

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
2	04/27/15	Open	Action	04/15/15

Subject: Third Amendment to the Personal Services Contract with Tino Bamberger as the Security Program Specialist

## ISSUE

Whether or not to approve the Third Amendment to the Personal Services Contract with Tino Bamberger as the Security Program Specialist.

## RECOMMENDED ACTION

Adopt Resolution No. 15-04-\_\_\_\_\_, Approving the Third Amendment to the Personal Services Contract with Tino Bamberger as the Security Program Specialist.

## FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	25,000
Budget Source:	Operating	Next FY:	\$	25,000
Funding Source:	Local	Annualized:	\$	50,000
Cost Cntr/GL Acct(s) or Capital Project #:	GL 510025 CC 36	Total Amount:	\$	50,000
Total Contract:	\$ 174,000			
	Original Contract:		\$42,000	
	First Amendment:		\$42,000	
	Second Amendment:		\$40,000	

## DISCUSSION

On April 14, 2014, the Board approved (Resolution No. 14-04-0033) the Second Amendment to the Personal Services Contract with Tino Bamberger as the Security Program Specialist.

Federal and State Regulators have mandated Regional Transit (RT) to enact numerous security program changes and enhancements since the September 11, 2001 attacks. To meet these requirements, RT needed to dedicate an individual from RT 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

Approved:

Presented:

Final 04/16/15

General Manager/CEO

Chief Operating Officer

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as an RT contractor upon retiring from the police department. RT has been able to realize a yearly savings of approximately \$100,000 by converting his position from a Sacramento Police Department employee to a Personal Service Contract without any significant loss of capabilities.

RT has an ongoing need for Mr. Bamberger as an RT contractor for RTPS on a part-time basis. In that capacity, he will continue to perform the tasks that are his current responsibilities. Among other duties, his primary responsibilities are:

- Maintaining RT’s System Security Plan (SSP). The SSP is mandated by the California Public Utilities Commission (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 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 to which RT is subject. Mr. Bamberger has been responsible for all of RT’s regulatory security audits for several years. The last FTA/TSA BASE audit received multiple industry commendations for "smart security practices."
- 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 in grant funding for RT.
- Drafting security exercise plans and after-action reports for RT’s security exercises and drills.
- Drafting departmental Standard Operating Procedures (SOP) to address audit and security exercise-related issues as they arise.
- 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)

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as required by Federal regulations.

- 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.

The total funding for Mr. Bamberger's contract is about to be exhausted and RT is still in need of his services. As such, RT staff would like to amend Mr. Bamberger's contract to add funding. The third amendment will increase the total consideration by \$50,000 from \$124,000 to \$174,000.

Staff recommends the approval of the Third Amendment to the Personal Services Contract with Tino Bamberger as the Security Program Specialist.

RESOLUTION NO. 15-04-\_\_\_\_\_

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

April 27, 2015

**APPROVING THE THIRD AMENDMENT TO THE PERSONAL SERVICES  
CONTRACT WITH TINO BAMBERGER AS THE SECURITY PROGRAM SPECIALIST**

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

THAT, the Third 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 \$50,000 from \$124,000 to \$174,000, is hereby approved.

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

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JAY SCHENIRER, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

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