

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
5	11/12/12	Open	Action	10/29/12

Subject: First Amendment to the Personal Services Contract for Temporary Employment with Tino Bamberger as Security Program Specialist

## ISSUE

Whether or not to approve the First Amendment to the Personal Services Contract for Temporary Employment with Tino Bamberger as Security Program Specialist.

## RECOMMENDED ACTION

Adopt Resolution No. 12-11-\_\_\_\_\_, Approving the First Amendment to the Personal Services Contract for Temporary Employment with Tino Bamberger as Security Program Specialist.

## FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	21,000
Budget Source:	Operating, Capital	Next FY:	\$	21,000
Funding Source:	Local, Federal	Annualized:	\$	
Cost Cntr/GL Acct(s) or Capital Project #:	GL 510025 CC 36	Total Amount:	\$	42,000
Total Budget:	\$ 84,000			
	Original Contract: \$42,000			
	First Amendment: \$42,000			

## DISCUSSION

Federal and State Regulators have mandated Regional Transit to enact numerous security program changes and enhancements since the September 11, 2001 attacks. It was necessary to dedicate an individual from Regional Transit Police Services (RTPS) to develop and manage these programs. Failure to meet these mandates would put RT at risk of losing funding and/or having operations suspended by regulatory agencies on both the state and federal level. RT selected and assigned a Police Officer assigned to RTPS, Tino Bamberger, to this new position.

Because Mr. Bamberger's tasks were primarily regulatory mandates, it was necessary to fill his position, which became vacant upon his retirement from the Sacramento Police Department in 2011. The position required a person who had specialized knowledge, both security and transit experience and specific training and skills related to the subject matter. Mr. Bamberger was hired as an RT contractor upon leaving the police department. Regional Transit has been able to realize a yearly savings of over \$84,000 by converting his position from a Sacramento Police Department employee to a Personal Service Contract without any significant loss of capabilities.

RT needs Mr. Bamberger as an RT contractor for RTPS on a part-time basis. In that capacity, he

Approved:

Presented:

Final 11/6/12

General Manager/CEO

Chief Operating Officer

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will continue to perform the tasks that are his current responsibilities. Among others, his primary duties include:

- Maintaining RT’s System Security Plan (SSP). The SSP is mandated by the CPUC under General Order 164-D and by the Federal Transit Administration (FTA) / Transportation Security Administration (TSA) under 49 CFR 659.19. RT’s SSP was created by Mr. Bamberger.
- Regularly updating and maintaining RT’s Threat and Vulnerability Assessments (TVA). The TVA’s are also mandated by California Public Utilities Commission (CPUC) General Order 164-D and by the FTA/TSA under 49 CFR 659.23. TVA’s are required for all aspects of operations and must be integrated with the safety certification process. RT’s TVA’s were created by Mr. Bamberger and have been audited several times by both the CPUC and the FTA/TSA and have never been found to be deficient.
- Responsibility for all regulatory security audits. This would include the yearly CPUC internal audits, the CPUC triennial audits, the FTA/TSA biennial BASE audit and any other audits that RT is subjected to. Mr. Bamberger has been responsible for all of RT’s regulatory security audits for several years. The last audit received multiple industry "best practices." This includes creating departmental Standard Operating Procedures (SOP) to address audit issues.
- Performing the security portion of Preliminary Hazard Analysis projects as required by regulation for all extensions. Also, performing Crime Prevention Through Environmental Design (CPTED) assessments for RT, whether in response to regulations for new/renovation projects or to address criminal issues existing within the current system.
- Continuing to act as the grant writer for security related grants. Mr. Bamberger has extensive experience in this area and has secured well over a million dollars for RT.
- Drafting exercise plans and after-action reports for RT’s exercises and drills.
- Producing monthly crime statistic reports. Acting as RTPS’s crime analyst. Continuing to be responsible for RT’s monthly entries into the FTA’s National Transit Database (NTD) as required by Federal regulation.
- Performing other related tasks as directed by RT/RTPS management.

All of the tasks Mr. Bamberger performs are either regulatory mandates or are essential to the operation of RT and RTPS. Mr. Bamberger has the required knowledge, experience, and expertise to perform these tasks. Mr. Bamberger has created many of the programs and documents that are relied on in RTPS. Additionally, he has established relationships with both federal and state auditors, and grant managers.

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Mr. Bamberger's current contract expires on January 13, 2013. RT staff would like to amend Mr. Bamberger's contract to add funding and to remove the expiration date. The First Amendment will increase the total consideration by \$42,000 from \$42,000 to \$84,000.

Staff recommends the approval of the First Amendment to the Personal Services Contract for Temporary Employment with Tino Bamberger as the Security Program Specialist.

RESOLUTION NO. 12-11-\_\_\_\_\_

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

November 12, 2012

**APPROVING THE FIRST AMENDMENT TO THE PERSONAL SERVICES  
CONTRACT FOR TEMPORARY EMPLOYMENT WITH TINO BAMBERGER AS  
SECURITY PROGRAM SPECIALIST**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE  
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the First Amendment to the Agreement between the Sacramento Regional Transit District, therein referred to as "RT," and Tino Bamberger, therein referred to as "Contractor," whereby the total consideration is increased by \$42,000 from \$42,000 to \$84,000, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said First Amendment.

\_\_\_\_\_  
BONNIE PANNELL, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary