2017. The remaining insurances are set to be renewed on November 20, 2017. Detailed information is provided in the 2017/2018 proposals as separate attachments. The following is a summary of the insurance renewals:

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- Property – The current policy is with the Alliant Special Property Insurance Program and Alliant recommended renewing with the current provider with a premium of \$5,944, an increase of \$32 due to an increase in insured values. There are no significant changes to the policy.
- General Liability – The current provider is Indian Harbor Insurance Company (XL Catlin). Alliant recommends renewing with Indian Harbor/XL Catlin Insurance for the general liability insurance with a premium of \$90,698, a decrease of \$690 from the previous year. This policy continues to exclude claims arising out of train and bus operations, but VCTC is covered through SCRRRA for Metrolink and through MV and Roadrunner for bus operations. There are no significant changes to the policy.
- Excess Liability – The current provider is Indian Harbor Insurance Company (XL Catlin) Arch Specialty Company. Alliant recommends renewing with Indian Harbor/SI Catlin and Arch Specialty Insurance for excess liability insurance with a premium of \$58,607, an increase of \$101 from the previous year. Alliant has indicated that the excess liability market has limited capacity for VCTC's unique risk profile and VCTC is currently seen as higher risk due to multiple general liability claims and resent law suits over the last few years. There are no significant changes to the policy.
- Public Officials Liability (POL), Public Entity Liability (PEL) and Employment Practices Liability (EPL) – The current policy is with Allied World Surplus Lines. The underwriter of Allied World Surplus Lines recently moved their program to Indian Harbor Insurance Company. Therefore, Alliant is recommending a change to Indian Harbor Insurance Company with a premium of \$75,880, the same costs as last year. There are no significant changes to the policy.
- Crime – The current policy is with National Union Fire Insurance Company. Alliant recommends renewing with National with a premium of \$3,820, a decrease of \$53. There are no significant changes to the policy.

The overall premium decrease for the five insurances presented above is \$610 for a total of \$234,950. Mr. Seth Cole from Alliant Insurance Services, Inc. will be attending the meeting to answer questions as needed.



Item #8G

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: SALLY DEGEORGE, FINANCE DIRECTOR
SUBJECT: INSURANCE BROKERAGE SERVICE AGREEMENT

RECOMMENDATION:

- Authorize the Executive Director to enter into an agreement for Insurance Brokerage Services with Alliant Insurance Services, Inc.

BACKGROUND:

In 2012, VCTC entered into a five year contract (expires in November 2017) with Alliant Insurance Services, Inc. to act as VCTC 's insurance broker for property, liability, crime, public entity errors and omissions/employment practices liability insurances. While VCTC was satisfied with the services provided by Alliant, staff felt it prudent to issue a Request for Proposals (RFP) to compare and evaluate the insurance brokerage services available along with associated costs.

In July 2017 the Commission authorized staff to issue a Request for Proposals (RFP) for insurance brokerage services. The RFP was distributed to fifteen brokerage/insurance firms throughout the State as well as posted on the Ventura County Transportation Commission website. Proposals were due the end of August 2017.

DISCUSSION:

By the proposal deadline, only one proposal was received in response the Request for Proposals for Insurance Brokerage Services. The proposal received was from the Commission's current broker, Alliant Insurance Services, Inc., who has worked well with VCTC.

Given the broad nature of VCTC's insurance needs, a low response rate was anticipated. The previous RFP process only yielded 2 qualified proposals. VCTC's specialized needs include rail and specialized knowledge which only a few insurance brokers can offer. Insurance brokers are becoming more selective in responding to RFP's. Since the contract fees earned on VCTC's insurance coverage is small, VCTC may be less attractive to providers.

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Staff, prompted by the low response, explored alternatives to brokers and contacted three insurance authorities/pools: California Joint Power Insurance Authority, California Transit Indemnity Pool and Special District Risk Management Authority. These agencies weren't viable options for VCTC at this time due to timing issues (for example, insurances must renew on July 1 and only one of VCTC's insurances renews on July 1) and the special areas of VCTC's insurance needs (for example, rail lines, rail station, etc.). Some of these agencies actually suggested VCTC contract Alliant for insurance coverage.

Alliant continues to be a leading public entity broker (ranked 12th largest insurance brokerage firm in the U.S.) and is well known for its public sector and transit work not only in California but across the Country. Alliant has experience with such transit agencies as San Diego Association of Governments and San Francisco County Transportation Authority, SF Muni and Riverside Transit as well as working directly or indirectly through pools with many local jurisdictions. VCTC has been happy with the work provided by Alliant and specifically Seth Cole, Senior Vice President and Team Lead for the last five years.

Alliant again proposed a commission based compensation fee paid by the insurance company who covers VCTC. This compensation schedule worked well for VCTC the last five years. The old commission fee ranged from a minimum fee of \$14,000 to a maximum fee of \$18,000. When commissions exceed the maximum, Alliant refunded the difference and overall insurance expense was decreased. The proposed commission fee range includes a slight increase of \$2,000 per year for a new range of \$16,000 to \$20,000. These fees are within the estimated budget for the work required. General Counsel has reviewed the agreement (attached) and the term is for three years with two one-year option extensions. Staff therefore recommends that the Commission authorize the Executive Director to enter into an agreement for insurance Brokerage services with Alliant Insurance Services, Inc.



Item # 8H

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: AARON BONFILIO, PROGRAM MANAGER – TRANSIT SERVICES
SUBJECT: VALLEY EXPRESS BUDGET AMENDMENT

RECOMMENDATION:

- Approve amendment to the Valley Express program budget by: adding a revenues line-item, *Proposition 1B Carryover*, in the amount of \$220,000; and increasing the expenditures line-item of *Bus Purchase/Farebox Capital Equipment* by an equal amount of \$220,000.

BACKGROUND & DISCUSSION:

At the June 2017 Commission meeting the Commission approved the Fiscal Year 2017/2018 VCTC budget, which included the Valley Express transit program budget. At that time, the existing Fiscal Year 2016/2017 budget for the Valley Express included costs related to an ongoing capital project for farebox equipment. Specifically, the Valley Express Fiscal Year 2016/2017 budget included \$220,000 Proposition 1B funding for purchase and deployment of farebox card-readers capable of accepting the countywide fare VCTC media (currently accepted by VCTC, Gold Coast Transit District, Simi Valley Transit, and Thousand Oaks Transit). The recommended budget amendment carries over and amends into the current year budget the \$220,000 Proposition 1B funding from Fiscal Year 2016/2017, and updates the Revenues and Expenditures line-items accordingly. Staff anticipates that the project will be completed over the next few months.

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Item # 81

November 3 , 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR
SUBJECT: AGREEMENT WITH WILSON & COMPANY FOR BRIDGE INSPECTION

RECOMMENDATION:

- Approve an agreement with Wilson & Company not to exceed \$40,000 for engineering services to perform annual bridge inspections on the Santa Paula Branch Line as required by 49 CFR Part 237, Bridge Safety Standards.

BACKGROUND:

In July of 2010 the Federal Railroad Administration (FRA) enacted Title 49, Code of Federal Regulations (CFR) Part 237, and Bridge Safety Standards which mandated that owners of railroads develop and adopt a Bridge Management Plan (BMP). As part of the BMP, bridges must be inspected annually for safety and engineering deficiencies. As owners of the Santa Paula Branch Line (SPBL) the VCTC must comply with the federally mandated 49CFR part 237 on the prescribed schedule.

DISCUSSION:

This is an annual inspection and funding for this activity was anticipated in the adopted VCTC Fiscal Year 2017/2018 SPBL Budget and is required by 49CFR part 237, Bridge Safety Standards. Wilson & Company is VCTC's consulting rail engineer and has performed the annual bridge inspection for the past two years. Staff therefore recommends the Commission approve the agreement shown in Attachment 1 to this item below, with Wilson & Company not to exceed \$40,000 to perform the annual bridge inspections.

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Attachment 1

AGREEMENT BETWEEN THE VENTURA COUNTY TRANSPORTATION COMMISSION WILSON & COMPANY FOR ANNUAL BRIDGE INSPECTIONS

This is Agreement by and between the Ventura County Transportation Commission, hereinafter referred to as VCTC, and Wilson & Company hereinafter referred to as CONTRACTOR, to provide engineering services to perform rail bridge inspections on the Santa Paula branch Line as outlined in the Wilson & Company proposal dated October 10, 2017..

VCTC and CONTRACTOR agree as follows:

1. STATEMENT OF AGREEMENT

VCTC hereby engages CONTRACTOR, and CONTRACTOR hereby accepts such engagement, to provide engineering services to perform annual bridge inspections to comply with 49 CFR, Part 237, Bridge Safety Standards, on the VCTC owned, Santa Paula Branch Line (SPBL). Contractor shall perform those services on the terms and conditions herein described, and as set forth in Attachment 1 Scope of Work, to this Agreement. CONTRACTOR hereby affirms that it has the professional qualifications, experience and facilities to properly perform said services and hereby agrees to undertake and complete the performance thereof.

2. DESCRIPTION OF SERVICES

The services to be performed by CONTRACTOR are those set forth in Attachment 1 Scope of Work and further clarified in Attachment 2, Project Proposal dated October 10, 2017 of this Agreement. In the event of a conflict between any specific provision of this Agreement and any provision of Attachment 1 or Attachment 2, the provisions of this Agreement shall prevail. In the event of any conflict between any provisions of Attachment 1 and Attachment 2, the provisions of Attachment 1 shall prevail over conflicting provisions of Attachment 2. All work by the CONTRACTOR shall be performed in a good and workmanlike manner.

3. COMPENSATION

3.1 - The total compensation payable by VCTC to CONTRACTOR for the above stated services is not to exceed \$40,000.00 for the one-time engagement. The VCTC shall not be obligated to pay CONTRACTOR for costs incurred in excess of this amount unless received in writing and agreed to by VCTC prior to the commencement of the work.

3.2 - CONTRACTOR will invoice VCTC by completed task deliverables in accordance with the amended price proposal in Attachment 2 to this agreement. VCTC will pay CONTRACTOR within thirty (30) days of approved receipt of invoice. Each invoice shall be supported by an itemized statement of costs as specified in Contractor's Proposal and claimed to have been incurred by CONTRACTOR and its subcontractors in the performance of the Agreement during the period covered by each invoice. Costs in excess of those specified in the Contractor's Proposal in Attachment 2 shall not be eligible for reimbursement.

4. PROGRESS AND COMPLETION

CONTRACTOR shall commence work on the services to be performed upon full execution of this Agreement and shall consider full execution of this Agreement as Notice to Proceed. All services shall be completed in accordance with the Contractor's schedule, adjusted for start date, contained Attachment 2 to this Agreement. Deviations from the schedule shall be approved by VCTC and all work under this agreement is to be completed within eighteen months of the commencement date.

5. ASSIGNMENT AND SUBCONTRACTING

5.1 - This Agreement is for professional services and CONTRACTOR may not assign its rights under this Agreement nor delegate the performance of its duties without the VCTC's prior written consent.

5.2 - CONTRACTOR shall complete all work under this Agreement and as set forth in Attachment 1. Contractor may assign duties to another contractor or to any subcontractor only upon prior written consent of the VCTC. Any assignment or delegation without VCTC's prior written consent shall be void.

6. RELATIONSHIP OF THE PARTIES

CONTRACTOR is, and at all times retains the status of, an independent contractor and shall represent the will of VCTC only as to the results of the subject matter of this Agreement, and not as to the manner in which the services herein are performed, except as provided in Attachment 1. CONTRACTOR shall have complete control and responsibility over the details and performance of the services herein required to complete the Agreement, and in no event shall CONTRACTOR be considered an officer, agent, servant or employee of VCTC.

7. KEY PERSONNEL

Mr. Andrew Leifheit, Principal-in-Charge, and Mr. Todd Kelly, Project Manager are considered essential to the work being performed under this Agreement; substitution for these individuals will not be made without the prior written consent of the VCTC.

8. INSURANCE

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis for bodily injury and property damage, including products-completed operations, personal injury and advertising injury, with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than \$1,000,000 per accident for bodily injury and property damage.
3. Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease. (Not required if consultant provides written verification it has no employees)
4. Professional Liability (Errors and Omissions) Insurance appropriate to the Consultant's profession, with limit no less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate.

If the Consultant maintains higher limits than the minimums shown above, the VCTC requires and shall be entitled to coverage for the higher limits maintained by the contractor.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

The VCTC, its officers, officials, employees, and volunteers are to be covered as additional insureds on the auto policy with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Consultant's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).

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Primary Coverage

For any claims related to this contract, the Consultant's insurance coverage shall be primary insurance as respects the VCTC, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the VCTC, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

Notice of Cancellation

Coverage shall not be canceled, except with 30 days' notice to the VCTC.

Waiver of Subrogation

Consultant hereby grants to VCTC a waiver of any right to subrogation which any insurer of said Consultant may acquire against the VCTC by virtue of the payment of any loss under such insurance. Consultant agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the VCTC has received a waiver of subrogation endorsement from the insurer.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise accepted in writing by VCTC.

Claims Made Policies

If any of the required policies provide coverage on a claims-made basis:

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.
2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.
3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.

Verification of Coverage

Consultant shall furnish the VCTC with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the VCTC before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. The VCTC reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors

Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein.

Special Risks or Circumstances

VCTC reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Deductibles and Self-Insured Retentions

Consultant shall disclose to and obtain the approval of VCTC for any self-insured retention and/or deductible of all insurance policies required by this Agreement before beginning any of the services or work called for by any term of this Agreement/approval of this agreement by VCTC. The VCTC may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. Further, if any insurance policy required by this Agreement includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

9. PERMITS

CONTRACTOR shall, at CONTRACTOR's expense, obtain all necessary permits and licenses necessary to perform and complete the work under this Agreement, give all notices, and pay all fees and taxes required by law. Any permits required from VCTC shall be granted to CONTRACTOR at no cost.

10. INDEMNIFICATION

Notwithstanding the existence of insurance coverage required of CONTRACTOR pursuant to this Agreement, CONTRACTOR shall save, keep, indemnify, hold harmless VCTC and its appointed and elected officials, officers, employees and agents, from every claim or demand made and every liability, loss damage or expense of any nature whatsoever and all costs or expenses incurred in connection therewith, which arise at any time, by reason of damage to the property of, or personal injury to, any person, occurring or arising out of the performance of CONTRACTOR, its officers, agents or employees, including but not limited to, its subcontractors, of the work required pursuant to this agreement, negligent or wrongful act or omission by CONTRACTOR including any such liability imposed by reason of any infringement or alleged infringement of rights or any person or persons, firm or corporation, in consequence of the use in the performance of CONTRACTOR of the work hereunder of any article or material supplied installed pursuant to this agreement. CONTRACTOR shall not be liable for claims, losses, damages or expenses caused by the willful misconduct or gross negligence of the VCTC. ,

11. NON-DISCRIMINATION

CONTRACTOR shall not discriminate in the hiring of employees or in the employment of subcontractors on the basis of sex, race, religion, age, natural origin, handicap, or any other basis prohibited by law. CONTRACTOR shall comply with the provisions of the Fair Employment and Housing Act and applicable laws promulgated thereunder.

12. RECORDS AND AUDITS

The CONTRACTOR's accounting systems shall conform to generally accepted accounting principles (GAAP), enable the determination of costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers, except for the audit working papers, of CONTRACTOR connected with performance under this Agreement shall be maintained for a minimum of three years from the date of final payment to CONTRACTOR and shall be held open to inspection and audit by representatives of the State Auditor General.

13. ATTORNEY'S FEES

In the event an action is filed by either party to enforce rights under this Agreement, the prevailing party shall be entitled to recover a reasonable attorney's fee in addition to any relief granted by the court.

14. TERMINATION BY VCTC

This Agreement may be terminated by the VCTC at any time upon thirty (30) days written notice. In full discharge of any obligation to CONTRACTOR in respect of this Agreement and such termination, the VCTC shall pay for the costs and noncancelable commitments incurred prior to the date of notice of termination and fair closeout costs in accordance with Article 4. CONTRACTOR shall take all reasonable steps to minimize termination costs. In no event, however, shall the VCTC be obligated to pay CONTRACTOR any amount in excess of the total funds committed by the VCTC up to the time of termination to support the work.

15. NOTICES

15.1 - All notices to the VCTC under this Agreement shall be in writing and sent to:

Mr. Steve DeGeorge, Director of Planning
Ventura County Transportation Commission
950 County Square Drive, Suite 207
Ventura, CA 93003

15.2 - All notices to CONTRACTOR under this Agreement shall be in writing and sent to:

Mr. Andrew Leifheit, PE
Wilson & Company
1675 Broadway, Suite 200
Denver, CO 80202

16. ENTIRE AGREEMENT, MODIFICATION, AND EFFECTIVE DATE

16.1 - This Agreement constitutes the entire Agreement between the parties and supersedes all previous agreements and understandings related to this work. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by a party, or anyone acting on behalf of any party, which are not embodied herein, and that any other agreement, statement or promise not contained in the Agreement shall not be valid or binding.

16.2 - This Agreement may not be altered, amended, or modified except by a written instrument signed by the duly authorized representative of both parties.

16.3 - This Agreement shall be effective as of the issuance of a Notice to Proceed from the VCTC to CONTRACTOR.

17. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of California. This Agreement is executed and to be performed in the County of Ventura.

18. BREACHES AND DISPUTE RESOLUTION PROCEDURE

Disputes - Disputes arising in the performance of this Contract which are not resolved by agreement of the parties shall be decided in writing by the authorized representative of VCTC. This decision shall be final and conclusive unless within [ten (10)] days from the date of receipt of its copy, the Contractor mails or otherwise furnishes a written appeal to the VCTC. In connection with any such appeal, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of its position. The decision of the VCTC shall be binding upon the Contractor and the Contractor shall abide by the decision.

Performance During Dispute - Unless otherwise directed by VCTC, Contractor shall continue performance under this Contract while matters in dispute are being resolved.

Claims for Damages - Should either party to the Contract suffer injury or damage to person or property because of any act or omission of the party or of any of his employees, agents or others for whose acts he is legally liable, a claim for damages therefor shall be made in writing to such other party within a reasonable time after the first observance of such injury of damage.

Remedies - Unless this contract provides otherwise, all claims, counterclaims, disputes and other matters in question between the VCTC and the Contractor arising out of or relating to this agreement or its breach will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction within the State of California.

Rights and Remedies - The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by the VCTC, or Contractor shall constitute a waiver of any right or duty afforded any of them under the Contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

VENTURA COUNTY TRANSPORTATION COMMISSION

Bryan MacDonald, Chair

Date

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel

Date

CONTRACTOR – Wilson & Company

Andrew Leifheit, Principal-in-Charge

Date

Attachment 1

SCOPE OF WORK

The scope of work consists of: **Task 1, Annual Bridge Inspections**

Task 1, Annual Bridge Inspection:

Task 1 consists of physical inspection of each bridge in conformance with 49 CFR 237.109 below. Deliverables include two hardcopy and one digital copy Bridge Inspection Reports as well as estimates for any required repairs or modifications. All work and documentation must be completed and submitted to VCTC by January 15, 2018.

49 CFR 237.109

- (a) Each track owner to which this part applies shall keep a record of each inspection required to be performed on those bridges under this part.
- (b) Each record of an inspection under the bridge management program prescribed in this part shall be prepared from notes taken on the day(s) the inspection is made, supplemented with sketches and photographs as needed. Such record will be dated with the date(s) the physical inspection takes place and the date the record is created, and it will be signed or otherwise certified by the person making the inspection.
- (c) Each bridge management program shall specify that every bridge inspection report shall include, as a minimum, the following information:
 - (1) A precise identification of the bridge inspected;
 - (2) The date on which the physical inspection was completed;
 - (3) The identification and written or electronic signature of the inspector;
- (4) The type of inspection performed, in conformance with the definitions of inspection types in the bridge management program;
- (5) An indication on the report as to whether any item noted thereon requires expedited or critical review by a railroad bridge engineer, and any restrictions placed at the time of the inspection;
- (6) The condition of components inspected, which may be in a condition reporting format prescribed in the bridge management program, together with any narrative descriptions necessary for the correct interpretation of the report; and
- (7) When an inspection does not encompass the entire bridge, the portions of the bridge which were inspected shall be identified in the report.
- (d) An initial report of each bridge inspection shall be placed in the location designated in the bridge management program within 30 calendar days of the completion of the inspection unless the complete inspection report is filed first. The initial report shall include the information required by paragraphs (c) (1) through (c) (5) of this section.
- (e) A complete report of each bridge inspection, including as a minimum the information required in paragraphs (c)(1) through (c)(6) of this section, shall be placed in the location designated in the bridge management program within 120 calendar days of the completion of the inspection.
- (f) Each bridge inspection program shall specify the retention period and location for bridge inspection records. The retention period shall be no less than two years following the completion of the inspection. Records of underwater inspections shall be retained until the completion and review of the next underwater inspection of the bridge.
- (g) If a bridge inspector, supervisor, or engineer discovers a deficient condition on a bridge that affects the immediate safety of train operations, that person shall report the condition as promptly as possible to the person who controls the operation of trains on the bridge in order to protect the safety of train operations.

Attachment 2

Wilson & Company Proposal



Alaska
Arizona
California
Colorado
Florida
Illinois
Kansas
Louisiana
Minnesota
Missouri
Nebraska
New Mexico
Oklahoma
Texas
Utah

October 10, 2017

Steve DeGeorge
Ventura County Transportation Commission
950 County Square Drive, Suite 207
Ventura, California 93003

Subject: Ventura County Transportation Commission (VCTC) – Santa Paula Branch Line Bridge Inspections

Dear Mr. DeGeorge:

It has been a pleasure working with you and the VCTC team over the last several years and thank you for your continued interest in having Wilson & Company provide bridge inspection services for the Santa Paula Branch Line (SPBL). We remain committed to providing you with the best possible service.

To ensure quality and efficiency, Wilson & Company is providing a team that is very experienced in railroad bridge inspection with members have previously participated in SPBL inspections. Our inspection teams perform hundreds of bridge inspections annually for several repeat clients including VCTC, TASI (Caltrain), New Mexico Rail Runner, and the Colorado Springs Utilities. Our previous experience on the SPBL structures along with experience on similar railroads has allowed our inspection team to become very knowledgeable and efficient. Our team is well versed in both AREMA and FRA 49 CFR Part 237 Bridge Safety Standards inspection, and trained annually in Road Worker On Track Safety per 49 CFR part 214. In addition, our bridge inspectors receive annual training on fall protection, rescue techniques, and climbing inspections. Personnel to be utilized include:

Principal-in-Charge: Andrew Leifheit, PE (CA)

Mr. Leifheit is an experienced civil and structural engineer who is dedicated to serving the rail industry. He has over 19 years of technical training in bridge engineering and is a licensed civil engineer in California, and a licensed structural engineer in Alaska and Illinois. As the project principal-in-charge, Andrew will ensure that the project team is meeting or exceeding the schedule and quality standards.

Team Leader: Todd Kelley, PE (CA)

Mr. Kelley is a licensed professional engineer in the state of California, has over nine years of bridge design experience and has been performing bridge inspections and ratings since 2011. He was the Lead inspector for the 2015 & 2016 Santa Paula Branch Line structure inspections, Lead Inspector for the 2015 & 2016 TASI structure inspection, and was the lead inspector on the 2015 and 2016 NMDOT Rail Runner bridge inspections (100 structures). Mr. Kelley has completed the AREMA bridge inspection training seminar. Mr. Kelley has also completed both the 10 day NHI course: *Safety Inspection of In-Service Bridges* and the 4 day NHI course: *Fracture Critical Inspection Techniques for Steel Bridges*.

Wilson & Company, Inc., Engineers & Architects





Inspector: Conner Doolan, EIT

Mr. Doolan performed inspections and reporting on the SPBL in 2015 and 2016. He has four years of experience in railroad bridge design, inspection, and construction observation. Conner is an experience inspector, focused on accuracy and quality.

Inspector: Audrey Moentmann, EIT

Ms. Moentmann is a very detailed oriented structural engineer, graduating from Southern Methodist University in May of 2017. She is currently completing her Masters, Structural Engineering, which will be complete in December of 2017. Ms. Moentmann is fully trained in railroad safety and is a great asset to the team.

The VCTC scope of work includes the inspection and reporting on a total of 37 structures. The breakdown of structures is as follows:

- (22) Timber Trestle Bridges
- (2) Steel Deck Plate Girder Bridges
- (2) Steel Thru Plate Girder Bridges
- (1) Steel Thru Plate Girder / (1) Steel Thru Truss Bridge
- (1) Steel Thru Truss Bridge
- (3) Steel Stringer/Steel I-beam Bridges
- (4) Concrete Box Girder Bridges
- (2) Concrete Box Culverts

The level of effort for this inspection is a visual check of the current condition of each structure and any deficiencies evident will be documented and accompanied by a photo. Comments from previous year's inspections will be removed and the results of the inspections will be recorded in standard inspection forms, provided by VCTC, and sealed by a CA PE. The multi-year recommended maintenance and repairs list will be reviewed and updated, along with estimated costs.

Our price, including labor and expenses, is a cost plus maximum (not to exceed) proposal for field inspection, condition rating, completion of the inspection forms, and maintenance and repair report. We will utilize a crew of three inspectors to complete all of the work. One of the crew will exclusively act as the EIC and lookout for on track protection. The personnel performing the inspections will be consistently maintained throughout the project. We anticipate the field inspection to take approximately 5 days. Compilation of complete sets of final signed inspection reports and review of the inspection forms/maintenance repair report will require additional 15 days.

Our estimated cost for this work is as follows:

1. Inspection & Reporting
 - **ESTIMATED NOT TO EXCEED COST - \$38,900.00**



ASSUMPTIONS:

1. Includes time and fees for RWP training to be provided by Railroad operator.
2. Inspection team is not responsible for securing access to structures, and security, if required for access (homeless encampments or other) will be provided by others.
3. Rates do not include snoopers, man lifts, or climbing.
4. If track windows are limited due to rail operations reducing access, or inspection team is delayed due to situations beyond the control of the inspection team increasing inspection times, the additional days required for inspection will be on a time and material basis.

If you have any further questions or comments, please contact me at your earliest convenience. I may be reached at (303) 501-1216, or at andrew.leifheit@wilsonco.com.

We appreciate the opportunity to work with the Ventura County Transportation Commission.

Wilson & Company, Inc., Engineers & Architects,

A handwritten signature in black ink, appearing to read 'Andrew'.

Andrew Leifheit, PE
Associate Vice President



Item # 8J

November 3 , 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE DEGEORGE, PLANNING & TECHNOLOGY DIRECTOR
SUBJECT: AGREEMENT WITH INNOVATIVE TDM SOLUTIONS

RECOMMENDATION:

- Approve a sole source agreement with Innovative TDM Solutions not to exceed \$53,100 for database management related to VCTC's Commuter Assistance Program.

BACKGROUND:

In September of 2017 VCTC's long time manager of Transportation Demand Management (TDM) Programs retired creating an opportunity to reevaluate the functions of that position and look for opportunities to maximize the role of that staff position. The Executive Director and senior staff evaluated the functions that intersected with the Ventura County Air Pollution Control District (APCD) and believed that much of the work centered around Rule 211 surveys, which form the basis of the Rideshare and Guaranteed Ride Home databases, would be more efficiently handled by a contractor as is the case in other counties.

The three county Rideshare Partnership, Los Angeles, Orange and Ventura, already contract with a firm, Innovative TDM Solutions (ITS), to do overall database management. Each county shares the common costs of managing the database and each county has a different level of service through ITS. The fact that ITS was already familiar with the database and entrenched in this work with the partner agencies made them an ideal candidate to assume VCTC's rideshare data management needs. Prior to initiating an agreement with ITS, staff sought approval through Caltrans, the managing agency for the Congestion Mitigation and Air Quality (CMAQ) program, through which rideshare is funded. Caltrans concurred that this service was appropriate and that a sole source procurement was justified.

DISCUSSION:

Staff is recommending that the Commission enter into a sole source agreement with ITS not to exceed \$53,100, as shown in Attachment 1 below, for the remainder of Fiscal year 2017/2018 with an option for an additional year of service should the service meet VCTC and APCD's requirements. There is sufficient funding within the adopted Fiscal Year 2017/2018 Rideshare Programs Task Budget for this activity. As a reminder, A sole source contract requires 2/3 of the members of the Commission to approve it.

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Attachment 1

AGREEMENT BETWEEN THE VENTURA COUNTY TRANSPORTATION COMMISSION AND INNOVATIVE TDM SOLUTIONS FOR DATABASE MANAGEMENT SERVICES

This is Agreement by and between the Ventura County Transportation Commission, hereinafter referred to as VCTC, and Innovative TDM Solutions hereinafter referred to as CONTRACTOR, to provide database management services as outlined in their proposal dated September 15, 2017.

VCTC and CONTRACTOR agree as follows:

1. STATEMENT OF AGREEMENT

VCTC hereby engages CONTRACTOR, and CONTRACTOR hereby accepts such engagement, to provide database management services. Contractor shall perform those services on the terms and conditions herein described, and as set forth in Attachment 1 Scope of Work, to this Agreement. CONTRACTOR hereby affirms that it has the professional qualifications, experience and facilities to properly perform said services and hereby agrees to undertake and complete the performance thereof.

2. DESCRIPTION OF SERVICES

The services to be performed by CONTRACTOR are those set forth in Attachment 1 Scope of Work and further clarified in Attachment 2, Proposal dated September 15, 2017 of this Agreement. In the event of a conflict between any specific provision of this Agreement and any provision of Attachment 1 or Attachment 2, the provisions of this Agreement shall prevail. In the event of any conflict between any provisions of Attachment 1 and Attachment 2, the provisions of Attachment 1 shall prevail over conflicting provisions of Attachment 2. All work by the CONTRACTOR shall be performed in a good and workmanlike manner.

3. COMPENSATION

3.1 - The total compensation payable by VCTC to CONTRACTOR for the above stated services is not to exceed \$53,100.00 for the period beginning November 1, 21017 and concluding June 30, 2018 with an option for an additional year of service not to exceed \$63,500.00. The VCTC shall not be obligated to pay CONTRACTOR for costs incurred in excess of this amount unless received in writing and agreed to by VCTC prior to the commencement of the work.

3.2 - CONTRACTOR will invoice VCTC by completed task deliverables in accordance with the amended price proposal in Attachment 2 to this agreement. VCTC will pay CONTRACTOR within thirty (30) days of approved receipt of invoice. Each invoice shall be supported by an itemized statement of costs as specified in Contractor's Proposal and claimed to have been incurred by CONTRACTOR and its subcontractors in the performance of the Agreement during the period covered by each invoice. Costs in excess of those specified in the Contractor's Proposal in Attachment 2 shall not be eligible for reimbursement.

4. PROGRESS AND COMPLETION

CONTRACTOR shall commence work on the services to be performed upon full execution of this Agreement and shall consider full execution of this Agreement as Notice to Proceed. All services shall be completed in accordance with the Contractor's schedule, adjusted for start date, contained Attachment 2 to this Agreement. Deviations from the schedule shall be approved by VCTC and all work under this agreement is to be completed within eighteen months of the commencement date.

5. ASSIGNMENT AND SUBCONTRACTING

5.1 - This Agreement is for professional services and CONTRACTOR may not assign its rights under this Agreement nor delegate the performance of its duties without the VCTC's prior written consent.

5.2 - CONTRACTOR shall complete all work under this Agreement and as set forth in Attachment 1. Contractor may assign duties to another contractor or to any subcontractor only upon prior written consent of the VCTC. Any assignment or delegation without VCTC's prior written consent shall be void.

6. RELATIONSHIP OF THE PARTIES

CONTRACTOR is, and at all times retains the status of, an independent contractor and shall represent the will of VCTC only as to the results of the subject matter of this Agreement, and not as to the manner in which the services herein are performed, except as provided in Attachment 1. CONTRACTOR shall have complete control and responsibility over the details and performance of the services herein required to complete the Agreement, and in no event shall CONTRACTOR be considered an officer, agent, servant or employee of VCTC.

7. KEY PERSONNEL

Mr. Bill McCaughey, project Manager is considered essential to the work being performed under this Agreement; substitution for this individual will not be made without the prior written consent of the VCTC.

8. INSURANCE

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis for bodily injury and property damage, including products-completed operations, personal injury and advertising injury, with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

Automobile Liability: Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than \$1,000,000 per accident for bodily injury and property damage.

Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease. (Not required if consultant provides written verification it has no employees)

Professional Liability (Errors and Omissions) Insurance appropriate to the Consultant's profession, with limit no less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate.

If the Consultant maintains higher limits than the minimums shown above, the VCTC requires and shall be entitled to coverage for the higher limits maintained by the contractor.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

The VCTC, its officers, officials, employees, and volunteers are to be covered as additional insureds on the auto policy with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant; and on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Consultant including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Consultant's insurance (at least as broad as ISO Form CG 20 10, 11 85 or both CG 20 10 and CG 23 37 forms if later revisions used).

Primary Coverage

For any claims related to this contract, the Consultant's insurance coverage shall be primary insurance as respects the VCTC, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the VCTC, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

Notice of Cancellation

Coverage shall not be canceled, except with 30 days' notice to the VCTC.

Waiver of Subrogation

Consultant hereby grants to VCTC a waiver of any right to subrogation which any insurer of said Consultant may acquire against the VCTC by virtue of the payment of any loss under such insurance. Consultant agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the VCTC has received a waiver of subrogation endorsement from the insurer.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII, unless otherwise accepted in writing by VCTC.

Claims Made Policies

If any of the required policies provide coverage on a claims-made basis:

The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.

Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.

If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.

Verification of Coverage

Consultant shall furnish the VCTC with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the VCTC before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. The VCTC reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Subcontractors

Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein.

Special Risks or Circumstances

VCTC reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Deductibles and Self-Insured Retentions

Consultant shall disclose to and obtain the approval of VCTC for any self-insured retention and/or deductible of all insurance policies required by this Agreement before beginning any of the services or work called for by any term of this Agreement/approval of this agreement by VCTC. The VCTC may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. Further, if any insurance policy required by this Agreement includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by this agreement so as to not prevent any of the parties to this agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

9. PERMITS

CONTRACTOR shall, at CONTRACTOR's expense, obtain all necessary permits and licenses necessary to perform and complete the work under this Agreement, give all notices, and pay all fees and taxes required by law. Any permits required from VCTC shall be granted to CONTRACTOR at no cost.

10. INDEMNIFICATION

Notwithstanding the existence of insurance coverage required of CONTRACTOR pursuant to this Agreement, CONTRACTOR shall save, keep, indemnify, hold harmless VCTC and its appointed and elected officials, officers, employees and agents, from every claim or demand made and every liability, loss damage or expense of any nature whatsoever and all costs or expenses incurred in connection therewith, which arise at any time, by reason of damage to the property of, or personal injury to, any person, occurring or arising out of the performance of CONTRACTOR, its officers, agents or employees, including but not limited to, its subcontractors, of the work required pursuant to this agreement, negligent or wrongful act or omission by CONTRACTOR including any such liability imposed by reason of any infringement or alleged infringement of rights or any person or persons, firm or corporation, in consequence of the use in the performance of CONTRACTOR of the work hereunder of any article or material supplied installed pursuant to this agreement. CONTRACTOR shall not be liable for claims, losses, damages or expenses caused by the willful misconduct or gross negligence of the VCTC. ,

11. NON-DISCRIMINATION

CONTRACTOR shall not discriminate in the hiring of employees or in the employment of subcontractors on the basis of sex, race, religion, age, natural origin, handicap, or any other basis prohibited by law. CONTRACTOR shall comply with the provisions of the Fair Employment and Housing Act and applicable laws promulgated thereunder.

12. RECORDS AND AUDITS

The CONTRACTOR's accounting systems shall conform to generally accepted accounting principles (GAAP), enable the determination of costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers, except for the audit working papers, of CONTRACTOR connected with performance under this Agreement shall be maintained for a minimum of three years from the date of final payment to

CONTRACTOR and shall be held open to inspection and audit by representatives of the State Auditor General.

13. ATTORNEY'S FEES

In the event an action is filed by either party to enforce rights under this Agreement, the prevailing party shall be entitled to recover a reasonable attorney's fee in addition to any relief granted by the court.

14. TERMINATION BY VCTC

This Agreement may be terminated by the VCTC at any time upon thirty (30) days written notice. In full discharge of any obligation to CONTRACTOR in respect of this Agreement and such termination, the VCTC shall pay for the costs and noncancelable commitments incurred prior to the date of notice of termination and fair closeout costs in accordance with Article 4. CONTRACTOR shall take all reasonable steps to minimize termination costs. In no event, however, shall the VCTC be obligated to pay CONTRACTOR any amount in excess of the total funds committed by the VCTC up to the time of termination to support the work.

15. NOTICES

15.1 - All notices to the VCTC under this Agreement shall be in writing and sent to:

Mr. Steve DeGeorge, Director of Planning
Ventura County Transportation Commission
950 County Square Drive, Suite 207
Ventura, CA 93003

15.2 - All notices to CONTRACTOR under this Agreement shall be in writing and sent to:

Mr. Bill McCaughey, Project Manager
Innovative TDM Solutions
7355 Magnolia Avenue
Riverside, CA 92504

16. ENTIRE AGREEMENT, MODIFICATION, AND EFFECTIVE DATE

16.1 - This Agreement constitutes the entire Agreement between the parties and supersedes all previous agreements and understandings related to this work. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by a party, or anyone acting on behalf of any party, which are not embodied herein, and that any other agreement, statement or promise not contained in the Agreement shall not be valid or binding.

16.2 - This Agreement may not be altered, amended, or modified except by a written instrument signed by the duly authorized representative of both parties.

16.3 - This Agreement shall be effective as of the issuance of a Notice to Proceed from the VCTC to CONTRACTOR.

17. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of California. This Agreement is executed and to be performed in the County of Ventura.

18. BREACHES AND DISPUTE RESOLUTION PROCEDURE

Disputes - Disputes arising in the performance of this Contract which are not resolved by agreement of the parties shall be decided in writing by the authorized representative of VCTC. This decision shall be final and conclusive unless within [ten (10)] days from the date of receipt of its copy, the Contractor mails or otherwise furnishes a written appeal to the VCTC. In connection with any such appeal, the Contractor shall be afforded an opportunity to be heard and to offer evidence in support of its position. The decision of the VCTC shall be binding upon the Contractor and the Contractor shall abide by the decision.

Performance During Dispute - Unless otherwise directed by VCTC, Contractor shall continue performance under this Contract while matters in dispute are being resolved.

Claims for Damages - Should either party to the Contract suffer injury or damage to person or property because of any act or omission of the party or of any of his employees, agents or others for whose acts he is legally liable, a claim for damages therefor shall be made in writing to such other party within a reasonable time after the first observance of such injury of damage.

Remedies - Unless this contract provides otherwise, all claims, counterclaims, disputes and other matters in question between the VCTC and the Contractor arising out of or relating to this agreement or its breach will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction within the State of California.

Rights and Remedies - The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by the VCTC, or Contractor shall constitute a waiver of any right or duty afforded any of them under the Contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach thereunder, except as may be specifically agreed in writing.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

VENTURA COUNTY TRANSPORTATION COMMISSION

Bryan MacDonald, Chair

Date

APPROVED AS TO FORM:

Steven T. Mattas, General Counsel

Date

CONTRACTOR – Wilson & Company

Bill McCaughey, Project Manager

Date

Attachment 1

SCOPE OF WORK

The Scope of Work of work for Innovative TDM Solutions (ITS) shall include but not be limited to the following:

Average Vehicle Ridership (AVR) Survey Services

ITS will assist all employers in overseeing the survey collection process through to completion. Employers will email their processing form along with paper surveys to ITS. ITS will send paper surveys to Digital Archive Technology (our existing keypunch vendor), who will return a data file for import into the survey software. E-Survey clients will need to submit their processing form only. ITS will produce AVR reports and forward them to VCAPCD.

- Conduct a survey briefing with each survey client prior to survey distribution
- Hardcopy paper survey for distribution in English and Spanish
- Sample paper survey cover memo in English and Spanish
- Rule 211 Survey Instructions, customized for VCTC
- VCTC e-survey instructions along with an overview of TripSpark AVR/Ridematching Survey Software
- Sample online AVR/Ridematching survey cover memo
- Sample paper Rideguide
- Sample eRideGuide Template
- VCTC AVR survey processing form
- Guaranteed Ride Home Program (GRH) information
- ESurvey set-up form,

RideMatching

Upon completion of AVR reports, ITS will export AVR data to the ridematching database where all commuter records are geocoded for ridematching and reporting. RideGuides (matchlists) will be produced for employees who requested one during the survey process. Employees who requested a RideGuide and provided an email address on their commuter survey will receive their matchlist electronically, and those who did not will receive a paper RideGuide. Paper RideGuides will be mailed to the ETC for distribution to their employees.

Post Survey Analysis Reports

ITS will produce a Survey Analysis Report for each worksite surveyed along with a list of employees who filled out a survey, including each employee's home city, zip code, commute mode and commute distance. These reports can be used by ETCs to obtain an overview of the survey population and for targeted rideshare formation marketing. The analysis report will contain the following:

- Summary of all commute modes indicated by employees on commuter survey
- Travel distance reports
- Summary of transportation modes for employees who currently rideshare

Breakdown of Tasks and Responsibilities

A more detailed breakdown of the tasks associated with our proposed scope of work is provided in the table below. In addition, we have provided a breakdown of which staff will play a lead role per task, which staff will play a support role per task, and which staff will serve as back-up, should lead/support staff be out sick, on vacation or on leave. We believe this will provide the assurances to VCTC that ITS has the depth of staff and experience to continue to provide service without interruption regardless of the circumstances.

Breakdown of Tasks and Responsibilities				
Scope of Work Tasks/Services	Project Manager	Client Services Manager	TDM Solutions Administrator	TDM Solutions Manager
1. Conduct outreach to approximately 28 existing employer clients representing approximately 68 worksites 90 days in advance of VCAPCD plan due	L	S		BU
2. Conduct survey briefings with AVR clients based on VCAPCD plan due date.	S	L		BU
3. Manage AVR process with employer clients (paper surveys or Esurveys). Process approximately 17,000		L		BU
4. Coordinate paper survey processing for clients (keypunch).		L	BU	
5. Produce 65 AVR Reports.	S	L	BU	BU
6. Merge AVR records into ridematching database.		L	BU	BU
7. Produce approximately 3,000 RideGuides (matchlists) for employees who requested one during survey		L	BU	
8. Produce post-survey analysis report for client.	S	L		BU
9. Produce monthly activity report documenting achievements and progress of tasks.	L	S		

Key: L = Lead S = Support BU = Back-up

Attachment 2

ITS proposal (under separate cover)

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Item # 8K

November 3 , 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: AARON BONFILIO, PROGRAM MANAGER – TRANSIT SERVICES
SUBJECT: MV TRANSPORTATION CONTRACT AMENDMENT

RECOMMENDATION:

- Approve the amendment to the Agreement between VCTC and MV Transportation

BACKGROUND AND DISCUSSION:

In 2014 the Cities of Santa Paula, Fillmore and the County of Ventura entered into a cooperative agreement with the Ventura County Transportation Commission (VCTC). Per the Heritage Valley Transit Service (HVTS) Cooperative Agreement (Coop Agreement), VCTC is responsible for contracting and administering the HVTS—which operates under the name Valley Express. Per the Coop Agreement, two committees were formed that include representatives from each member-agency. A Transit Committee, made up of VCTC Commissioners which represent the Heritage Valley area (also referred to as the Heritage Valley Policy Advisory Committee or HVPAC), and a Technical Advisory Committee (HVTAC), made up of staff from each of the member-agencies as well as VCTC. Per the Coop Agreement, the HVPAC reviews and approves the annual budget and service levels, prior to the full VCTC Commission taking formal action. The HVPAC receives recommendations and technical guidance from the HVTAC. Recently, MV Transportation (the Valley Express service provider) approached VCTC regarding a proposed amendment to the transit services agreement.

In light of recent changes in State minimum wage law, the State of California Sick Leave Act, as well as implementation of a Collective Bargaining Agreement (CBA) between MV Transportation and its Santa Paula Division employees, MV has requested an increase to the fixed hourly rate of approximately \$5.10 per hour. This increase request is based on the adjustment of the minimum staffing wage rates and would directly support staff payroll expense. That is, the additional revenues requested will go directly to fund this additional payroll cost. MV's letter request is attached to this item. Per the agreement with MV, rate adjustments may be considered if/when cost increases should occur that are outside the control of the provider. In addition MV has provided VCTC backup information including "before and after" payroll register data, and bid models for staffing. Information provided by MV Transportation identified the fully-burdened employee payroll expense, specifically, as the subject line-item for the proposed rate increase(s).

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The following table reflects the proposed annual rate increases requested by MV Transportation. The budget impact for the current fiscal year is included, as well. The net change due from each member-agency is included.

Proposed Rate Modifications							
Contract Year		Current Rate		Proposed Rates		Net Change	
Mar-17	Feb-18	\$	58.96	\$	64.05	\$	5.09 8.63%
Mar-18	Feb-19	\$	59.95	\$	65.12	\$	5.17 8.62%
Mar-19	Feb-20	\$	61.16	\$	66.44	\$	5.28 8.63%
Annual Budget Impact							
Fiscal Year 2017-2018		Current Budget		Based on Proposed Rates (eff. 3/1/17)		Net Change (Budget)	
City of Fillmore		\$301,958		\$342,548		\$40,590 13.44%	
City of Santa Paula		\$687,177		\$783,559		\$96,383 14.03%	
County of Ventura		\$194,532		\$220,781		\$26,249 13.49%	
Subtotal		\$1,183,667		\$1,346,888		\$163,221 13.79%	
FTA Revenues		\$539,923		\$539,923			
Farebox Revenues (10%)		\$183,910		\$202,046			
Total		\$1,907,500		\$2,088,857			

The above budget analysis includes the following assumptions:

- 1) That the proposed retroactive rate increase (effective between March 2, 2017 and June 30, 2017) would be absorbed during Fiscal Year 2017/2018. This cost is approximately \$40,000.
- 2) That year-end costs will be in-line with the projected level of service. However, if fixed route service is reduced, or (more likely) that Dial-a-ride service demand at year-end is *less* than anticipated, there would be cost savings to each member agency. In addition, each member-agency has accrued cost-savings from the prior fiscal year.¹ Such accrued savings could presumably be amended into the current Fiscal Year, if necessary. The total cost savings related to contract services during FY16/17 were approximately \$251,000. The final amounts apportioned specifically to each member are currently being reconciled by VCTC.

STAFF REVIEW AND MEMBER-AGENCY (HVPAC) RECOMMENDATION

Staff has reviewed the request as well as the backup payroll and CBA information provided by MV Transportation. The information provided by MV has been validated by VCTC staff. Review of payroll register data demonstrated that the increased payroll expense for covered employees following ratification of the Collective Bargaining Agreement is approximately \$5.11 per hour. This was in-line with MV's request. This information was presented to the member-agencies at the September 27, 2017 HVPAC meeting. Upon their review, the HVPAC approved for recommendation the proposed contract rate adjustments, and authorized the Executive Director to negotiate the final terms and conditions of the Amendment, and authorized the full Commission to consider approval of the final negotiated Amendment at the next available Commission meeting. A budget amendment was not recommended by the HVPAC as it is anticipated that the additional contract services expense can be absorbed within the existing

¹ On an annual basis, per the existing LTF claim cycle, HVTS claimant's past year's savings do not get applied until the fiscal year after next. For example, savings from the FY15/16 were applied to the FY17/18 budget, and the FY16/17 savings would normally be applied in FY18/19.

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budget, as projected cost savings for the current fiscal year, prior to the contract amendment, are estimated to be in excess of \$210,000. Additionally as mentioned above, the member-agencies have approximately \$251,000 in residual budget savings from the year-ended June 30, 2017 which may be utilized if necessary. The total anticipated increase in contract services is approximately \$204,000.

Attachments:

Attachment A: Letter Request for Rate Adjustment

Attachment B: Amendment No. 1 to the Agreement between VCTC and MV Transportation.

Ventura County Transportation Commission, November 3, 2017

Item 8K – Attachment A

MV Letter Request for Rate Adjustment

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September 5, 2017

Mr. Aaron Bonfilio
Manager Contracted Services
Ventura County Transportation Commission

Re: Contract for Heritage Valley Express

Dear Mr. Bonfilio,

Thank you for meeting with Erin, Fadi and myself to discuss the current state of our contract and the impact of the recent changes in Labor laws.

As we discussed, the new State minimum wage law, the Local City and County Minimum Wage Acts, and laws relative to sick leave and healthcare have greatly affected MV's Heritage Valley Operating Model. These changes, listed below, presented us with many challenges in attracting, recruiting, and retaining qualified employees, and have forced us to substantially increase wages for many positions across our operation.

- In 2016, post bid submittal and contract startup, a new State minimum wage law was passed in California effectively raising the minimum wage in yearly increments to \$15.00 per hour in the upcoming years.
- The State of California also passed a new Sick Leave Act, the Healthy Workplaces & Healthy Families Act, that took effect in July of 2015, resulting in added additional costs to our employee benefits structure. This, in turn, resulted in a need for additional staffing to compensate for the labor protection rules it introduced.
- On the Federal Level, the enactment of the Affordable Care Act further impacted us on a financial level.
- It is also important to note that an ancillary – and significant – impact of the minimum wage increases relates to mechanics that provide their own tools. State Law dictates that the hourly pay rates of these employees must be double the State minimum wage. For example, a mechanic that was making \$16.00 an hour in 2013, when minimum wage was \$8.00 per hour is now being paid \$21.00

an hour (a \$5.00 per hour increase) as the minimum wage increased to \$10.50. Additionally, in January of 2018, the rate will go up to \$22 when minimum wage goes up to \$11 and in 2019 to \$24 when minimum wage goes up to \$12.

MV remains committed to an employee model. Based on the company's experience, this approach offers the best method of maintaining consistently high Key Performance Indicators (KPIs) and meeting the standards of VCTC. In keeping with this commitment to excellence, MV increased employee wages to a level above that initially proposed in our bid response

At the same time, the company will continue to do so as the minimum wage increases, ensuring we have the right resources to meet service demands and contractual requirements. MV values our partnership with VCTC and the Heritage Valley commission and we remain committed to meet or exceed all contractual KPIs, thus confirming the company maintains constant focus on the service delivered to Valley Express passengers.

In closing, asking for a rate increase is not easy for us. However, we could not foresee the changes in the laws when we bid this work. This type of rate adjustment to comply with legal requirements remains common industry practice.

We appreciate and remain grateful for your ongoing partnership in this matter.

Sincerely,



Tom Conlon
General Manager
MV transportation

Current

BASE PACKAGE SCHEDULED VEHICLE REVENUE HOURS (ANNUAL)	HOURLY RATE YEAR 1	HOURLY RATE YEAR 2	HOURLY RATE YEAR 3	HOURLY RATE YEAR 4	HOURLY RATE YEAR 5
19240 - 28860*	60.93	\$58.00	\$58.96	\$59.95	\$61.16

Proposed

BASE PACKAGE SCHEDULED VEHICLE REVENUE HOURS (ANNUAL)	HOURLY RATE YEAR 1	HOURLY RATE YEAR 2	HOURLY RATE YEAR 3	HOURLY RATE YEAR 4	HOURLY RATE YEAR 5
19240 - 28860*	60.93	\$58.00	\$64.05	\$65.12	\$66.44

Current

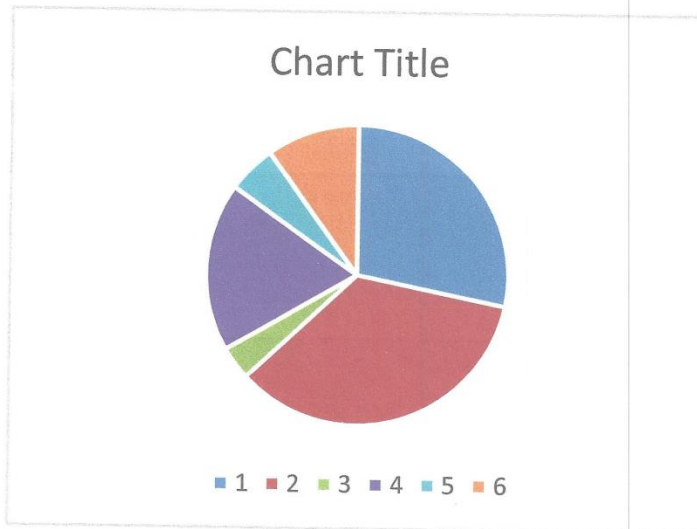
BASE PACKAGE SCHEDULED VEHICLE REVENUE HOURS (ANNUAL)	Expansion Option Exercised*	HOURLY RATE YEAR 1	HOURLY RATE YEAR 2	HOURLY RATE YEAR 3	HOURLY RATE YEAR 4	HOURLY RATE YEAR 5
28861-43860	Option A: FR*	\$52.24	\$50.28	\$51.19	\$52.12	\$53.22
28861-34860	Option B: DAR**	\$58.28	\$55.85	\$56.82	\$57.80	\$58.99
28861-49860	Option C: DAR + FR	\$51.76	\$50.10	\$50.98	\$51.96	\$53.04

Proposed

BASE PACKAGE SCHEDULED VEHICLE REVENUE HOURS (ANNUAL)	Expansion Option Exercised*	HOURLY RATE YEAR 1	HOURLY RATE YEAR 2	HOURLY RATE YEAR 3	HOURLY RATE YEAR 4	HOURLY RATE YEAR 5
28861-43860	Option A: FR*	\$52.24	\$50.28	\$55.29	\$56.29	\$57.48
28861-34860	Option B: DAR**	\$58.28	\$55.85	\$61.37	\$62.52	\$63.71
28861-49860	Option C: DAR + FR	\$51.76	\$50.10	\$55.06	\$56.12	\$57.28

Payroll Burden

1	State	6.20%
2	FICA	7.65%
3	FUTA	0.80%
4	WC INS	4%
5	Sick Leave	1.15%
6	Health & Welfare	2.20%



Contract start Date 3/2/2015
 Minimum Wage at Contract Start
 \$11.0

Increase for March 1, 2017 to Feb 28, 2018
 Current Minimum wage
 Difference

\$ 12.5
 1.50

At Time of Bid California's minimum wage was \$9/hour. The new law will increase this amount as follows for employers who employ 26 or more employees:

1. On January 1, 2017, the minimum wage will increase to \$10.50 per hour.
2. On January 1, 2018, the minimum wage will increase to \$11 per hour.
3. On January 1, 2019, the minimum wage will increase to \$12 per hour.
4. On January 1, 2020, the minimum wage will increase to \$13 per hour.
5. On January 1, 2021, the minimum wage will increase to \$14 per hour.

Revenue hours in BM

Employee Categories	Hours Incurred 3/1/2016 to 2/28/2017	Minimum Wage Increase	Employer Taxes and benefits	Total
Driver	12	1.50	22%	
Maintenance	29,021	43,532	9,577	\$3,108.43
Staff	7,367	22,101	4,862	26,963.22
	15,485	23,228	5,110	28,337.55
	51,873	86,860	19,549	108,409.20

Increase for March 1, 2018 to Feb 28, 2019
 Current Minimum wage
 Difference

\$ 13.5
 1.00

Employee Categories	Hours Incurred 3/1/2018 to 2/28/2019	Minimum Wage Increase	Employer Taxes and benefits	Total
Driver	1	1.00	0.22	
Maintenance	29,021	29,021	6,385	35,406.62
Staff	7,367	7,367	1,621	8,987.74
	15,485	15,485	3,407	18,891.70
	51,873	11,412		63,285.06

Increase for March 1, 2019 to Feb 28, 2020
 Current Minimum wage
 Difference

\$ 14.5
 1.00

Employee Categories	Hours Incurred 3/1/2019 to 2/28/2020	Minimum Wage Increase	Employer Taxes and benefits	Total
Driver	1	1.00	0.22	
Maintenance	29,021	29,021	6,385	35,406.62
Staff	7,367	7,367	1,621	8,987.74
	15,485	15,485	3,407	18,891.70
	51,873	11,412		63,285.06

Increase for March 1, 2020 to Feb 28, 2021
 Current Minimum wage
 Difference

\$ 15.5
 1.00

Employee Categories	Hours Incurred 3/1/2020 to 2/28/2021	Minimum Wage Increase	Employer Taxes and benefits	Total
Driver	1	1.00	0.22	
Maintenance	29,021	29,021	6,385	35,406.62
Staff	7,367	7,367	1,621	8,987.74
	15,485	15,485	3,407	18,891.70
	51,873	11,412		63,285.06

Summary of Increase

2017/2018	\$ 108,409.20
2018/2019	\$ 171,694.26
2019/2020	\$ 294,979.32
2020/2021	\$ 296,694.38
Total Increase over 4 option years	\$ 871,777.16

Current Rates	2017	2018	2019	2020	2021
	88.86	89.85	91.16	21,315	5.09
					8.6%

Proposed Rates

2017

2018

2019

2020

2021

Increase

2017

2018

2019

2020

2021

Wages
 Payroll Taxes
 MC Insurance
 Benefits
 5.09

2017 Year 3 rate Increase

Rev Hrs.	Current	Proposed
21315	58.96	64.05
38815	57.00	61.56
26315	58.00	62.64
38815	56.00	60.48
		\$1,365,226
		\$2,081,651
		\$1,648,372
		\$2,347,531

CONTRACT AMENDMENT NO. 1

TRANSIT SERVICES AGREEMENT BETWEEN

THE VENTURA COUNTY TRANSPORTATION COMMISSION (“VCTC”) AND

MV TRANSPORTATION

This Amendment No. 1 (“Amendment”) by and between the Ventura County Transportation Commission (“VCTC”) and MV Transportation, herein referred to as “Contractor,” is entered into as of this ____ day of _____ 2017.

WHEREAS, VCTC is party to the Heritage Valley Transit Service Cooperative Agreement, entered into between the Cities of Santa Paula, Fillmore, the County of Ventura (“Member-agencies”), and the VCTC, and is responsible for administration of the transit service; and,

WHEREAS, VCTC desired to contract out daily management, operation and maintenance functions of the Heritage Valley Transit Service, which includes, Fixed-Route, Dial-a-ride and ADA Paratransit Services for the Heritage Valley; and,

WHEREAS, on December 5, 2014, VCTC entered into a transit services agreement (“Agreement”) with Contractor in an amount not to exceed \$12,000,000; and,

WHEREAS, due to additional unanticipated increases to payroll expense for the Contractor’s employees covered by the local Collective Bargaining Agreement arising primarily from changes in state and federal law, Contractor requested that Member-agencies and VCTC consider proposed rate adjustments to the Contractor’s fixed hourly rates for compensation; and,

WHEREAS, Member-agencies recommended that VCTC approve Contractor’s proposed rate adjustments; and

WHEREAS, VCTC desires to amend the Contractor’s hourly rates for compensation; and,

WHEREAS, VCTC has appropriated through Member-agency contributions the funds to increase the compensation to Contractor in the Agreement;

NOW, THEREFORE, VCTC and Contractor hereto agree as follows:

1. Sections 8.ii, and 8.ii.a of the Agreement, are hereby amended by deleting the rates schedules contained therein and replacing the rate schedules with the amended rates schedules contained in Exhibit “A”. Lump sum payment(s) by VCTC shall be made for monies owed for services pursuant to the amended rates and the Agreement, beginning March 2, 2017 (“Year 3” of the Agreement) through the end of month for the month-ended prior to the Effective Date of this Amendment. Regular monthly invoice payments by VCTC shall be made for services in accordance with Exhibit A and the Agreement beginning the month of the Effective Date of this Amendment.

2. Except to the extent amended hereby, the Agreement remains in full force and affect.

IN WITNESS THEREOF, the parties have executed this Agreement No. 1 on the ____ day of _____ 2017.

COMMISSION:

VENTURA COUNTY
TRANSPORTATION COMMISSION

By: _____
Bryan MacDonald , Chairperson

CONTRACTOR:

MV TRANSPORTATION, INC.

By: _____
Gary Richardson, Vice President Finance

ATTEST:

Donna Cole
Clerk of the COMMISSION

APPROVED AS TO FORM:

Steven Mattas
General Counsel of the COMMISSION

APPROVED AS TO CONTENT:

Darren Kettle
Executive Director of the COMMISSION

2702596.1

Amendment No 1. to Transit Services Agreement
Between VCTC and MV Transportation

Page 2 of 3

CONTRACT AMENDMENT NO. 1
TRANSIT SERVICES AGREEMENT BETWEEN
THE VENTURA COUNTY TRANSPORTATION COMMISSION (“VCTC”) AND
MV TRANSPORTATION

EXHIBIT A
AMENDED RATES SCHEDULES

Contractor shall be reimbursed according to the following **amended** rate schedule(s):

1. **BASE PACKAGE SCHEDULE**

For Annual Vehicle Revenue Hours between 19,240 and 28,860.

BASE PACKAGE SCHEDULED VEHICLE REVENUE HOURS (ANNUAL)	HOURLY RATE YEAR 1	HOURLY RATE YEAR 2	HOURLY RATE YEAR 3	HOURLY RATE YEAR 4	HOURLY RATE YEAR 5
19240 - 28860 *	\$60.93	\$58.00	\$64.05	\$65.12	\$66.44

*= 24,050 hours +/-
20%

2. **EXPANSION OPTIONS SCHEDULE**

For Annual Vehicle Revenue Hours greater than 28,861, according to Expansion Option Exercised.

SCHEDULED VEHICLE REVENUE HOURS (ANNUAL)	Expansion Option Exercised	HOURLY RATE YEAR 1	HOURLY RATE YEAR 2	HOURLY RATE YEAR 3	HOURLY RATE YEAR 4	HOURLY RATE YEAR 5
28861 – 43860	Option A: FR*	\$52.24	\$50.28	\$55.29	\$56.29	\$57.48
28861 – 34860	Option B: DAR**	\$58.28	\$55.85	\$61.37	\$62.52	\$63.71
28861 – 49860	Option C: DAR+FR	\$51.76	\$50.10	\$55.06	\$56.12	\$57.28

*FR = Fixed Route

**DAR = Dial-a-ride

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Item #8L

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: AMERICANS WITH DISABILITIES (ADA) CERTIFICATION CONTRACT EXTENSION

RECOMMENDATION:

- Approve contract amendment (Attachment A) to exercise the option with Mobility Management Partners, Inc., (MMP) to extend the contract by one year through June 30, 2019 at a cost not to exceed \$292,288 for the extension period, as specified in the option.

BACKGROUND

In 2015 VCTC conducted a competitive procurement for ADA certification services, selecting MMP, the prior service provider, for the contract. As specified in the RFP, the contract is for a three year term ending June 30, 2018, with options for two one-year extensions.

There was an extensive discussion leading to the consultant selection, with many comments regarding suggestions for improving the eligibility process. Furthermore, the RFP called for the selected contractor to make certain changes from VCTC's previous program. At the May, 2016 meeting, staff reported to the Commission on the status of the changes, with an evaluation of the contractor's effectiveness. At that time there was general satisfaction with the progress made, particularly because the average application processing time had dropped from 52 to 11 days (March 2016). Meanwhile, the number of determinations had risen from an average of 800 per year in 2013/14 to 1,150 per year in 2015/16. In 2016/17 the number of determinations had stabilized. At the May, 2016 meeting the Commission also amended the MMP contract to increase the contract ceiling due to the greater than expected number of determinations.

DISCUSSION

Attachment B provides again the list of changes made to the ADA certification process changed from the start of the contract in July, 2015, through April, 2016. Attachment C provides a second list of changes made since May, 2016. Some of these changes were more extensive than others, and were made in cooperation with the transit operators. A particularly complex improvement was the development of a new application form which was deployed after extensive review by a number of parties. This form allows

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for up-front collection of more detailed information about applicants, so that the reviewers can determine up-front the most appropriate process for completing each evaluation, with in-person interviews required less often.

Attachments D & E provide performance statistics for the certification process. Attachment D shows that the number of online application submittals has steadily increased, although it is still a relatively small share of the applications. The statistics in Attachment E show that after the initial drop the average application processing time has remained steady or dropped slightly, with the average being 9 days for the most recent period of July / September 2017. The proportion of certifications not requiring an in-person interview has increased to 78%. The percentage of determinations by various types, including those who submit applications but then for whatever reason do not move forward with the process, has continued to fluctuate without any obvious trend for change.

Over the past year VCTC staff has received a relatively low level of complaints from ADA applicants, and the few complaints have generally had to do with the determination that was made rather than hold-ups in the process as was common in years past. There appears to be general satisfaction with the work of MMP as it has carried out this contract.

During the procurement process in 2015 the only other proposal received for a similar work scope, including in-person evaluations where appropriate, had a cost averaging \$220 per evaluation for the 2018/19 contract option. The price for the MMP 2018/19 contract option averages \$189 per evaluation for 2018/19 so this price appears reasonable based on the information available to VCTC.

This recommendation was reviewed and unanimously approved by TRANSCOM at its meeting on October 12th.

**AMENDMENT NO. 2 TO
AGREEMENT BETWEEN VENTURA COUNTY TRANSPORTATION COMMISSION
AND MOBILITY MANAGEMENT PARTNERS, INC.
FOR AMERICANS WITH DISABILITIES ACT CERTIFICATION SERVICES**

THIS AMENDMENT NO. 2 to the Agreement dated May 1, 2015, entered into between Ventura County Transportation Commission (hereinafter referred to as VCTC) and Mobility Management Partners, Inc. (hereinafter referred to as CONTRACTOR) to exercise a one-year extension for services provided by the CONTRACTOR.

WHEREAS, it is the intention of VCTC to exercise the contract option to approve a one-year extension for ADA Certification Services with the CONTRACTOR, beginning July 1, 2018 and ending June 30, 2019;

NOW, THEREFORE, the parties hereto agree as follows:

1. **Statement of Agreement:** VCTC hereby agrees to re-engage CONTRACTOR and CONTRACTOR hereby agrees to carry out the work described in connection with the original Agreement as previously amended, on the same terms and conditions. The CONTRACTOR warrants that it has the qualifications, experience and facilities to continue said services and agrees to undertake and complete the performance for the professional services.
2. **Duration of Agreement:** The term of the original Agreement shall be extended to and through June 30, 2019.
3. **Compensation:** The compensation shall be at the rates specified in the first contract amendment dated May 23, 2016, for the First Optional Period. These identical rates are provided in the Attachment to this amendment. Accordingly, the total maximum compensation payable to CONTRACTOR for the period beginning July 1, 2018 and ending June 30, 2019 is \$292,288. VCTC shall not be obligated to pay CONTRACTOR for costs incurred in excess of the increased amount. CONTRACTOR is not obligated to provide service beyond those services that are included in the contract compensation amount for the one year extension period.
4. **Amendment:** Except as hereby amended, the Agreement as earlier amended and extended remains in full force and effect.

5. **Signatures:** IN WITNESS WHEREOF, the parties hereto have caused this amended Agreement to be executed by their duly authorized representatives. Each party represents to the other party that this amended Agreement has been executed by a duly authorized agent of the party so representing.

VCTC: VENTURA COUNTY
TRANSPORTATION COMMISSION

By _____
BRYAN MACDONALD, Chairperson

Dated: _____

CONTRACTOR:

By _____
Mobility Management Partners, Inc.

ATTEST:

Donna Cole,
Clerk of the Ventura County Transportation Commission

APPROVED AS TO FORM:

Steven Mattas, General Counsel
Ventura County Transportation Commission

Attachment

COMPENSATION

Pursuant to Section 4 of the Agreement, the maximum compensation payable to CONTRACTOR for providing the service described in this agreement shall be as follows:

Effective date(s): July 1, 2018 to June 30, 2019

Base Price for 1,150 determinations: \$216,888

Incremental cost for less than 1,000 or more than 1,150 determinations: \$197

Maximum cost per tier of 100: \$16,873

Fees for access to transit operator certification databases: Actual cost

Contract ceiling including database fees (based on maximum of 1,550 evaluations): \$292,288

2876782.1

ADA PROCESS CHANGES – JULY 2015 / APRIL 2016

Task	Purpose	Completion Date
Online application	Create the ability for applicants to apply online for ADA certification	July 2015
Integration of Travel Training dialogue during eligibility process	Inform applicants of the availability of the travel training program when they apply, when they are interviewed (if applicable), and when they receive notification of their determination	July 2015
Initial Application Review	Check each first-time application to determine whether an in-person interview will be necessary to make a determination, or if the determination can be made based just on the submitted information	August 2015
Change ID cards to no longer require photo	Streamline process for generating ID card by eliminating the need to include passenger photo on ID card	August 2015
Revise determination letter format	Provide clearer definition of "Conditional" determinations	August 2015
Revise list of symptoms used during evaluation process	Create a standardized list of symptoms to be recorded in client database records so all operators have a common understanding of passenger limitations.	September 2015
Provide electronic access to eligibility database for VCTC staff and transit operators	Allow VCTC staff and transit operators to access MMP eligibility database remotely in order to better communicate with applicants calling for information regarding their application.	September 2015

ADA PROCESS CHANGES – MAY 2016 / PRESENT

TASK	PURPOSE	Completion Date
Implemented new ADA Application	Provides ADA applicants the opportunity to provide more specific details about their needs and abilities	September 2016
Implemented new ADA Complaint form	Integrate new ADA Complaint form and processes into ADA Certification process	October 2016
Implemented new Follow-up procedure for Professional Evaluation (PE) Form-Contacting Health Professionals via phone if no response to request for PE received after two attempts	Expedites the Eligibility process when verification of conditions has been needed from Health Professionals	October 2016
Implemented Simplified Recertification Application	Provides currently "Unconditionally" certified ADA riders a Simplified Recertification application	December 2016
Implemented "Modified Functional Evaluations"	To provide ADA additional testing protocol for use during "In-person interviews as needed. Instead of an indoor transit walk, a modified "outdoor" transit walk was integrated into ADA testing	April 2017

ADA APPLICATIONS RECEIVED ELECTRONICALLY

ADA Applications-Received Electronically								
15/16 Q 1	15/16 Q 2	15/16 Q 3	15/16 Q 4	16/17 Q 1	16/17 Q2	16/17 Q 3	16/17 Q 4	17/18 Q 1
10	29	30	25	32	39	35	43	47

ADA Applications received electronically per Month			
Month	FY2015-16	FY2016-17	FY 2017-18
July	0	10	7
August	1	14	20
September	9	8	20
October	9	10	
November	13	19	
December	7	10	
January	4	13	
February	20	5	
March	6	17	
April	13	15	
May	5	13	
June	7	15	
Total	94	149	

ADA CERTIFICATION RESULT BY QUARTER

	15/16 Q1	15/16 Q2	15/16 Q3	15/16 Q4	16/17 Q1	16/17 Q2	16/17 Q3	16/17 Q4	17/18 Q1
Total Applications	378	255	315	364	375	290	311	345	309
Averages (in days)									
Application to Professional Evaluation	17.0	9.8	12.2	8.1	9.0	8.9	6.8	6.4	3.8
Professional Evaluation to Appointment	17.0	9.8	12.2	8.1	9.0	8.9	6.8	6.4	3.8
Application to Appointment	28.5	21.8	22.5	19.7	18.3	23.1	13.7	12.4	8.9
Appointment to Eligibility	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Application to Eligibility	28.7	21.8	22.5	19.7	18.3	23.1	13.7	12.4	9.0
Eligibility Results									
Unconditional	299	193	231	274	295	212	238	272	254
Conditional	20	18	28	30	20	22	29	28	20
Temp/Unconditional	14	16	14	18	21	16	16	24	7
Temp/Conditional	0	1	1	0	1	1	3	1	1
Not Eligible	0	0	2	0	3	3	3	2	3
Applicant Did Not Complete Process	45	27	39	42	35	36	22	18	24
Total Eligibility Determinations	333	228	276	322	340	254	289	327	285
Percentage									
Unconditional	79.1%	75.7%	73.3%	75.3%	78.7%	73.1%	76.5%	78.8%	82.2%
Conditional	5.3%	7.1%	8.9%	8.2%	5.3%	7.6%	9.3%	8.1%	6.5%
Temp/Unconditional	3.7%	6.3%	4.4%	4.9%	5.6%	5.5%	5.1%	7.0%	2.3%
Temp/Conditional	0.0%	0.4%	0.3%	0.0%	0.3%	0.3%	1.0%	0.3%	0.3%
Not Eligible	0.0%	0.0%	0.6%	0.0%	0.8%	1.0%	1.0%	0.6%	1.0%
Applicant Did Not Complete Process	11.9%	10.6%	12.4%	11.5%	9.3%	12.4%	7.1%	5.2%	7.8%
Assessment Types									
Cognitive	34	23	38	46	33	39	41	33	28
Physical	43	42	35	42	41	33	35	38	15
Interview Only	80	14	19	18	22	23	14	22	20
No Appointment	176	149	184	216	244	159	199	234	222
Percentage									
Cognitive	10.2%	10.1%	13.8%	14.3%	9.7%	15.4%	14.2%	10.1%	9.8%
Physical	12.9%	18.4%	12.7%	13.0%	12.1%	13.0%	12.1%	11.6%	5.3%
Interview Only	24.0%	6.1%	6.9%	5.6%	6.5%	9.1%	4.8%	6.7%	7.0%
No Appointment	52.9%	65.4%	66.7%	67.1%	71.8%	62.6%	68.9%	71.6%	77.9%

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Item #8M

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE DEGEORGE, PLANNING AND TECHNOLOGY DIRECTOR
SUBJECT: VENTURA COUNTY TRAFFIC MODEL CONTRACT EXTENSION

RECOMMENDATION:

- Approve a contract extension with Iteris Inc. through June 2018 for modeling services.

Discussion:

Last Spring the Commission approved a contract with Iteris Inc. for development of a countywide traffic model which expires in October 2017. The base year model is complete with validation testing proving accurate against real world traffic counts. The model is being readied for forecast year (2040) runs including three runs for the County of Ventura's General Plan Update.

A contract extension will allow Iteris to continue with the work on the General Plan Update as well as VCTC's runs without disruption. There is no additional cost as all work was included in the original contract. Staff is recommending that the contract with Iteris be extended until June 30, 2018 to ensure Iteris' availability for modeling exercises for VCTC as well as the County of Ventura.

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Item #8N

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: STEVE DEGEORGE, PLANNING AND TECHNOLOGY DIRECTOR
SUBJECT: CALTRANS SUSTAINABLE TRANSPORTATION PLANNING GRANT

RECOMMENDATION:

- Ratify a Caltrans Sustainable Transportation Planning Grant Application in the amount of \$200,000 and allocate a local match of \$25,000 from Local Transportation Funds.
- Authorize the Executive Director to execute grant documents should the grant be awarded.

Discussion:

The VCTC's Comprehensive Transportation Plan (CTP) which has guided VCTCs policies for transportation investments was developed through extensive public outreach and adopted in September of 2013. Given the changes in federal and state transportation policy, staff believes that it would be prudent to update that plan through a similar process of consultant assisted outreach and Commission discussion.

In September of this year, Caltrans announced their Sustainable Transportation Planning Grant Program designed to fund planning efforts such as a CTP update. Staff has applied for \$200,000 in grant funding which requires a \$25,000 local match. Local Transportation Funds are available in the Regional Transportation Planning Budget and are eligible for this purpose. The grant program is highly competitive and there are certain to be more applications than is funding available. Grant awards are scheduled for December and if selected for funding staff recommends that the Commission accept the grant and allocate \$25,000 in Local Transportation Funds (LTF) from the Regional Transportation Planning Task Budget and authorize the Executive Director to execute all grant documents.

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Item #9

November 3, 2017

MEMO TO: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC)

FROM: PETER DE HAAN, PROGRAMMING DIRECTOR

SUBJECT: RICE AVENUE GRADE SEPARATION FUNDING

RECOMMENDATION:

- Approve programming of \$1.5 million of Regional Surface Transportation Program (STP) funds for the Rice Avenue Grade Separation final design.

BACKGROUND:

Within a few weeks the City of Oxnard will release the draft Environmental Document for the Rice Avenue Grade Separation project, with the final document expected to be completed in March 2018. This effort was primarily funded through \$1,760,000 in STP funds programmed by VCTC through its 2012 call for projects. Although VCTC and Oxnard worked with Caltrans to obtain a discretionary Federal Railroad Administration (FRA) grant for \$1,523,318 for final design of this project, no further funding has been committed to the project at this time. However, as has been discussed with TTAC and the Commission, the passage of SB 1 appears to provide an opportunity to obtain full funding for this project which is VCTC's top priority for goods movement projects. Caltrans has expressed a commitment to work with VCTC and Oxnard to submit an application for the project for the Trade Corridor Enhancement Program established under SB 1. According to the program's guidelines, applications are due January 30th, and funds will be made available to selected projects on May 16th.

The Attachment summarizes the project's currently-projected schedule, cost, and committed revenues. Upon completion of the environmental phase it will be possible to proceed with final design and right-of-way acquisition, which are anticipated to cost approximately \$15 million, of which \$1.5 million is committed through the FRA grant. VCTC is optimistic that the SB 1 funds will become available beginning in May but to show at least a minimal local commitment to the project and provide flexibility to keep the project moving prior to the SB 1 decision, staff recommends that VCTC commit \$1.5 million from the unprogrammed Regional STP apportionment balance to the project's final design phase. In addition, based on discussions with Oxnard staff, it is anticipated that Oxnard will commit an additional \$1.004 million of local funds to the project subject to Council approval which will be considered later in November. Approval of this \$1.5 million from VCTC and \$1.004 million from Oxnard will leave an unfunded balance of \$67.3 million which is anticipated to be the Caltrans SB 1 Trade Corridor funding request.

Although VCTC's policy is that Route 101 and 118 have priority for STP funds, staff recommends providing STP funds in this case to the Rice project due to the need to keep the project moving forward while awaiting the SB 1 funds, and also to provide at least a minimum match to help leverage the SB 1 funds through the state's competitive project selection process.

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At the last month's VCTC meeting it was noted that to avoid lapsing funds at least \$1 million in STP must be obligated in FY 2017/18 beyond what is currently scheduled. Obligation of \$1.5 million to the Rice Grade Separation should help to prevent a lapse of funds in FY 2017/18.

TTAC at its October meeting unanimously approved the staff recommendation to program \$1.5 million in STP funds for the Rice Grade Separation.

Rice Avenue/Fifth Street/Union Pacific RR Grade Separation Project

Schedule / Funding Summary



SCHEDULE

○ Completion of PA&ED	April 2018
○ Anticipated start of PS&E / ROW	May 2018
○ Completion of PS&E / ROW / Caltrans RTL	December 2019
○ Project award	June 2020
○ Construction start	July 2020
○ Construction end	July 2022

PROJECT COSTS

○ PA/ED	\$ 2,992,000
○ PS&E	6,000,000
○ ROW / Utility costs including Management	7,000,000
○ Agency Oversight / Support	2,000,000
○ Construction – Roadway	40,000,000
○ Construction – Structures	14,000,000
○ Construction Management	7,200,000
○ TOTAL	<u>\$ 79,192,000</u>

COMMITTED FUNDS

○ Regional Surface Transportation Program	\$ 1,760,000
○ FRA STEP-Rail Grant for PS&E	1,523,318
○ City Traffic Impact Fee	608,857
○ Additional City Traffic Impact Fee – Pending City Council	1,004,000
○ PUC Section 190 (assumes railroad contribution of \$500,000)	<u>\$5,500,000</u>
○ TOTAL COMMITTED	<u>\$ 10,396,175</u>

UNFUNDED BALANCE = \$68,800,000



Item # 10

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION

FROM: AARON BONFILIO, PROGRAM MANAGER – TRANSIT SERVICES

SUBJECT:

BACKGROUND:

The Ventura County Transportation Commission has operated the VCTC Intercity transit service (formerly VISTA) since the mid-1990s. Over the years, service to new locations and routes were added as demand has increased and shifted. However, no single route has yet to connect the Eastern end of Ventura County (Simi Valley/Moorpark) with the western end of the county (Ventura/Oxnard/Camarillo).

In light of continued and growing requests for direct transit service between these two end points, the Commission, as part of the 2015 Congestion Mitigation Air Quality (CMAQ) program call for projects, approved the funding necessary for the launch of such a route. Since that time, VCTC specified, purchased and took delivery of two new buses, tested conceptual routing, drafted timetables, and, designed related passenger information materials.

The launch of the route is scheduled for Friday, November 10, 2017, which coincides with VCTC's annual Veterans Day fare promotion.

Staff will provide a brief presentation regarding the new East-West Connector route at the November 3, 2017, meeting.

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Item #11

November 3, 2017

MEMO TO: VENTURA COUNTY TRANSPORTATION COMMISSION
FROM: AARON BONFILIO, PROGRAM MANAGER – TRANSIT SERVICES
SUBJECT: AUTOMATIC VEHICLE LOCATION AND PASSENGER INFORMATION SYSTEM AGREEMENT AND PROJECT FUNDING

RECOMMENDATION:

- Approve the Agreement with Syncromatics Corporation for Automatic Vehicle Location and Passenger Information System (Agreement) in an amount not-to-exceed \$4,480,000, and authorize the Executive Director to execute the Agreement; and,
- Approve amendment to the *Transit Stop Enhancements* budget task by: increasing FTA 5307 revenues by \$260,000, and adding a new revenues line-item for the local match, State Transit Assistance (STA) Fund Transfer, in the amount of \$65,000, increasing total budget task revenues by \$325,000; and by increasing the Professional Services expenditure line-item by an equal amount of \$325,000; and,
- Approve amendment to the *Fare Collection and APC Systems* budget task by: increasing FTA 5307 revenues by \$266,240, and adding a new revenues line-item for the local match, STA Fund Transfer, in the amount of \$66,560, increasing total revenues by \$332,800; and, by increasing the Professional Services expenditure line-item by an equal amount of \$332,800; and,
- Approve amending the STA budget by increasing STA Fund Transfer expenditures by \$131,560, for *Transit Stop Enhancements* and *Fare Collection and APC Systems* expenditures.

BACKGROUND:

At its March 2017 meeting, the Commission approved the release of a Request for Proposals (RFP) to replace VCTC's aging countywide Automatic Vehicle Location (AVL) and Passenger Information System, provided by Nextbus, Incorporated. Proposals were submitted on July 11, 2017 and subsequently evaluated by a seven-member selection panel. On July 31 the Panel held oral interviews with responsive proposers and subsequently developed its proposal selection recommendation for the Commission. At the following September 2017 meeting the Commission reviewed and approved the panel's recommendation to move forward with Syncromatics Corporation (Syncromatics). Attached for the Commission's review is the final negotiated Agreement with Syncromatics.

Among the upgrades, the project includes the deployment of new solar-powered changeable message signage (CMS) that provide real-time transit arrival information and system alerts, as well as for installation of new multi-line CMS displays for transfer centers and terminals. In addition, using mobile devices, passengers will be able to see vehicle arrival information, alerts about route detours and service disruptions, and have a single dedicated app that integrates all of the information of the County's nine different transit operators; e.g. a rider can plan a trip using one app to take them from Ojai to Simi Valley. Traditional third-party apps will also be available, and will now include the live predictive arrival data.

On the back-end, the system will provide planning tools and improved reporting capabilities to assist with contractor oversight, on-time performance reporting, route adherence information, and streamline annual federal reporting requirements. As well, the system will provide increased dispatcher operational awareness through new features and tools, including real-time route performance alerts and the improved communication between driver and dispatcher of potential incidents occurring onboard a vehicle; i.e. through a "covert alarm" alert switch available to the driver and visible to the dispatcher.

In addition to the system replacement as described, the RFP solicited pricing for a number of off-the-shelf optional integrated technologies that have become common place as part of more recent deployments. AVL technology has advanced quite a bit since the original Nextbus purchase, and—depending on pricing—by soliciting these options, VCTC would have the ability to potentially exercise some or all of the options countywide on behalf of the transit operators. In doing so, VCTC would be leveraging the existing technology investments made by the operators. These options included integration of the planned AVL system with fareboxes and automatic passenger counters (APC's), for example.²

Additionally, one of the more common options that VCTC solicited, *automatic voice annunciators* (or AVAS), was specifically included in the RFP as many of the transit operators have already received funding and budgeted for this same technology. Or conversely, agencies have expressed their desire to procure AVAS systems in the future.³ By including this purchase option in the procurement, it potentially reduces the duplicative administrative procurement costs amongst the agencies, and reduces equipment costs through "technological" economies of scale, as AVAS are typically complementary components to AVL systems, like the one being replaced by VCTC. While not budgeted by VCTC at this time, four of the nine transit agencies, Gold Coast Transit District, Thousand Oaks Transit, Moorpark City Transit and Simi Valley Transit, have either budgeted for or are considering deploying AVAS in the near-future.

Discussion:

As mentioned above, Syncromatics' proposal was selected and approved by the Commission following the Request for Proposals process. Pursuant with that RFP, Syncromatics submitted the requested pricing for optional technologies, including: automated voice annunciator systems (AVAS), new automatic passenger counters (APC's), and, integration with existing equipment such as fareboxes and APC's. In addition, Syncromatics provided value-added options such as, smartcard and mobile ticketing, as well as, vehicle inspection software, enhanced passenger information display systems (or "Infotainment" systems), and a planning / scheduling software suite.

The attached Agreement with Syncromatics includes the replacement of the Nextbus system, and integration of transit operators' existing onboard technologies, i.e. fareboxes, automatic passenger counters (APC's) and headsigns. As well, the Agreement includes installation and integration of

² Traditionally VCTC has funded regional investments in these technologies through its *Fare Collection and APC Systems* program.

³ AVAS uses vehicle location data to trigger pre-recorded audible announcements through the buses speakers upon arrival at a stop.

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Syncromatics proprietary APC system for those transit operators which lack this technology. (Staff proposes that this technology—the integration with fareboxes and APC's, and the deployment of APC systems for the operators—be funded by VCTC's existing *Fare Collection and APC Systems* budget task, an amendment for which is included in this agenda item.)

In addition, the Agreement provides firm fixed pricing for the future election and deployment the AVAS technology as described above. To facilitate funding for the AVAS option, if selected, VCTC will engage each agency with cooperative funding agreements and issue specific task orders to the contractor for AVAS. Further, should VCTC or transit operators wish to execute the additional options proposed by Syncromatics (scheduling software, smartcard/mobile ticketing, infotainment systems, etc.) the Agreement has mechanisms to facilitate that, as well.

The draft Agreement's total not-to-exceed amount, \$4,480,000, is calculated to include the deployment of the base system replacement and the options (if elected), as well as the applicable annual fees (i.e. maintenance, warranty and software licensing) to support the system for the full length of contract. The project will be task order driven and VCTC will issue notices-to-proceed for task orders related to a set of ten (10) defined tasks; one that is specific to the countywide system, and nine for each of the nine different Ventura County transit operators. In addition to the Agreement, attached for reference is a high-level summary of the Agreement's key terms and conditions (see *Attachment A*).

As mentioned above, staff recommends an amendment to the existing VCTC program budget for *Fare Collection and APC Systems*. Additionally staff recommends an amendment to the AVL project-specific budget, *Transit Stop Enhancements* (formerly *Nextbus*), which shall support the AVL-specific cost elements. While it was envisioned that this procurement could potentially affect either of these two budgets, it was determined during Fiscal Year 2017/2018 budget development to first allow for the AVL proposals to be submitted before requesting further funding. VCTC through its annual Program of Projects has programmed FTA 5307 revenues dedicated for these items, as well as the required 20% local match provided by STA. Going forward, as we look into Fiscal Year 2018/2019 and beyond, staff may consider combining the work-products and deliverables of the two budget tasks of *Transit Stop Enhancements* and *Fare Collection and APC System* into a single budget task (*Regional Transit Technology*, e.g.), as the grants utilized for the project traditionally come from the same Federal Transit Administration funding (FTA 5307 and CMAQ), and the technologies continue to be more and more integrated, as well the VCTC project staff are one in the same.

Attachments:

Attachment A – Summary of Agreement's Key Terms and Conditions

Attachment B – Agreement between VCTC and Syncromatics for Automatic Vehicle Location and Passenger Information System

SUMMARY OF AGREEMENT'S KEY TERMS AND CONDITIONS

- Contract Term:
 - Five years following final project system acceptance (planned for June 1, 2018); for a maximum term length of six years from contract execution.

- Project Cost:
 - Total anticipated system deployment costs to be approximately \$2,635,300;
 - In addition to progress payments, 10-20% retainage⁴ will be withheld until final acceptance;
 - Average system recurring costs for maintenance, licensing, and warranty coverage to be approximately \$225,000.
 - Proposed total not-to-exceed amount of \$4,480,000 includes base system deployment costs, selected deployment options, corresponding recurring costs, *and* future purchase options, as well as an average 10% contingency per item.

- System Deployment:
 - Base system replacement for all fleets and bus stop signs throughout the county;
 - Dedicated mobile app(s) for countywide trip planning and real-time passenger information;
 - APC systems and the integration of existing APC systems for all transit fleets;
 - Integrated single-point log-on capability for systems such as headsigns and fareboxes
 - Integration of driver's covert alarm switch with dispatcher real-time monitoring screens;

- Additional Options Available During System Deployment
 - Includes AVAS options for Gold Coast Transit District, Simi Valley Transit, Moorpark City Transit, and Thousand Oaks Transit;
 - If elected, would require transit operator's Local Contribution through Cooperative Agreement(s);

- Future Available Options:
 - Smartcard/Mobile Ticketing System; Vehicle Inspection Software, Infotainment Systems; Automated Voice Annunciators; and planning and scheduling software.

⁴ Retainage amount varies by task order and by project milestones.