



Sacramento Regional Transit District

BOARD MEETING NOTICE TO THE PUBLIC

In compliance with directives of the County, State, and Centers for Disease Control and Prevention (CDC), this meeting is live streamed and closed to the public. Temporary procedures are subject to change pursuant to guidelines related to social distancing and minimizing person-to-person contact.

**SacRT Board Meetings are being streamed live at
<http://iportal.sacrt.com/iapps/srtdbm/>**

Please check the Sacramento Metropolitan Cable Commission Broadcast Calendar - <https://sacmetroable.saccounty.net> for replay dates and times.

**Members of the public are encouraged to submit written public comments relating to the attached Agenda no later than 2:00 p.m. on the day of the Board meeting
at
Boardcomments@sacrt.com**

**Please place the Item Number in the Subject Line of your correspondence.
Comments are limited to 250 words or less.**



Sacramento Regional Transit District Agenda

Revised 8/21/20
Addition of Item 7.2

BOARD MEETING
5:30 P.M., MONDAY, AUGUST 24, 2020
VIRTUAL MEETING

Website Address: www.sacrt.com

ROLL CALL — Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Miller, Nottoli, Schenirer, Serna and Chair Hansen

Alternates: Directors Detrick, Kozlowski, Sander and Slowey

1. PLEDGE OF ALLEGIANCE

2. CONSENT CALENDAR

- 2.1 Motion: Approval of the Action Summary of August 10, 2020
- 2.2 Resolution: Conditional Approval for Sacramento Regional Transit District, Easton Development Company, LLC and the County of Sacramento to Acquire Easements In/Around the Hazel Park and Ride Lot (B. Bernegger)
- 2.3 Resolution: Approving a Contract for Workers' Compensation Third Party Administrator Services with Intercare Holdings Insurance Services, Inc. (B. Bernegger)
- 2.4 Resolution: Approval of a Campaign Contribution Policy Prohibiting Campaign Contributions to Members of the SacRT Board by SacRT Employees During Work Hours and/or Within SacRT Facilities (O. Sanchez-Ochoa)
- 2.5 Student Ridership Initiative Transit Pass (B. Bernegger)
 - A. Resolution: Delegating Authority to the General Manager/CEO to Approve the Amended and Restated Student Ridership Initiative Student Transit Pass Agreement with the City of Sacramento; and
 - B. Resolution: Conditionally Authorizing Students (TK-12) Residing in or Attending School Outside the City Limits of Sacramento and Within SacRT's Service Boundary to Obtain an Annual Student (TK-12) Pass Prepaid Fare Valid from October 1, 2020 through September 30, 2021 Without Payment by a Sponsoring Entity
- 2.6 Resolution: Delegating Authority to the General Manager/CEO to Award and Execute a Contract for Compressed Natural Gas Equipment Maintenance, Repair, and Parts Services (L. Ham)

3. **INTRODUCTION OF SPECIAL GUESTS**
4. **UNFINISHED BUSINESS**
5. **PUBLIC HEARING**
6. **PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA***
7. **NEW BUSINESS**
 - 7.1 Downtown Riverfront Streetcar Project Update (L. Ham)
 - A. Resolution: Approving Reimbursement Agreement for the Redesign of the Downtown Riverfront Streetcar Project and Small Starts Grant Submission with the Riverfront Joint Powers Authority; and
 - B. Resolution: Approving the Third Amendment to the Contract for Downtown Riverfront Streetcar Design Services with HDR, Inc.; and
 - C. Resolution: Approving the First Amendment to the Contract for Environmental Support Services for Downtown Riverfront Streetcar Project with AECOM; and
 - D. Resolution: Approve Termination of the Subrecipient and Interagency Agreement, Authorize Project Sponsorship and Ownership to Transfer to SacRT, and Directs the General Manager/CEO to Negotiate Replacement Agreements with the Cities Prior to the Dissolution of the Authority
 - 7.2 Resolution: Authorizing the General Manger/CEO to Award a Sole Source Public Works Contract to a Qualified Plumbing Company to Perform an Emergency Repair and/or Replacement of One or More Pipes Leaking a Significant Amount of Water Under Bus Maintenance Facility 1 (L. Ham) – Requires 4/5th Vote
8. **GENERAL MANAGER'S REPORT**
 - 8.1 General Manager's Report
 - a. SacRT Meeting Calendar
9. **REPORTS, IDEAS AND QUESTIONS FROM DIRECTORS, AND COMMUNICATIONS**
10. **CONTINUATION OF PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA (If Necessary)**
11. **ANNOUNCEMENT OF CLOSED SESSION ITEMS**
12. **RECESS TO CLOSED SESSION**

13. CLOSED SESSION

13.1. Conference with Legal Counsel
Pursuant to Gov. Code Section 54956.9(d)
Anticipated Litigation

A. One Case

14. RECONVENE IN OPEN SESSION

15. CLOSED SESSION REPORT

16. ADJOURN

*NOTICE TO THE PUBLIC

It is the policy of the Board of Directors of the Sacramento Regional Transit District to encourage participation in the meetings of the Board of Directors.

This agenda may be amended up to 72 hours prior to the meeting being held. An Agenda, in final form, is located by the front door of Regional Transit's building at 1400 29th Street, Sacramento, California, and is posted on the SacRT website.

The Regional Transit Board of Directors Meeting is being streamed live and videotaped. A replay of this meeting can be seen on Metrocable Channel 14. Please check the Metropolitan Cable Commission Broadcast Calendar at for replay dates and times.

Any person(s) requiring accessible formats of the agenda should contact the Clerk of the Board at 916/556-0456 or TDD 916/483-4327 at least 72 business hours in advance of the Board Meeting.

Copies of staff reports or other written documentation relating to each item of business referred to on the agenda are on SacRT's website, on file with the Clerk to the Board of Directors of the Sacramento Regional Transit District. Any person who has any questions concerning any agenda item may call the Clerk to the Board of Sacramento Regional Transit District.



STAFF REPORT

DATE: August 24, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Cindy Brooks, Clerk to the Board
SUBJ: APPROVAL OF THE ACTION SUMMARY OF AUGUST 10, 2020

RECOMMENDATION

Motion to Approve.

**SACRAMENTO REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS
BOARD MEETING
August 10, 2020**

ROLL CALL: Roll Call was taken at 5:33 p.m. PRESENT: Directors Budge, Harris, Howell, Miller, Nottoli, Schenirer, Serna and Chair Hansen. Director Kennedy joined at 5:45 p.m. Directors Hume and Jennings joined at 6:09 p.m. during Closed Session.

1. PLEDGE OF ALLEGIANCE

2. CONSENT CALENDAR

2.1 Motion: Approval of the Action Summary of July 27, 2020

ACTION: APPROVED - Director Schenirer moved; Director Harris seconded approval of the consent calendar as written. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Miller, Nottoli, Schenirer, Serna and Chair Hansen. Noes: None; Abstain: None; Absent: Directors Hume, Jennings and Kennedy.

3. INTRODUCTION OF SPECIAL GUESTS

4. UNFINISHED BUSINESS

5. PUBLIC HEARING

6. PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA

The Clerk read into the record one public written comment, summarized below:

Mike Barnbaum – Mr. Barnbaum noted that he will be virtually attending the Yolo County Transportation Meeting on August 10 and provided a summary of items on the agenda. Mr. Barnbaum would like SacRT to allow members of the public to call into the meeting to speak instead of providing written comments that the Clerk has to read.

7. NEW BUSINESS

8. GENERAL MANAGER'S REPORT

- 8.1 General Manager's Report
 - a. SacRT Meeting Calendar

Mr. Li provided an update on SacRT COVID-19 cases noting that from March to June, SacRT did not have any reported cases. In July, there were 5 reported cases, and all August 10, 2020 Action Summary

these employees have come back to work. On Sunday, August 9 and Monday, August 10, 2 new cases were reported. It appears that the sources of these cases come from employee family members.

SacRT received \$3.5 million from Cap and Trade money from the State. Last week the California Transportation Commission (CTC) ranked 10 projects for TIRCP funds. SacRT partnered with Placer County and Caltrans on one of these projects, which was ranked third. SacRT has a very good chance of receiving the money when the CTC makes a final decision in the next 3-5 months.

The University/65th Street Project broke ground last week. SacRT received a complaint about ADA accessibility during the construction. To assist persons with disabilities during this time, a security officer and light duty operator were sent to the project site to assist SacRT's customers with way finding from 6:00 a.m. to midnight. Wayfinding signs were also placed to assist customers.

9. **REPORTS, IDEAS AND QUESTIONS FROM DIRECTORS, AND COMMUNICATIONS**

10. **CONTINUATION OF PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA (If Necessary)**

11. **ANNOUNCEMENT OF CLOSED SESSION ITEMS**

12. **RECESS TO CLOSED SESSION**

The Board recessed to Closed Session at 5:45 p.m.

13. **CLOSED SESSION**

13.1 Conference with Legal Counsel
Pursuant to Section 54956.9
Existing Litigation

A Carmen Carranza v. Sacramento Regional Transit District.
Case Number: 34-2018-00247053; Claim Number: L-59767-1.

13.2 Conference with Real Estate Negotiator
Pursuant to Gov. Code Section 54956.8

A. Property: 2220 Cemo Circle, Gold River, CA.
Description: APN 069-0101-032
Agency Negotiator: Brent Bernegger, VP, Finance/CFO
Negotiating Parties: USA Properties Fund
Under Negotiation: Price and Terms of Payment

13.3 Conference with Labor Negotiator
Pursuant to Section 54957.6
District Negotiator : Stephen Booth

- A. Employee Organization: AFSCME
- B. Employee Organization: ATU
- C. Employee Organization: IBEW
- D. Employee Organization: OE3

13.4. Conference with Legal Counsel
Pursuant to Gov. Code Section 54956.9(d)
Anticipated Litigation

- A. One Case

14. RECONVENE IN OPEN SESSION

15. CLOSED SESSION REPORT

There was no Closed Session Report.

16. ADJOURN

As there was no further business to be conducted, the meeting was adjourned at 6:47 p.m.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: August 24, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: CONDITIONAL APPROVAL FOR SACRAMENTO REGIONAL TRANSIT DISTRICT, EASTON DEVELOPMENT COMPANY, LLC AND COUNTY OF SACRAMENTO TO ACQUIRE EASEMENTS IN/AROUND HAZEL PARK AND RIDE LOT

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Entering into agreements with Easton Development Company, L.C.C. (Easton) and the County of Sacramento (County) for each party to dedicate easements, in perpetuity, to each other along property in and around the Hazel park and ride lot as depicted in the attached maps.

FISCAL IMPACT

The exchange of easements is near equal in value as determined by recent independent third-party appraisal; therefore, staff is proposing that there be no financial compensation.

DISCUSSION

The Hazel light rail station and park and ride lot is surrounded by Easton's master planned community. Easton is in the process of building out infrastructure to support the proposed development. The easements being discussed and shown in Exhibit A are for the purposes of: 1) sharing an access road into the proposed neighborhood adjacent to the eastern boundary of the park and ride lot, 2) dedicating the County drainage easements along the southern border of the park and ride lot, and 3) granting Easton temporary construction easements for these improvements. These easements were discussed when Sacramento Regional Transit District (SacRT) purchased the station property (APN 072-0231-105) from GenCorp Corporation/Easton, which allowed SacRT to build the park and ride lot, bus access road and irrigation.

Half of SacRT's bus access road into the lot is currently residing on Easton's property. Easton would like to now receive access to the road to provide private access into its future neighborhood to the east. The neighborhood is proposed to be a transit-oriented neighborhood potentially generating additional ridership to the station. The proposal is for SacRT to dedicate an easement on the western side of the road to Easton and for Easton to dedicate an easement on the eastern side of the road to SacRT. Easton

would build improvements on the road to restrict public access into SacRT's bus loop in accordance with SacRT's design review.

Easton also requested an easement on behalf of the County for public storm drain system and public road. The temporary construction easements would allow construction of these storm drains.

As these easements will progress Easton's development plans and Easton's proposed development will generate additional transit ridership, it is Staff's recommendation to authorize the General Manager/CEO to dedicate these easements and accept the easement from Easton contingent upon Federal Transportation Administration concurrence.

RESOLUTION NO. 20-08-0075

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

August 24, 2020

**CONDITIONAL APPROVAL FOR SACRAMENTO REGIONAL TRANSIT DISTRICT,
EASTON DEVELOPMENT COMPANY, LLC AND COUNTY OF SACRAMENTO TO
ACQUIRE EASEMENTS IN/AROUND HAZEL PARK AND RIDE LOT**

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

THAT, the Board hereby authorizes the General Manager/CEO to dedicate the following easements, as depicted in Exhibit A, to Easton Development Company, L.L.C and the County of Sacramento, conditioned on Federal Transportation Administration (FTA) concurrence in the use of the property.

THAT, the Board hereby authorizes the General Manager/CEO to accept an Easement from Easton Development Company, L.L.C conditioned on FTA concurrence in the use of the property.

THAT, upon satisfaction of the foregoing conditions, the General Manager/CEO is hereby authorized and directed to execute said Easement Agreements, and all documents necessary to grant the Easements to the Grantees and accept the Easement from Easton Development Company, L.L.C.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: August 24, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: APPROVING A CONTRACT FOR WORKERS' COMPENSATION THIRD PARTY ADMINISTRATOR SERVICES WITH INTERCARE HOLDINGS INSURANCE SERVICES, INC.

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

The recommended action will result in SacRT entering into a Contract for Workers' Compensation Third Party Administrator Services with Intercare Holdings Insurance Services, Inc (Intercare).

FISCAL IMPACT

The Contract with Intercare will have two pricing components:

1. Workers' Compensation Claims Administration services provided on a flat-rate annual fee basis - 5-Year Contract totaling \$2,564,519.99. The first year's amount is included in the FY 2021 Operating Budget.
2. Optional Bill Review Services, Managed Care Services, and Utilization Review Services provided by Intercare – These costs are driven by active claims; therefore, a fixed amount cannot be determined. The service costs are in addition to the Claims Administration fees of \$2.5 million and are budgeted as part of the annual workers compensation claims expense.

The final cost associated with workers' compensation claims is the true cost of the claim, including physician fees, medical equipment, prescription costs, etc. The cost of the claims is also budgeted and recognized as part of the workers' compensation claims expense. Under the terms of the Contract, these claim amounts are initially paid by Intercare and are subsequently reimbursed by SacRT on a twice-monthly basis.

DISCUSSION

SacRT is self-insured for Workers' Compensation and, pursuant to the California Labor Code, must have a Certified Claims Administrator to administer its Workers' Compensation claims. SacRT's current 5-year term contract with Intercare Holdings Insurance Services, Inc. is set to expire on September 30, 2020.

Staff released a Request for Proposals (RFP) on May 13, 2020 and received 3 responsive proposals on June 17, 2020 from the following vendors: Intercare Holdings Insurance Services, Inc. (Intercare); LWP Claims Solutions, Inc.; and, Pegasus Risk Management, Inc. Although all 3 firms are well qualified, after scoring of the written proposals, including pricing and technical evaluation, and application of Small Business Enterprise and Local Business Enterprise preference points, Intercare was determined to be the highest-ranked Proposer for SacRT for Workers' Compensation Third Party Administrator (TPA) services.

In the technical evaluation, Intercare was selected as the highest-ranked Proposer for the following reasons:

1. It is a small, local, privately owned company that is customer focused.
2. It has excellent transit experience with a client base that includes the following: San Francisco Municipal Transportation Agency; Orange County Transit Authority; San Luis Obispo Regional Transit Authority; South County Area Transit; and Humboldt Transit Authority.
3. It has a robust Special Investigations Unit (SIU) program to investigate potential fraud. These investigations are performed in-house and have led to 37 convictions over the last 5 years.
4. It employs many excellent tools to control managed care costs:
 - a. Utilization Review (UR) savings – the Claims Adjuster can authorize many at no cost. Additionally, they will periodically analyze requests to identify patterns for acceptance and convert that to the adjuster's authorized list.
 - b. A Claims Adjuster reviews all bills for accuracy and ensures attachment to correct the claims file.
 - c. Prescription drug program savings to ensure the SacRT receives the lowest prices for prescription medication.
5. It has In-house Information Technology staff.
6. Managed Care staff (i.e., UR, bill review, telephonic Nurse Case Managers) are in-house, which provides the Claims Adjusters with immediate and valuable resources.
7. It has a heavy emphasis on partnership and team-based approach.

Intercare holds the current contract for these services. The independent cost estimate for the Annual Claims Fee aspect of 5-year contract is \$2.5M based on historical information and adjusted for cost of living and inflation. Intercare's price of \$2,564,519.99 has been deemed fair and reasonable and falls within the established budget. Intercare's Bill Review Services, Managed Care Services, and Utilization Review Services have been deemed fair and reasonable compared to current rates, to the other proposers rates, and rates seen in the industry.

Historically, SacRT has used the TPA to employ litigation management to assist with certain claims. Staff has elected to contract directly with workers' compensation attorney firms. A separate RFP has been issued for SacRT management to select from a panel of litigators. Award of those contracts will be a separate item brought before the Board.

RESOLUTION NO. 20-08-0076

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

August 24, 2020

APPROVING THE CONTRACT FOR WORKERS' COMPENSATION THIRD PARTY ADMINISTRATOR SERVICES WITH INTERCARE HOLDING INSURANCE SERVICES, INC.

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

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "SacRT," and Intercare Holding Insurance Services, Inc., therein referred to as "Consultant," whereby Intercare agrees to provide workers' compensation third party administrator services for a five-year term for the amount of \$2,564,519.99 for Annual Claims Fees and Open Inventory Fees plus applicable bill review, managed care, and utilization review fees, is hereby approved.

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

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: August 24, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Olga Sanchez-Ochoa, General Counsel
SUBJ: Campaign Contribution Policy

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

If this policy is adopted by the Board of Directors, employees will be prohibited from soliciting or making campaign contributions to sitting SacRT Board Members during work hours and while on SacRT Facilities, as set forth in California Government Code §3207.

FISCAL IMPACT

None as a result of this action.

DISCUSSION

As the nation currently navigates the 2020 election cycle, the SacRT Board of Directors would like to address a deficiency it identified with its policies, rules and ordinances that impacts political campaign contributions. California Government Code §3205 prohibits members of a local public agency board from knowingly soliciting campaign contributions from employees of that agency. While §3205 prohibits elected officials from knowingly making such solicitations, there is no statutory prohibition restricting the ability of employees from that agency from making or soliciting such contributions. Consequently, if a public agency employee solicits or makes campaign contribution to a sitting Board member while at work, it could give rise to an accusation that the Board member violated the prohibition set out in §3205, and/or create the appearance that an employee was coerced into making a campaign contribution.

California Government Code §3207 authorizes the governing board of a local public agency to adopt a rule or regulation prohibiting employees from making a campaign contribution during work hours and within agency facilities. To avoid the creation of an appearance that anything improper occurred if a SacRT employee solicits or makes campaign contributions to a sitting Board member, the Board desires to adopt a policy that will serve as a companion piece to §3205. The proposed policy prohibits employees from making, recommending, soliciting or otherwise encouraging others to make a campaign contribution to a sitting SacRT Board Director during work hours and while within SacRT facilities as defined in the proposed policy.

RESOLUTION NO. 20-08-0077

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

August 24, 2020

APPROVING THE CAMPAIGN CONTRIBUTION POLICY

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

THAT, the Board hereby approves the Campaign Contribution Policy, attached hereto as Exhibit A, prohibiting SacRT employees from making or soliciting campaign contributions to Sacramento Regional Transit District Board Directors during working hours and on SacRT facilities, as authorized under Cal. Gov't. Code §3207.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

Exhibit A

POLICY PROHIBITING CAMPAIGN CONTRIBUTIONS TO MEMBERS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT BOARD BY SACRAMENTO REGIONAL TRANSIT DISTRICT EMPLOYEES DURING WORK HOURS AND/OR WITHIN SACRT FACILITIES

POLICY

Sacramento Regional Transit District (SacRT) employees are prohibited from soliciting, recommending, suggesting, or otherwise encouraging their colleagues, contractors or other third parties engaged with SacRT, to make a political campaign contribution to a sitting Member of the Sacramento Regional Transit District Board of Directors during work hours and/or in any SacRT Facility, as defined herein, or using any SacRT equipment including computers, cell phones, fax machines, copy machines or any other SacRT owned or leased equipment. Sacramento Regional Transit District employees are also prohibited from directly or indirectly making a campaign contribution to a sitting Board Member of the Sacramento Regional Transit District Board of Directors during work hours and/or in any SacRT Facility or using any SacRT owned or leased equipment including computers, cell phones, fax machines, copy machines or any other similar equipment.

POLICY STATEMENT

SacRT recognizes that its employees enjoy certain rights to engage in political activity under the First Amendment to the United States Constitution and under California state law (Cal. Gov't. Code Section 3203). However, Cal. Gov't. Code Section 3205 prohibits local elected officials from knowingly soliciting campaign contributions from employees who work at the agency or entity governed by the Board on which the elected official sits. In an effort to eliminate any appearance of or actual bias, to ensure that employees do not feel pressured to engage in certain political activities at work, and to promote transparency, SacRT believes that it would be in the public interest to ensure that no employee be allowed to themselves make or directly or indirectly solicit, suggest, recommend, or encourage another employee, contractor, or other third party to make a campaign contribution to any sitting Board member of the SacRT Board of Directors during work hours and/or while present within a SacRT Facility and/or using any SacRT office equipment including computers, cell phones, copy/scanning/fax machines or any other office equipment owned or leased by SacRT.

PURPOSE

The purpose of this policy is to foster an ethical work environment and to ensure that no employee is ever made to feel compelled to provide a political contribution to a member of the SacRT governing Board, to eliminate the appearance of or actual bias and to promote transparency.

APPLICATION

This policy applies to all SacRT employees including temporary employees, and all SacRT contractors.

AUTHORITY

Pursuant to California Government Code Section 3207, the governing board of a California local agency may enact a rule or regulation prohibiting its employees from engaging in political activities during working hours and/or on the premises of the local agency.

DEFINITIONS

Contractor – Contractor means any individual who provides supplies, goods or services to SacRT under a contract between the individual or a company by which the individual is employed or which the individual owns and SacRT.

Employee – Employee means any individual employed by SacRT to perform work in exchange for compensation that meets the Common Law definition of employee, including part-time, temporary and contract employees.

Facility – Facility means all locations, whether owned or leased by SacRT at which SacRT conducts its business operations. This includes, but is not limited to, light rail stations, bus and light rail maintenance facilities, office buildings, storage facilities, and parking lots.

RESPONSIBILITIES

The Office of the General Counsel is responsible for investigating alleged violations of this Policy. The General Counsel must develop a Standard Operating Procedure describing how complaints are to be filed and how they will be processed and investigated.

PROCEDURES

The Office of the General Counsel will develop procedure documents setting out the process for filing and investigating any complaint alleging a violation of this Policy.



STAFF REPORT

DATE: August 24, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: RYDEFREERT YEAR 2

RECOMMENDATION

Adopt the Attached Resolutions.

RESULT OF RECOMMENDED ACTION

The recommended actions will approve a funding model for Year 2 of RydeFreeRT and delegate authority to the General Manager/CEO to approve an amendment and restatement to the existing pass agreement with the City of Sacramento.

FISCAL IMPACT

The estimated potential fiscal impact of the proposed resolution is a loss in fare revenues of up to \$229,121 from October 1, 2020 through the remainder of FY21. This estimate assumes that only the City of Sacramento agrees to provide funding.

DISCUSSION

The RydeFreeRT program provides free rides to TK-12 students who live or attend school within SacRT's service area on SacRT's fixed route bus, light rail and SmarT Ride services. The program was a huge success in Year 1, as student ridership more than doubled just months into the program. Unfortunately, school closures in the area due to COVID-19 limited the impact of RydeFreeRT beginning in March and continues to affect students to this day. Year 1 participants remain eligible for free rides through September 30, 2020. The following is a brief discussion regarding some changes that Staff is proposing for Year 2, given the impact of COVID-19 on student participation and service levels at SacRT.

Funding requests for Year 1 of RydeFreeRT were determined by calculating the average fare that SacRT collected from students across the network and applying the total proportionately to the ridership that occurred in each jurisdiction prior to launch. This analysis found that SacRT received approximately \$0.84 per ride from students on over 1.7 million boardings per year, accounting for nearly \$1.5 million in fare revenue annually. SacRT was able to successfully negotiate funding agreements with the cities of Sacramento, Folsom, Rancho Cordova and Citrus Heights. While SacRT was unsuccessful in negotiating an agreement with the County of Sacramento, both the Twin Rivers Unified School District and the San Juan Unified School District funded the program for their students, leaving only a limited number of students in the unincorporated county not funded.

Prior to the launch of RydeFreeRT, Staff implemented a mechanism to track student ridership on the bus by adding a dedicated button to the farebox for operators to push when students boarded the bus. By February of 2020, raw button push data suggested that as much as 25% of SacRT’s bus ridership was made up of students. At the same time, SacRT was beginning its annual fare survey where staff members board SacRT vehicles and record the fare type paid by all passengers separately from the operators. While the survey had to be cut short due to COVID-19, initial reports confirmed the 25% student ridership percentage on bus. Staff combined this analysis with other methodologies and ultimately reported that student ridership made up approximately 20% of all bus riders by February 2020.

Due to COVID-19, ridership at SacRT was down nearly 60% in July compared to 2019. While this is an improvement from peak losses that were in the 75% range, the significant ridership reduction has prompted the city partners to revisit the funding requirements of the program. Recently, Staff has been in discussions with the City of Sacramento regarding potential reductions to the amount of revenue that SacRT may receive for Year 2. Staff has also approached other jurisdictions and will provide them with the same analysis and seek their participation for Year 2.

As part of the discussion with the City of Sacramento, Staff completed an analysis to review student ridership since school closures took effect in March 2020. The same conservative methodologies that found that nearly 20% of all bus rides were students in February suggests that approximately 15% of bus passengers are students post-COVID. This information, combined with ongoing rail surveys (~5% student participation on rail), imply that currently 9.5% of all SacRT passengers are students. Staff will be using this information to project RydeFreeRT Year 2 ridership while schools are closed.

In an effort to ensure that both SacRT and our funding partners are incentivized to promote student ridership, staff will be proposing a flexible billing methodology for RydeFreeRT in Year 2. Jurisdictions will be billed quarterly (beginning October 2020), prior to the beginning of each quarter based on two factors: 1) anticipated school closures in their jurisdiction and 2) SacRT’s anticipated level of service offered during the quarter. If schools remain closed or SacRT’s service does not return to pre-COVID levels (for services frequently used for student transportation to and from school), jurisdictions will be billed using the projected ridership-based model displayed in Table 1. If ridership levels fall materially below the amounts suggested in Table 1 SacRT will credit our funding partners an amount that will bring down the prior quarters billing to previously discussed \$0.84 per ride. Staff is currently negotiating with our funding partners thresholds that could trigger billing adjustments.:

Table 1

Period	City of Sacramento	County of Sacramento	Citrus Heights	Rancho Cordova	Folsom	Total
Oct-Dec	\$146,245	\$51,186	\$5,119	\$5,119	\$5,119	\$212,787
Jan-Mar	\$167,449	\$58,607	\$5,861	\$5,861	\$5,861	\$243,639
Apr-Jun	\$189,869	\$66,454	\$6,645	\$6,645	\$6,645	\$276,260
Jul-Sep*	\$208,451	\$72,958	\$7,296	\$7,296	\$7,296	\$303,296
Total	\$712,014	\$ 249,205	\$24,921	\$ 24,921	\$24,921	\$1,035,981

**Jul-Sep represent potential FY22 fare revenues.*

If schools reopen and SacRT service levels return to pre-COVID levels, then jurisdictions will be billed quarterly at a flat rate equal to Year 1 funding levels. See Table 2 below for details.

Table 2

<u>Period</u>	<u>City of Sacramento</u>	<u>County of Sacramento</u>	<u>Citrus Heights</u>	<u>Rancho Cordova</u>	<u>Folsom</u>	<u>Total</u>
Oct-Dec	\$250,000	\$87,500	\$8,750	\$8,750	\$8,750	\$363,750
Jan-Mar	\$ 250,000	\$ 87,500	\$8,750	\$8,750	\$8,750	\$363,750
Apr-Jun	\$250,000	\$87,500	\$8,750	\$8,750	\$8,750	\$363,750
Jul-Sep*	\$250,000	\$87,500	\$8,750	\$8,750	\$8,750	\$363,750
Total	\$1,000,000	\$350,000	\$35,000	\$35,000	\$35,000	\$1,455,000

**Jul-Sep represent potential FY22 fare revenues.*

At the end of each quarter, Staff will send a supplemental invoice to participating jurisdictions for the prorated difference if a change in circumstances occurs during a billing period. If the reverse is true and schools close or SacRT reduces its service levels during a quarter previously billed at the higher rate, Staff will credit the jurisdiction appropriately.

The RydeFreeRT program was a huge success in Year 1 and keeping the momentum going forward in Year 2 will be vital for promoting lifetime riders and maintaining strong partnerships in our community. Staff is working with Staff at the City of Sacramento and has received information indicating that this will be brought forward to the City of Sacramento's Council meeting on August 25, 2020 for approval of Year 2 funding. SacRT Staff is committed to securing funds from as many other jurisdictions and school districts as possible and will report back to the Board in the future with the result of those negotiations. At this time, Staff is requesting that the Board approve issuance and use of an Annual Student (TK-12) Pass for all students living or attending school within SacRT's service boundary contingent upon successful completion of an Amended and Restated Student Ridership Initiative Student Transit Pass Agreement with the City of Sacramento.

RESOLUTION NO. 20-08-0078

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

August 24, 2020

DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO APPROVE THE AMENDED AND RESTATED STUDENT RIDERSHIP INITIATIVE STUDENT TRANSIT PASS AGREEMENT WITH THE CITY OF SACRAMENTO

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

THAT, authority is hereby delegated to the General Manager/CEO to enter into an Amended and Restated Student Ridership Initiative Student Transit Pass Agreement by and between the City of Sacramento (therein "City") and the Sacramento Regional Transit District (therein "SacRT") whereby, the term is extended to September 30, 2021 and City agrees to pay an amount (billed quarterly) equal to \$0.84 per ride up to a total consideration of \$1,000,000 (depending on school closures and SacRT's level of service) as consideration for SacRT to permit Students who live in or attend school within the boundaries of the City or who are homeless or in foster care within the City to ride SacRT services at no cost for the period from October 1, 2020 until September 30, 2021 using an Annual Student (TK-12) Pass.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-08-0079

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

August 24, 2020

CONDITIONALLY AUTHORIZING STUDENTS (TK-12) RESIDING IN OR ATTENDING SCHOOL OUTSIDE THE CITY LIMITS OF SACRAMENTO AND WITHIN SACRT'S SERVICE BOUNDARY TO OBTAIN AN ANNUAL STUDENT (TK-12) PASS PREPAID FARE VALID FROM OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021 WITHOUT PAYMENT BY A SPONSORING ENTITY

WHEREAS, the intent of the Annual Student (TK-12) Pass is to permit a municipal jurisdiction, school district, or private school to obtain an annual transit pass for all Students (as defined in the SacRT Fare Structure) residing in or attending school within the jurisdiction, district or school, subject to payment by the sponsoring entity of a fee to compensate SacRT for the estimated fare revenue that would otherwise be generated by fares that would have been paid by covered students; and

WHEREAS, staff has reached agreement in principle with the City of Sacramento but has yet to negotiate agreements with other jurisdictions; and

WHEREAS, to provide an opportunity to maximize access to public transit services for the Student population within the boundaries of SacRT, the Board of Directors desires to provide the Annual Student (TK-12) Pass to otherwise ineligible Students residing or attending school outside the City of Sacramento and within the district boundaries of SacRT without payment of the corresponding fee by a sponsoring entity, for the period of October 1 2020 to September 30, 2021, conditioned upon execution of an agreement with the City of Sacramento to provide funding for Students residing within or attending school within the boundaries of the City of Sacramento.

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

THAT, effective upon entering SacRT into an amended and restated Student Ridership Initiative Student Transit Pass Agreement with the City of Sacramento for the Annual TK-12 Pass and continuing until September 30, 2021, Students residing or attending school outside of the city limits of Sacramento, but within the district boundaries of SacRT, may obtain and use an Annual Student (TK-12) Pass valid from October 1, 2020 to September 30, 2021 without payment of the required fee by a sponsoring entity, as specified in the Fare Structure.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By:

Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: August 24, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Laura Ham, VP, Planning and Engineering
SUBJ: DELEGATE AUTHORITY TO THE GENERAL MANAGER/CEO TO AWARD AND EXECUTE A CONTRACT FOR COMPRESSED NATURAL GAS EQUIPMENT MAINTENANCE, REPAIR, AND PARTS SERVICES

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

This action will provide for necessary technical support and on-call repairs if SacRT Facilities and Maintenance staff are not be able to timely make repairs to keep the Compressed Natural Gas (CNG) fueling facilities operational in order to maintain necessary fueling operations for SacRT's CNG bus fleet.

FISCAL IMPACT

The proposed contract term is five years. The amount for this service is \$99,995 annually. The cost for the first year is included in the FY 2021 budget. The Contract will be funded with Operating funds (Federal Preventive Maintenance) for an amount not to exceed \$500,000 to correspond with the current annual budgeted amount over a five-year term.

DISCUSSION

A substantial portion of SacRT buses rely on CNG to operate. CNG fueling at Bus Maintenance Facility 1 (BMF1) and Bus Maintenance Facility 2 (BMF2) is critical to SacRT Bus Operations and to supporting local agencies and companies that fuel at BMF2. If CNG fueling facilities are non-operational, SacRT Bus Operations would come to a halt. There is a business justification for Facilities Maintenance to have back up CNG expertise to in-house mechanics. The proposed Contract would provide for on-call CNG experts to be at the affected facility within 2 hours for emergency on-call repairs to make the CNG fueling operational to meet SacRT's business and customer needs.

Staff released a Request for Proposals (RFP) for these services on July 15, 2020. The current contract for CNG repair and maintenance expires on September 14, 2020. Sealed proposals were submitted on August 14. Due to the time period required to evaluate the proposals and negotiate a final contract resulting from the RFP, Staff will not be able to finalize the procurement process before the August 24, 2020 Board meeting date. To avoid a lapse in services, Staff recommends the Board delegate

authority to the General Manager/CEO to award and execute a contract to provide on-call repairs and parts for BMF1 and BMF2 to the responsive and responsible proposer submitting the best and most qualified proposal, based on the criteria specified in the RFP for an amount not to exceed \$500,000.

The base scope of services solicited in the RFP is for on-call repair and parts. The RFP also required Proposers to offer options for pro-active Preventative Maintenance (PM), which could reduce the need for on-call repairs. Staff will return to the Board, if necessary, to amend the Contract in the future to add any selected PM option.

RESOLUTION NO. 20-08-0080

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

August 24, 2020

DELEGATE AUTHORITY TO THE GENERAL MANAGER/CEO TO AWARD AND EXECUTE A CONTRACT FOR COMPRESSED NATURAL GAS EQUIPMENT MAINTENANCE, REPAIR, AND PARTS SERVICES

WHEREAS, SacRT requires the services of a Contractor with expertise in compressed natural gas fueling facilities to provide on-call repair and part services for SacRT CNG fueling facilities, which are critical to SacRT's continued operations.

WHEREAS, in accordance with the applicable provisions of the Procurement Ordinance, SacRT Staff released a Request for Proposals (RFP) for these services; and

WHEREAS, due to the pending expiration of the existing Contract for these services, it is necessary to quickly put into a place a new contract.

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

THAT, the General Manager/CEO is hereby authorized to negotiate, award and execute a Contract for Compressed Natural Gas On-Call Maintenance and Repair Services in an amount not to exceed \$500,000, after expiration of the applicable protest period, with the highest-ranked responsive and responsible proposer based on the criteria set out in the RFP.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: August 24, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Laura Ham, VP, Planning and Engineering

SUBJ: STREETCAR PROJECT UPATE AND APPROVE 1) REIMBURSEMENT AGREEMENT BETWEEN SACRT & THE RIVERFRONT JPA, 2) THE 3RD AMENDMENT TO THE CONTRACT WITH HDR, INC., 3) THE 1ST AMENDMENT TO THE CONTRACT WITH AECOM, & 4) STREETCAR OWNERSHIP AGREEMENT

RECOMMENDATION

Adopt the Attached Resolutions.

BACKGROUND

Project Update: The Downtown Riverfront Streetcar Project (Project) received approval from Federal Transit Administration (FTA) to enter Project Development as a Small Starts Project in 2014. The original scope of the Project was environmentally cleared, designed, and issued for bid in November 2018, with Construction Bids received in January of 2019. Unfortunately, the bids received for the Project came in significantly higher than expected. During 2019, the Project partners analyzed alternatives to reduce costs and to deliver a Project consistent with the original intent, purpose, and need. After several discussions with FTA, the Project partners determined that updating the Project with a revised scope, cost and schedule would be the most beneficial approach to preserve the original intent, purpose and need of the original project, preserve the \$50 million federal appropriation to the Project and establish a regional connection between the City of Sacramento and the City of West Sacramento (Cities). Re-scoping the Project also provided an opportunity to update the Project in light of significant development that has occurred in both Cities since the Project was approved for Project Development. Ultimately, Project partners decided that a revised project scope would provide the majority of the benefits of the Downtown Riverfront Streetcar Project, provide a stronger connection to the regional light rail system, and still take advantage of work done on the original Project. With strong support from Congresswoman Doris Matsui, Sacramento Area Council of Governments (SACOG) and SacRT sent a letter to the FTA on February 13, 2020 on behalf of the Project partners, expressing the partners' commitment to the Project as revised, and committing to deliver a full Project update, including environmental, project management plan, design, operating plan, and associated studies by April 2021.

The revised Project is a 1.51-mile segment from the Sacramento Valley Station (SVS) (Sacramento's intermodal transportation facility) to Sutter Health Park (formerly known as Raley Field) in West Sacramento. The Streetcar would depart the SVS at 3rd Street, turn west on Capitol Mall, cross the Sacramento River on the Tower Bridge and

continue on Tower Bridge Gateway to Sutter Health Park. The Streetcar project would add new Streetcar Stations at Sutter Health Park, Capitol Avenue and the SVS.

The revised Project will improve transit service and local circulation by connecting West Sacramento and downtown Sacramento with an alternative (non-auto) mode and support existing and future development in the City of West Sacramento and downtown Sacramento.

Some of the differences between the original and the revised scope are as follows:

-) The revised Project scope is a 1.5-mile project versus the original 4.4-mile project.
-) The revised Project has 3 stops versus 21 stops from the original scope.
-) The terminus of the revised Project in West Sacramento is Sutter Health Park (Raley Field) rather than West Sacramento City Hall. There will be no connection to Riverfront Street in West Sacramento.
-) The revised Project will terminate at the SVS, rather than serving Midtown Sacramento as planned with the original scope.
-) The Project will be able to use SacRT's existing Operations and Maintenance Facility and will not require a new facility in West Sacramento as was planned for the Project.
-) The revised Project does not include the relocation of Light Rail from K Street to H Street. Moving Light Rail to H Street is not a necessary element of the revised Project.
-) Only two vehicles will be procured rather than the six vehicles from the original scope.
-) Utility relocations will be significantly less than the original scope.
-) Traffic impacts and at-grade crossing impacts will be less significant on the revised alignment versus the original alignment.
-) End-to-end travel times are estimated at 10 minutes one way versus the original estimated 40-minute travel time.

As mentioned previously, SacRT and the Project partners are working on the Small Start Submittal Update, as requested by the FTA. The Small Starts Update consists of a revised Travel Forecast, an Updated Land Use/Economic Development plan specific to the reduced scope (alignment/stations) and an updated Financial Plan which is expected to maintain an acceptable project rating. SacRT and the partners intend to submit the update by August 28, 2020, which is the deadline by the FTA for project submittals.

In addition to the updated application, the environmental documentation and the design are required to be updated in order for the FTA to perform a project readiness review. A successful review will ensure that the \$50 million Small Starts Grant Agreement will be executed prior the expiration of the 2017 appropriation in September 2021. These updates will be performed by the environmental and design consultants that previously performed work on the Project through new amendments. Funding this work requires the execution of the reimbursement agreement between the Riverfront Joint Powers Authority (Authority) and SacRT as presented in this report, which allows the Authority to reimburse SacRT for these contract services.

Any further delay of the execution of the contract amendments for environmental and design work beyond September 2020 will potentially delay the FTA project readiness review and jeopardize the 2017 \$50 million federal appropriation.

RESULT OF RECOMMENDED ACTION

1. Approving the Reimbursement Agreement between Sacramento Regional Transit District (SacRT) and the Authority will provide funding from the Cities of Sacramento and West Sacramento through the Authority to SacRT to move forward toward: delivering a revised Project consistent with the original intent, purpose, and need by meeting the Small Starts application update for the 2017 earmark expiration in September 2021. The Reimbursement Agreement would provide partial interim funding for specific additional work needed to continue advancing the project through the Small Starts application and a portion of Final Design. Based on the decisions from the August 18, 2020 City of Sacramento Council Meeting, the council approved an amended agreement that reduced the City of Sacramento's commitment by \$151,000. This creates a shortfall in funding for SacRT staff time to manage the project consultants. SacRT anticipates enough funding to allow SacRT staff to work for approximately 60 days. The Reimbursement Agreement would also fund two Work Orders with SacRT's existing consultants: (1) an updated ridership analysis performed by Fehr & Peers as a sub-consultant to Psomas (\$99,479.31) and (2) assistance with the Small Starts applications process by AECOM under the On-Call Planning Support Services Contract (\$49,689.91) and SacRT staff costs.
2. The Third Amendment to the Contract for the Downtown Riverfront Streetcar Design Services with HDR, Inc. will allow HDR to complete final design for the revised Project. Execution of the Amendment would be contingent upon execution of the Reimbursement Agreement referenced above.
3. The First Amendment to the Contract for the Downtown Riverfront Streetcar Environmental Support Services with AECOM would provide funding to complete the CEQA/NEPA revisions necessary to move forward with the Project as revised. Execution of the Amendment would be contingent upon execution of the Reimbursement Agreement referenced above.
4. The Subrecipient and Interagency Agreement approved by the Board in July 2018 provided for the Authority to be the owner of the Project. Termination of that agreement would allow the parties to negotiate alternative agreements for the funding of construction and operation of the Project, with ownership transferring

to SacRT. The City of Sacramento took action on August 18, 2020 to dissolve the Authority. On August 19, 2020, the City of West Sacramento also took action to dissolve the Authority. Therefore, upon approval, the Board of Directors authorizes project sponsorship and ownership to transfer to SacRT and directs the General Manager/CEO to negotiate replacement agreements with the Cities prior to the dissolution of the Authority.

FISCAL IMPACT

- 1. Reimbursement Agreement between SacRT and the Authority:** The new reimbursement agreement between SacRT and Authority will allow SacRT to be reimbursed for work to advance the project through the Small Starts application and Final Design. A total of \$659,345.92 was previously billed under the 2018 Authority-Cities Agreement, leaving available funds in the amount of \$1,789,654.08 to continue advancing the Project. The City of Sacramento's obligation under the prior 2018 agreement has been reduced from \$300,000 to approximately \$149,000 in this agreement (\$151,000 reduction). With this reduction, there are only sufficient funds to submit the required updates to the FTA and fund the project for approximately the next 60 days. There are insufficient funds to move the project through Final Design and the execution of a federal grant agreement in the 2021 calendar year, as of now, the funding shortfall is approximately \$560,000 in addition to the previously mentioned \$151,000 shortfall. These estimates will be updated once a revised schedule is developed. Therefore, upon completion of this work, staff will bring forward to the Board a report with an update of remaining funds needed for the project and options to consider.
- 2. Third Amendment to the Contract for the Downtown Riverfront Streetcar Design Services with HDR:** The original Contract for Downtown Riverfront Streetcar Design Services with HDR, Inc. included design up to the 85% completion with a value of \$4,704,884.89. The First Amendment included the 100% design and the Second Amendment included updates to the Vehicle Maintenance Facility Location and the riverfront alignment in West Sacramento. This third amendment will address the 15% shortfall noted above by reducing the scope of the project by shortening and reconfiguring the termini of the Project. The Third Amendment will increase the contract between HDR Inc. and SacRT by \$1,113,293.00 from \$12,172,738.25 to \$13,286,031.25. This increase of \$1,113,293 will be reimbursed through the agreement with the Authority.
- 3. First Amendment to the Contract for the Downtown Riverfront Streetcar Environmental Support Services with AECOM:** SACOG prepared the original CEQA/NEPA documentation for the original project. The Contract for Streetcar Environmental Support Services between SacRT and AECOM included services to address additional environmental issues when minor revisions were made to the original Project alignment. This First Amendment will provide all the necessary revisions to complete environmental updates for the revised Project. The First Amendment is for \$123,582.23. The Contract between AECOM and SacRT will increase by \$123,582.23, from \$89,354.66 to \$212,936.89. This increase of \$123,582.23 will be reimbursed through the agreement with the Authority.

- 4. Terminate the Subrecipient and Interagency Agreement between SacRT, the Cities, and the Authority:** The last remaining governance document approved by the Board is the Subrecipient and Interagency Agreement between SacRT, the Authority, and both Cities. That document designates the Authority as the owner of the Project and SacRT as the manager of the state and federal grant funds. Through several discussions with the both Cities and SACOG, it is proposed that SacRT become the owner and operator of the completed Project. This will require termination of the Subrecipient and Interagency Agreement and a petition from SACOG to the FTA to transfer the Project sponsorship from SACOG to SacRT. It is estimated that the Operating and Maintenance (O&M) cost of the Project will be \$1.5 million which is discussed further below.

DISCUSSION:

Operating & Maintenance:

As mentioned above, it is estimated that the O&M cost of the Project will be \$1.5 million annually. Discussions are underway regarding an O&M agreement. The prior O&M Agreement approved as part of the governance documents expired at the same time as the Design, Procurement and Construction (DPC) Agreement. It is expected that the Cities will be parties to the agreement and that operating costs will be shared between West Sacramento, SacRT, and potentially other partners, and funded by future sales tax revenue and other sources. West Sacramento is not a member or participating entity of SacRT; therefore, a separate O&M agreement will need to be developed. This agreement could be similar to the light rail O&M agreement between SacRT and the City of Folsom, which was in place for almost 15 years, prior to Folsom joining SacRT in late 2018. If none of the partners agree to share in the O&M costs, SacRT would be responsible for the entire amount.

O&M costs were estimated based upon the current travel time of 20 minutes round trip utilizing one vehicle and 10 minutes during peak hours utilizing two vehicles. Maintenance of the vehicles will be done at SacRT's existing Light Rail Maintenance Facility at Academy Way.

Ownership:

The last remaining governance document approved by the Board is the Subrecipient and Interagency Agreement between SacRT, the Authority, and both Cities. That document designates the Authority to be the owner of the Project and for SacRT to manage the state and federal grant funds. Through several discussions with both Cities and SACOG, it is proposed that SacRT become the owner and operator of the completed Project upon dissolution of the Authority and approval of the SacRT Board of Directors. This will require termination of the Subrecipient and Interagency Agreement and a petition from SACOG to the FTA to transfer the Project sponsorship from SACOG to SacRT.

Since both Cities took action to dissolve the Authority and begin the winddown process, Staff recommends the Board approve SacRT to own and operate the Streetcar and negotiate replacement agreements with the Cities.

Staff recommends that the Board approve the Reimbursement Agreement and conditionally approve the two amendments to the consultant contracts, as described above, upon full execution of the Reimbursement Agreement.

SacRT recommends that the Board approve the termination of the Subrecipient and Interagency Agreement to allow SacRT to be the sole grantee of the state and federal funds for the Project and the owner of the constructed Project, subject to execution of replacement agreements for construction and operation funding for the Project by the Cities.

RESOLUTION NO. 20-08-0081

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

August 24, 2020

APPROVING REIMBURSEMENT AGREEMENT FOR THE REDESIGN OF DOWNTOWN RIVERFRONT STREETCAR PROJECT AND SMALL STARTS GRANT SUBMISSION WITH THE RIVERFRONT JOINT POWERS AUTHORITY

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

THAT, the Reimbursement Agreement for the Redesign of Downtown Riverfront Streetcar Project and Small Starts Grant Submission by and between the Sacramento Regional Transit District (therein "RT") and the Riverfront Joint Powers Authority (therein "Authority"), whereby RT's agrees to provide specified and limited services to advance a revised streetcar project, subject to reimbursement by the Authority of RT's costs up to a maximum amount available to the Authority under the Interagency and Cost Reimbursement Agreement between the Authority and the Cities of Sacramento and West Sacramento (approximately \$1,789,654.08), as further specified therein, is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute the Reimbursement Agreement for the Redesign of Downtown Riverfront Streetcar Project and Small Starts Grant Submission.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-08-0082

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

August 24, 2020

APPROVING THE THIRD AMENDMENT TO THE CONTRACT FOR DOWNTOWN RIVERFRONT STREETCAR DESIGN SERVICES WITH HDR, INC.

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

THAT, the Third Amendment to the Contract for Downtown Riverfront Streetcar Design Services by and between Sacramento Regional Transit District, therein referred to as "RT," and HDR, Inc., therein referred to as "Consultant," whereby the scope is amended to provide for Consultant to prepare a revised final design for the shortened project alignment and the total consideration is increased by \$1,113,293.00, from \$12,172,738.25 to \$13,286,031.25 is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute the foregoing Third Amendment contingent upon execution of the Reimbursement Agreement for the Redesign of Downtown Riverfront Streetcar Project and Small Starts Grant Submission by and between the Sacramento Regional Transit District (therein "RT") and the Riverfront Joint Powers Authority (therein "Authority").

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-08-0083

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

August 24, 2020

APPROVING THE FIRST AMENDMENT TO THE CONTRACT FOR DOWNTOWN RIVERFRONT STREETCAR ENVIRONMENTAL SUPPORT SERVICES WITH AECOM

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

THAT, the First Amendment to the Contract For Environmental Support Services for Downtown Riverfront Streetcar Project between Sacramento Regional Transit District, therein referred to as "SacRT," and AECOM, therein referred to as "Consultant," whereby the scope is amended to provide for Consultant to prepare revised environmental documentation for the shortened project alignment and the total consideration is increased by \$123,582.23, from \$89,354.66 to \$212,936.89, is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute the foregoing First Amendment contingent upon execution Reimbursement Agreement for the Redesign of Downtown Riverfront Streetcar Project and Small Starts Grant Submission by and between the Sacramento Regional Transit District (therein "RT") and the Riverfront Joint Powers Authority (therein "Authority").

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-08-0084

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

August 24, 2020

APPROVING TERMINATION OF THE SUBRECIPIENT AND INTERAGENCY AGREEMENT, AUTHORIZING PROJECT SPONSORSHIP AND OWNERSHIP TO TRANSFER TO SACRT, AND DIRECTING THE GENERAL MANAGER/CEO TO NEGOTIATE REPLACEMENT AGREEMENTS WITH THE CITIES PRIOR TO THE DISSOLUTION OF THE AUTHORITY

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

THAT, the Board hereby authorizes and directs the General Manager/CEO to take the steps necessary to terminate the existing Subrecipient and Interagency Agreement with the Riverfront Joint Powers Authority.

THAT, the Board approves Sacramento Regional Transit District to own and operate the completed Downtown Riverfront Streetcar Project and directs the General Manager/CEO to negotiate replacement agreements for the construction and operation of the Project are developed and executed between SacRT and the Cities.

STEVE HANSEN, Chair


A T T E S T:

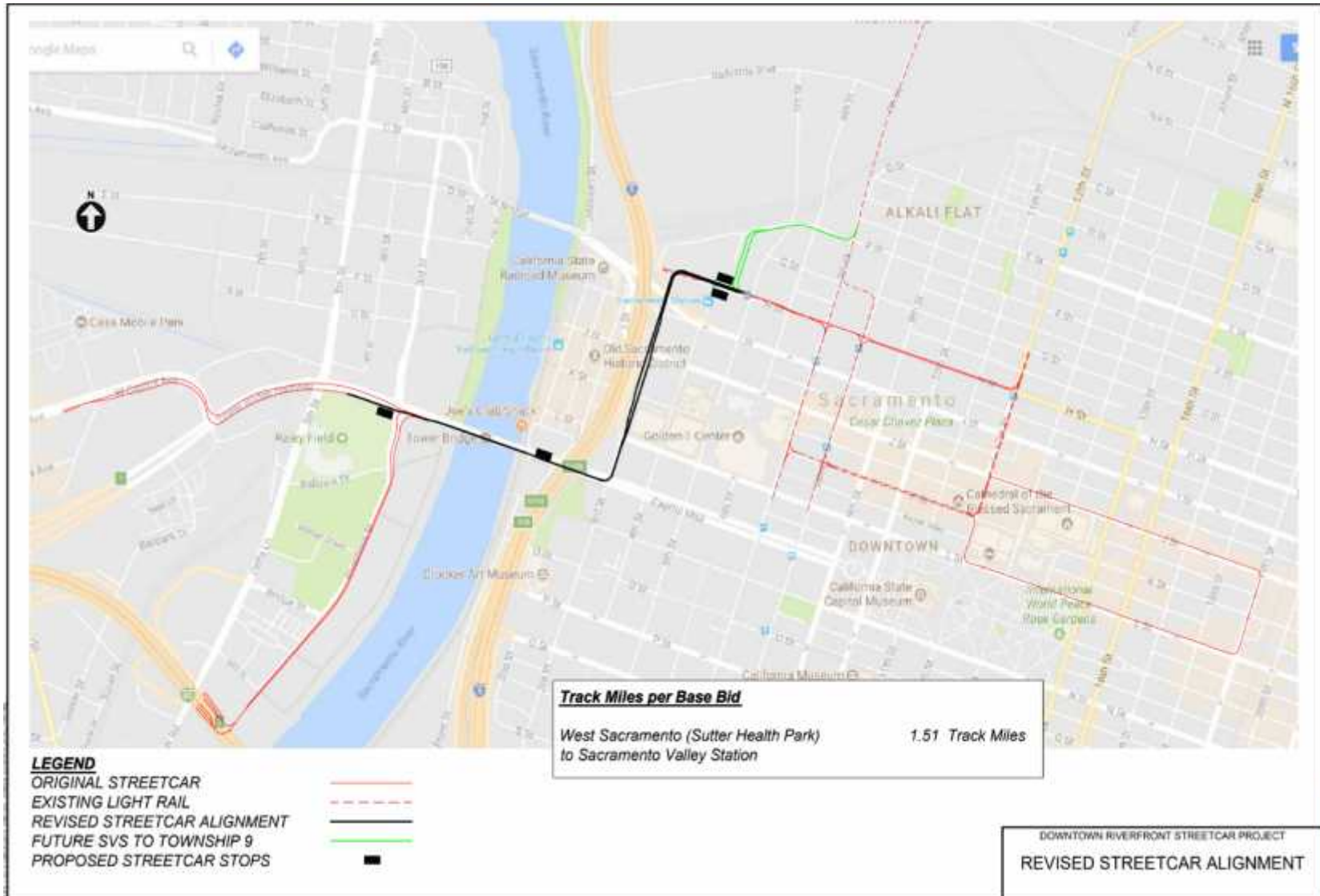
HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

Downtown River Front Streetcar Update

August 24, 2020





Revised Project Scope

- Sutter Health Park to Sacramento Valley Station (SVS)
- 1.5 Mile Project (1.1 Route Miles)
- 3 Streetcar Stops – Sutter Health Park, 2nd and Capitol and SVS
- \$130M (Includes \$20M previously expended from original scope)
- 2024 estimated completion

Time Line

- January 2019 – Bids Received for Original Scope which came in higher than expected.
- February 2019 – Rejected all Bids
- March 2019 – Stakeholders issued Stop Work Notice for all active Contracts.
- March 2019 – Mayors of both Cities assembled the Mobility Technical Working Group - Objective to preserve the \$50M earmark and connect the two Cities. Explored various Options
- December 2019 – Revised Scope was defined by SacRT and Stakeholders as Light Rail Connector
- January 2020 – FTA recommended that change of Mode was not favorable
- February 2020 – SacRT and Partners submitted a letter of intent to the FTA revising the original Streetcar Scope
- August 2020 – Updated Small Starts Submittal due to FTA
- September 2021 -2017 \$50M Earmark expires

Progress

- Weekly meetings with Stake Holders
- Frequent 2 x 2 Meetings (Board Chair and Vice Chair of SacRT and YCTD)
- Estimated project rating by SacRT and Stake Holders using FTA template
- Issued a work order to perform updated Travel Forecast with Fehr and Peers
- Negotiated Proposal with HDR to update Design
- Negotiated Proposal with AECOM to update Environmental Documents
- Updated Land Use and Economic Development Documents
- Updated SCC workbook (Project Estimate)
- Updated Financial Plan
- Updated Project Schedule
- Developed Forecast Budget for cost to complete
- Updating Project Management Plan
- Developed Draft MOU with JPA (No longer valid)
- Developed Reimbursement with JPA
- Completed the Small Start Application for Stakeholders Review

Issues

- City of Sacramento financial commitment is \$300K. Remaining available funding is \$149K, which funds the Project Management for approximately 60 days.
- Forecast Budget to the award of Small Starts Grants is currently unfunded (\$560K)
- Small Start Submittal due on August 28th to FTA
- 2017 \$50M Earmark set to expire in September 2021.
- Prop 1A committed to Folsom Modernization Project.
- Identify future funds for Operating and Maintenance Cost.

City of Sacramento Actions

- August 18, 2020 – City Council Actions
 - Amend the Interagency Agreement
 - Remaining Financial Commitment of \$149K vs \$300K
 - Dissolution of JPA
 - Transition Ownership to SacRT

City of West Sacramento Actions

- August 19, 2020 – City Council Actions
 - Amend the Interagency Agreement
 - Financial Commitment to remain per the original agreement
 - Dissolution of JPA

Sacramento RT Actions

- Seek Board Approval of Reimbursement Agreement, AECOM Amendment, HDR Amendment and Board Approval to own and operate the Streetcar after dissolution of JPA.
- Submit Small Start Application prior to August 28, 2020.
- Work with Cities to resolve funding gap (\$151K 2020 shortfall/\$560K 2021 shortfall).
- Address schedule to retain the 2017 \$50M earmark which expires in September 2021.
- Work with Cities to dissolve the JPA and enter into replacement agreements.
- Work with West Sacramento to develop an Operations and Maintenance Agreement

Revised Project Funding

Funding Source	Budget	Actual Costs	Balance	Status
Federal				
Sacramento Area Council of Governments	\$ 5,000,000	\$ 5,000,000	\$ -	Initially funded as Congestion Mitigation and Air Quality (CMAQ) funds. Dollars were later flexed to Federal 5307 funds.
5309 Small Starts	\$ 50,000,000	\$ -	\$ 50,000,000	\$50 million in FY17 appropriation.
State				
Proposition 1B (PTMISEA)	\$ 1,570,000	\$ 1,570,000	\$ -	State Proposition 1B (PTMISEA) funds received in March 2014.
New Measure	\$ 11,400,000	\$ -	\$ 11,400,000	New Measure proposed for 2022.
Cap and Trade (TIRCP)	\$ 30,000,000	\$ -	\$ 30,000,000	Funds approved in 2016. SacRT is the official recipient. SSGA is required before accessing funds.
Local				
City of West Sacramento	\$ 25,000,000	\$ 5,988,180	\$ 19,011,820	City Council approved.
City of Sacramento	\$ 7,397,142	\$ 7,248,142	\$ 149,000	City Council approved. Includes \$2 million in early Project Development funds.
Total Funding				
Grand Total	\$ 130,367,142	\$ 19,806,322	\$ 110,560,820	



STAFF REPORT

DATE: August 24, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Laura Ham, VP, Planning and Engineering

SUBJ: AUTHORIZING THE GENERAL MANGER/CEO TO AWARD A SOLE SOURCE PUBLIC WORKS CONTRACT TO A QUALIFIED PLUMBING COMPANY TO PERFORM AN EMERGENCY REPAIR AND/OR REPLACEMENT OF ONE OR MORE PIPES LEAKING A SIGNIFICANT AMOUNT OF WATER UNDER BUS MAINTENANCE FACILITY 1 (BMF1)

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Contractor ACCO Engineered Systems, Inc. will provide SacRT with emergency leak detection and repairs or replacement to a suspected underground water pipe leak at BMF1, which is the primary fueling and maintenance facility for the SacRT bus fleet.

FISCAL IMPACT

Expense: Unknown

DISCUSSION

With assistance from the City of Sacramento Water Division, staff recently discovered a significant water leak at 1323 28th Street, which is the primary Clean Natural Gas (CNG) fueling and maintenance facility for the SacRT bus fleet. Staff has not been able to identify the exact location of the water leak at the BMF1 facility, but has been able to shut off valves to stop the leak at this time. It is suspected that the water leak is deep underground as no surface water is observed and the leak is possibly of significant volume based upon meter readings, potentially over 3,000 gallons per hour. In a worst-case scenario the water has caused underground and pavement damage, may cause significant damage to life and property, and may prevent SacRT from delivering essential public transit service. Due to the clear and imminent danger, there is urgency to get this work done immediately.

SacRT is obligated under Public Contract Code Section 20321 to competitively bid Public Works contracts in excess of \$5,000, unless an emergency is declared by an affirmative vote of four-fifths of the Board. SacRT staff is in the process of preparing to solicit a non-competitive bid for the necessary repairs. A typical Public works solicitation over \$5,000 takes approximately 90-120 days before a contract is awarded. Even in an

optimal scenario, developing an Invitation for Bid and conducting a minimal two-week solicitation, it would take approximately 30 days to award a contract.

By adopting this Resolution, the Board of Directors is taking three separate actions. These are:

1. Declaring an emergency for the water leak detection and pipe repairs at 1323 28th Street.
2. Waiving the requirement to award a Public Works contract over \$5,000 to the lowest responsive and responsible bidder after competitive bidding for this project.
3. Authorizing the General Manager/CEO, or his designee, to obtain a price quote and to bind SacRT to a Contract for water leak detection and pipe repairs at 1323 28th Street.

Staff recommends adoption of the Resolution.

RESOLUTION NO. 20-08-0085

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

August 24, 2020

AUTHORIZING THE GENERAL MANGER/CEO TO AWARD A SOLE SOURCE PUBLIC WORKS CONTRACT TO A QUALIFIED PLUMBING COMPANY TO PERFORM AN EMERGENCY REPAIR AND/OR REPLACEMENT OF ONE OR MORE PIPES LEAKING A SIGNIFICANT AMOUNT OF WATER UNDER BUS MAINTENANCE FACILITY 1

WHEREAS, under Public Contract Code Section 20321 the Sacramento Regional Transit District (SacRT) must competitively bid Public Works contracts in excess of \$5,000, unless an emergency is declared by an affirmative vote of four-fifths of the Board; and

WHEREAS, it takes approximately 90-120 days for a contract to be awarded for a Public Works solicitation over \$5,000; and

WHEREAS, SacRT unexpectedly found a significant underground water leak at 1323 28th Street, which is the primary fueling and maintenance facility for the SacRT bus fleet, known as Bus Maintenance Facility 1 (BMF1); and

WHEREAS, a significant underground water leak poses a clear and imminent danger and threat to life, property and essential services, by potentially causing underground damage and weakening of the pavement; and

WHEREAS, SacRT uses the BMF1 to deliver essential public transit service to the greater Sacramento community

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

THAT, the Board declares an emergency for the leak repairs at 1323 28th Street (BMF1).

THAT, the Board waives the requirement to award a Public Works contract over \$5,000 after competitive bidding for this project.

THAT, the Board authorizes the General Manager/CEO, or his designee, to obtain a price quote or quotes and to bind SacRT to a Contract for Leak Repairs at 1323 28th Street.

Passed and adopted at a Regular Meeting of the Sacramento Regional Transit District on the 24th day of August 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: August 24, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Henry Li, General Manager/CEO
SUBJ: GENERAL MANAGER'S REPORT

RECOMMENDATION

No Recommendation — For Information Only.

SacRT Meeting Calendar

Regional Transit Board Meeting

September 14, 2020
SacRT Auditorium / Webconference
5:30 P.M

Quarterly Retirement Board Meeting

September 9, 2020
SacRT Auditorium / Webconference
9:00 A.M.

Mobility Advisory Council Meeting

September 3, 2020
SacRT Auditorium / Webconference
2:30 P.M.