



## RTA BOARD AGENDA

Wednesday, January 8, 2025 at 9:30 AM

(Start time is approximate, immediately following SLOCOG Meeting)

BOARD OF SUPERVISORS' CHAMBERS  
COUNTY GOVERNMENT CENTER

1055 Monterey Street, San Luis Obispo, California 93401

The AGENDA is available/posted at: <http://www.slorta.org>

President: \_\_\_\_\_

Vice President: Jimmy Paulding

Board Members:

John Peschong (First District – SLO County)  
Bruce Gibson (Second District – SLO County)  
Dawn Ortiz-Legg (Third District – SLO County)  
Jimmy Paulding (Fourth District – SLO County)  
Heather Moreno (Fifth District – SLO County)  
Jim Guthrie (Arroyo Grande)

Heather Newsom (Atascadero)  
\_\_\_\_\_ (Grover Beach)  
Carla Wixom (Morro Bay)  
Fred Strong (Paso Robles)  
Ed Waage (Pismo Beach)  
\_\_\_\_\_ (San Luis Obispo)

Individuals wishing accessibility accommodations at this meeting under the Americans with Disabilities Act (ADA) may request such accommodations to aid hearing, visual, or mobility impairment (including Limited English Proficiency) by contacting the RTA offices at (805)541-2228 x4833. Please note that 48 hours advance notice will be necessary to honor a request.

RTA, de acuerdo con la Ley de Estadounidenses con Discapacidades (ADA), acomodará a las personas que requieran una modificación de la adaptación para participar en esta reunión. RTA también se compromete a ayudar a las personas con dominio limitado del inglés a acceder a los servicios públicos esenciales de la agencia y a la información pública en español. Para solicitar una adaptación, por favor llame al (805)541-2228 x4833. Requerimos al menos 48 horas de anticipación para proporcionar adaptaciones razonables.

### CALL MEETING TO ORDER, ROLL CALL

**PUBLIC COMMENT:** The Board reserves this portion of the agenda for members of the public to address the San Luis Obispo Regional Transit Authority Board on any items not on the agenda and within the jurisdiction of the Board. Comments are limited to three minutes per speaker. The Board will listen to all communication, but in compliance with the Brown Act, will not take any action on items that are not on the agenda.

#### A. CONSENT AGENDA:

- A-1 RTA Executive Committee Meeting Minutes October 9, 2024 (Information)
- A-2 RTA Board Meeting Minutes of November 6, 2024 (Approve)
- A-3 FTA 5307, 5339 & CMAQ Grant Programs Administration (Adopt Resolution)
- A-4 FTA Section 5311 Grant Application (Adopt Resolution)
- A-5 Low-Carbon Transit Operations Program Grant Application (Adopt Resolution)
- A-6 Rural Transit Funds Grant Application (Adopt Resolution)

- A-7 SB-1 State of Good Repair Grant Application (Adopt Resolutoin)
- A-8 FTA Annual Certifications and Assurances (Authorize)
- A-9 Update RTA Contracting and Procurement Policies, Practices and Procedures Manual (Approve)
- A-10 Transfer of Surplus Vehicles (Authorize)
- A-11 Procurement of Demand Response Van and Support Vehicle; Declare Surplus (Authorize)
- A-12 Procurement of Third-Party Engine Replacement Services (Authorize)
- A-13 PRISM Paid Family Leave Memorandum of Understanding (Adopt)
- A-14 Draft RTAC Minutes of January 18, 2024, March 13, 2024, June 5, 2024, and October 16, 2024 (Information)
- A-15 Bus Maintenance Facility CEQA Mitigations 3<sup>rd</sup> Annual Monitoring Report (Receive)

**B. INFORMATION AGENDA:**

- B-1 Executive Director's Report (Receive)
- B-2 Update on Short-Range Transit Plan Study (Receive)

**C. ACTION AGENDA:**

- C-1 Agreement to Operate of Morro Bay Transit Services (Authorize)
- C-2 Procurement of Four Battery-Electric Buses; Declare Surplus (Authorize)

**D. CLOSED SESSION:**

- D-1 Executive Director Performance Evaluation (Govt. Code Section 54957)  
CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Jon Ansolabehere, RTA Counsel  
Unrepresented employee: Geoff Straw, Executive Director

**BOARD MEMBER COMMENTS**

The next regularly-scheduled RTA Board meeting is scheduled for March 5, 2025



San Luis Obispo Regional Transit Authority

Executive Committee Meeting

Minutes 10/9/2024

A-1

Members Present: Andy Pease, City of San Luis Obispo, **President**  
Jimmy Paulding, District 4 Supervisor, **Vice President**

Members Absent: Debbie Arnold, District 5 Supervisor, Past President

Staff Present: Geoff Straw, Executive Director  
Tania Arnold, Deputy Director  
Anthony Kalvans, Administrative Assistant  
Jenna Morton, RTA Counsel

Public Present: Eric Greening

1. **Call to Order and Roll Call:** **President Andy Pease** called the meeting to order at 10:03 a.m. and roll call was taken. A quorum was present.
2. **Public Comment:**  
Eric Greening submitted a list of references to Mr. Straw regarding electromagnetic field (EMF) emissions.
3. **Closed Session:** None
4. **Consent Items**  
A-1 Executive Committee Meeting Minutes of August 14, 2024 (Approve)

Public Comment:

There was no public comment given on this item.

**Mr. Paulding** motioned to approve, seconded by **Ms. Pease**. There was a consensus to unanimously approve the meeting minutes as is.

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD			X
JIMMY PAULDING	X		
ANDY PEASE	X		

5. **Information Items:**

B-1 Executive Director's Report (Verbal, Receive)

**Mr. Straw** started his report by informing the committee that he will not be able to make the November Board meeting, Ms. Tania Arnold will be leading the meeting.

**Mr. Straw** gave an update on the performance of the electric buses. He noted that they have put on over 12,000 miles and the data shows that efficiency is linked to driver habits and the route driven. He noted that one driver has been able to achieve 1.63 kilowatts per mile and that the e-buses are also being used on the Route 10 as well as interlining between Routes 10 and 12. One drawback that was noted was that back tires on the e-buses are wearing out quicker due to more weight than standard diesel buses and regenerative braking. **Ms. Pease** asked if we are recycling tires. **Mr. Straw** responded that RTA leases the tires and is charged on a per mile basis. He also said that the RTA does not do retreads.

**Mr. Straw** gave an update on the Bus Roadeo, highlighting that it was a great event and appreciated the donations that were received. He also mentioned that he drove a bus in the obstacle course. Outside of the Roadeo, **Mr. Straw** said that the RTA has three new operators in service and an additional candidate in training. However, the a few Operations Supervisors have separated employment.

**Mr. Straw** transitioned into giving an update on SB125 projects, and that staff needs additional authority to execute the SB125 projects. **Mr. Paulding** asked for some examples of SB125 projects. **Mr. Straw** said that the phase 2 electric vehicle chargers and the phase 3 master planning for opportunity charging fell under that category. **Mr. Paulding** asked about hydrogen fuel and its viability. **Mr. Straw** noted that there are still serious challenges with hydrogen fuel including its costs relative to diesel fuel and the infrastructure needed to implement it. **Ms. Pease** thanked Mr. Straw for being on top of the latest trends.

Finally, **Mr. Straw** said that he is working with Atascadero and Morro Bay Officials on consolidation, and hopes to bring something to the Board in January.

Public Comment:

**Mr. Greening** said it was interesting that driver habits are significantly affecting the range of the vehicles. He also asked about the impacts of temperature on range and rider comfort. **Mr. Straw** replied by saying that they are tracking weather conditions, and have not seen a major impact from the hot weather. He also said that staff is anticipating the longer-term impacts of battery degradation on range.

B-2 Summary of S RTP Working Papers (Verbal, Receive)

**Mr. Straw** gave an update on the Short-Range Transit Plan (S RTP) and noted that staff comments have been received for the administrative drafts of Working Papers 5 and 7, and the public documents should be available by the end of October. **Mr. Straw** noted that staff is looking at fares and the current structure and talked about the pros and cons of the current discount fare structure and a new process for people to purchase discount fares. **Ms. Pease** asked if the study was going to focus on fare increases or strategies. **Mr. Straw** said that the study will focus on all of the above including a fare capping program. Separately, **Mr. Straw** noted that the RTA is looking at additional service alternatives and adding them as a supplemental memo to the S RTP.

**Ms. Pease** asked about updates regarding Santa Maria service. **Mr. Straw** noted that those discussions were between the City of San Luis Obispo and Santa Maria. A discussion ensued on Route 10 service.

Public Comment:

**Mr. Greening** asked about the status of the next working papers and the joint efforts between RTA and SLO Transit. **Mr. Straw** noted that both agencies are developing separate Working Papers and it is not expected for committee members to read both agencies' Working Papers which are over 250 pages long. **Mr. Straw** also noted that while Working Paper 8 will cover Runabout service, a joint meeting is not planned at this time. However, if there is a need for joint meeting, RTA staff would coordinate with SLO Transit staff.

6. **Action Items:**

C-1 Fiscal Year 2024-25 Capital Budget Amendment #1 (Recommend)

**Ms. Tania Arnold** presented the capital budget amendment and noted that there are a lot of projects that are going to be carried forward. The updated STA that the SLOCOG Board approved at the October 2, 2024 meeting is not included due to it being relatively nominal. As a source of good news, the audit came back and they included an adjustment related to the farebox recovery ratio to include FTA Section 5307 operating revenue. **Mr. Straw** noted that penalties and regulations regarding farebox recovery ratio has held back service expansion in prior years. **Ms. Tania Arnold** reviewed changes in capital revenue and capital expenditures.

Public Comment:

**Mr. Greening** said that he was happy that these projects don't require additional LTF funding and is supportive of the action item.

**Mr. Paulding** motioned to approve in concept, seconded by **Ms. Pease**. All in favor.

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD			X
JIMMY PAULDING	X		
ANDY PEASE	X		

November 6, 2024 Draft RTA Board Agenda

**Mr. Straw** said that there were quite a few transformational items on the agenda that he is looking to bring to the Board.

Public Comment:

**Mr. Greening** talked about the electric magnetic field emissions from electric charging and hopes that more information can be brought forward before a decision is made. **Mr. Straw** replied that he did reach out to the California Air Resources Board (CARB) and Occupational Safety and Health Administration (OSHA) but did not hear back from them.

**Mr. Paulding** motioned to approve the draft agenda. Seconded by **Ms. Pease**. All in favor.

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD			X

JIMMY PAULDING  
ANDY PEASE

X  
X

7. **Adjournment**

The meeting was adjourned at 11:03 a.m.

Next RTA Executive Committee Meeting: **December 11, 2024**

Respectfully Submitted,

Acknowledged by,

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Anthony Kalvans  
Administrative Assistant

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Andy Pease  
RTA Board President 2024

**DRAFT**  
**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**  
**BOARD MEETING MINUTES OF NOVEMBER 6, 2024**  
**A-2**

**BOARD MEMBERS PRESENT:**

ANDY PEASE, CITY OF SAN LUIS OBISPO (President)  
JIMMY PAULDING, FOURTH DISTRICT, COUNTY OF SAN LUIS OBISPO (Vice President)  
DEBBIE ARNOLD, FIFTH DISTRICT, COUNTY OF SAN LUIS OBISPO (Past President)  
BRUCE GIBSON, SECOND DISTRICT, COUNTY OF SAN LUIS OBISPO  
DAWN ORTIZ-LEGG, THIRD DISTRICT, COUNTY OF SAN LUIS OBISPO  
JOHN PESCHONG, FIRST DISTRICT, COUNTY OF SAN LUIS OBISPO  
JIM GUTHRIE, CITY OF ARROYO GRANDE  
HEATHER MORENO, CITY OF ATASCADERO  
FRED STRONG, CITY OF PASO ROBLES  
ED WAAGE, CITY OF PISMO BEACH

**BOARD MEMBERS ABSENT:**

CARLA WIXOM, CITY OF MORRO BAY  
DANIEL RUSHING, CITY OF GROVER BEACH

**STAFF PRESENT:**

TANIA ARNOLD, DEPUTY DIRECTOR/CFO  
JON ANSOLABEHERE, SAN LUIS OBISPO COUNTY COUNSEL  
ANTHONY KALVANS, ADMINISTRATIVE ASSISTANT  
OMAR MCPHERSON, OPERATIONS MANAGER  
ANDY WILEY, MAINTENANCE AND FACILITIES MANAGER  
MARY GARDNER, MARKETING AND COMMUNITY RELATIONS MANAGER  
MICHELLE WHITTEN, BUS OPERATOR  
JOSE FLORES, MECHANIC

**CALL MEETING TO ORDER, ROLL CALL:** President Andy Pease called the meeting to order at 9:00 AM. President Pease led the flag salute. Roll call was taken, and a quorum was present.

**PUBLIC COMMENT:**

**Mr. Eric Greening** expressed his concerns about the first rains of the season impacting driving conditions on the road for the Bus Operators.

**EMPLOYEE RECOGNITION:**

**Ms. Tania Arnold** noted that the Employee of the Quarter and winners of the RTA's Outstanding Achievement Award could not be present today, and instead will be at the January meeting. She introduced RTA Operations Manager Omar McPherson to recognize Bus Operator Michelle Whitten for her 15 years as a Bus Operator with RTA.

**Mr. Andy Wylly** introduced Maintenance Mechanic Jose Flores and commended him for his 10 years of service with the RTA.

Public Comment:

**Mr. Eric Greening** commended the employees.

**A. CONSENT AGENDA:**

- A-1 RTA Executive Committee Meeting Minutes August 14, 2024 (Information)
- A-2 RTA Board Meeting Minutes of September 4, 2024 (Approve)
- A-3 Bus Stop Improvement Plan Update (Accept)
- A-4 FY23-24 Strategic Business Plan Results (Receive)
- A-5 Annual Fiscal and Compliance Audit and Annual Single Audit (Accept)
- A-6 RFP – Two-Way Digital Radio System (Approve)
- A-7 Authorize Pursuit of CEC Grant for Opportunity Charging System (Approve)

Public Comment:

**Mr. Eric Greening** spoke about item A-3, and thanked staff for their hard work on the plan. He did wish that the report showed the daily number of boardings for a specific stop, relative to present amenities. In addition, he wanted to verify the number of yearly boardings per stop.

**Ms. Tania Arnold** asked the Board to approved the consent calendar.

**Board Member Waage** made a motion to approve consent agenda item A-1 through A-7, and **Board Member Strong** seconded the motion. The motion passed unanimously of those present via roll call vote.

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD (Past President)	X		
DANIEL RUSHING			X
BRUCE GIBSON	X		
JIM GUTHRIE	X		
HEATHER MORENO	X		
DAWN ORTIZ-LEGG	X		
JIMMY PAULDING (Vice President)	X		
ANDY PEASE (President)	X		
JOHN PESCHONG	X		
FRED STRONG	X		
ED WAAGE	X		
CARLA WIXOM			X

**B. INFORMATION AGENDA:**

B-1 Executive Director’s Report (Receive)

**Ms. Tania Arnold** presented a slide show highlighting major RTA updates. She noted that the annual Bus Rodeo went well and thanked those who helped support the event. She noted that Jose Flores won the event, and Geoff Straw drove in the event.

**Ms. Tania Arnold** gave an update on the consolidation efforts between RTA and Atascadero and Morro Bay. Discussions between both agencies have been good and noted that Morro Bay wants to ensure that their trolley service goes well for the 2025 season. She expects a draft agreement for Morro Bay at the January 2025 board meeting, and a draft agreement with Atascadero no later than the March 2025 Board Meeting.

**Ms. Tania Arnold** gave an update on staffing changes noting that three Bus Operators went into service recently with an additional candidate finishing up their training. She did note that there are four Bus Operator positions open plus open positions in the maintenance department the RTA is in the process of filling.



**Ms. Tania Arnold** also updated the Board on other major events at the RTA including the ongoing performance testing for the battery electric bus, the increase in ridership for Paso Robles during fare free week, the anticipated launch of the MST-RTA fare sharing agreement in December, forward progress on the Cal-ITP fare integration, and ridership statistics. For ridership, she noted that while fixed route performance is up from last year ridership is still down from pre COVID levels.

**President Pease** asked about previous comments regarding operator efficiency and if training will be conducted to improve electricity consumption. **Ms. Tania Arnold** said that training is ongoing and will see how the winter months impact performance.

Public Comment:

**Mr. Eric Greening** thanked staff for the report and noted that the data is trending in a positive direction. He expressed his position that any new fare payment systems do not require a phone so anyone who doesn't have a phone can pay.

B-2 Summary of Short-Range Transit Plans Working Papers (Receive)

**Ms. Tania Arnold** gave an update on the Short-Range Transit Plan (SRTP) and went over what happened at the October 16<sup>th</sup> 2024 RTAC and MTC joint meeting. She specifically noted that the meeting covered administrative drafts of Working Papers 5 and 7, which relate to financials and capital planning. She noted that there are still two more Working Papers in progress and that there was additional review done on alternatives for RTA's Route 12 service and SLO Transit service.

**President Pease** asked about the approval process and if the two agencies' plans would be separate. She also asked if Runabout ridership is factored into ridership statistics for the fixed route. **Ms. Tania Arnold** replied that the approval process would be separate for both agencies and Runabout ridership should be factored in.

Public Comment:

**Mr. Eric Greening** asked if the minutes from the joint RTAC meeting will be available. **Ms. Tania Arnold** said that the minutes can be provided as an informational item.

**C. ACTION AGENDA:**

C-1 Fiscal Year 2024-25 Capital Budget Amendment #1 (Approve)

**Ms. Tania Arnold** presented the budget amendment and highlighted that none of the adjustments require additional funding. Amongst the projects are those on the State of Good Repair funding list, capital projects carrying over, and SB125 projects. She also highlighted that two of the SB125 projects are being moved ahead of schedule.

**President Pease** thanked staff for the details in the packet.

Public Comment:

There were no public comments given on this item.

**Board Member Paulding** made a motion to approve action agenda item C-1 and **Board Member Ortiz-Legg** seconded the motion. The motion passed unanimously of those present via roll call vote.

<b><u>BOARD MEMBER</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>ABSENT</u></b>
DEBBIE ARNOLD (Past President)	X		
DANIEL RUSHING			X
BRUCE GIBSON	X		
JIM GUTHRIE	X		
HEATHER MORENO	X		
DAWN ORTIZ-LEGG	X		
JIMMY PAULDING (Vice President)	X		
ANDY PEASE (President)	X		
JOHN PESCHONG	X		
FRED STRONG	X		
ED WAAGE	X		
CARLA WIXOM			X

**C-2 RFQ – Renewable Energy & Storage System Design-Build (Approve)**

**Ms. Tania Arnold** presented the item to the Board and noted that the photovoltaic project is designed to offset energy usage from the RTA facility, provide a stable supply when the facility loses power and will not be used for electric bus charging. The only hurdle she cited was that the RTA may have to buy a generator for battery backup due to the regulations around the Buy America provision.

**Board Member Moreno** asked if the HVAC situation has been resolved. **Ms. Tania Arnold** said not yet.

**Board Member Ortiz-Legg** asked if there will be an analysis done between generators. **Ms. Tania Arnold** said yes an alternative analysis will be complete.

**President Pease** asked if the battery storage component will be wrapped up into the RFQ. **Ms. Tania Arnold** said yes.

**Public Comment:**

There were no public comments given on this item.

**Board Member Gibson** made a motion to approve action agenda item C-2 and **Board Member Waage** seconded the motion. The motion passed unanimously of those present via roll call vote.

<b><u>BOARD MEMBER</u></b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>ABSENT</u></b>
DEBBIE ARNOLD (Past President)	X		
DANIEL RUSHING			X
BRUCE GIBSON	X		
JIM GUTHRIE	X		
HEATHER MORENO	X		
DAWN ORTIZ-LEGG	X		
JIMMY PAULDING (Vice President)	X		
ANDY PEASE (President)	X		
JOHN PESCHONG	X		
FRED STRONG	X		
ED WAAGE	X		
CARLA WIXOM			X

C-3 Authorize SB125 Projects – Phase 2 EVSE & Master Plan EVSE Study (Approve)

**Ms. Tania Arnold** presented the item to the Board and said that this authorization for the package of projects that staff needs Board authorization to continue. The projects include SB125 projects, an RFQ for Phase 2 charging, and an RFP for an electric bus charging study.

Public Comment:

There were no public comments given on this item.

**Board Member Paulding** made a motion to approve action agenda item C-3 as a whole package and **Board Member Strong** seconded the motion. The motion passed unanimously of those present via roll call vote.

<u>BOARD MEMBER</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
DEBBIE ARNOLD (Past President)	X		
DANIEL RUSHING			X
BRUCE GIBSON	X		
JIM GUTHRIE	X		
HEATHER MORENO	X		
DAWN ORTIZ-LEGG	X		
JIMMY PAULDING (Vice President)	X		
ANDY PEASE (President)	X		
JOHN PESCHONG	X		
FRED STRONG	X		
ED WAAGE	X		
CARLA WIXOM			X

**D. CLOSED SESSION ITEMS: CONFERENCE WITH LEGAL COUNSEL**

There were no items on the closed session agenda for the Board to review.

**E. BOARD MEMBER COMMENTS:**

**Board Member Paulding** asked if this meeting was the last for President Pease due to her term ending. **President Pease** said her last meeting will be in December.

**Board Member Strong** gave an update on securing funding for four more trains to enhance rail service in the region.

The meeting was adjourned at 9:57 AM.

Next regularly-scheduled RTA Board meeting is **January 8, 2025**

Respectfully Submitted,

Acknowledged by,

\_\_\_\_\_  
Anthony Kalvans, Administrative Assistant

\_\_\_\_\_  
Andy Pease, RTA President 2024

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY (RTA)**

**JANUARY 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-3

**TOPIC:** FTA 5307, 5339 & CMAQ Grant Programs Administration

**PRESENTED BY:** Melissa Mudgett, Grants and Financial Manager

**STAFF RECOMMENDATION:** Adopt Resolution Seeking Continued Access to TRAMS in Order to Administer FTA Section 5307, 5339 and CMAQ Grants

**BACKGROUND/DISCUSSION:**

The cities of Atascadero and Paso Robles and certain limited populations of unincorporated northern San Luis Obispo County areas were designated again as an “urbanized area” based upon the results of the 2020 US Census. In addition, the cities of Arroyo Grande, Grover Beach and Pismo Beach and certain limited populations of unincorporated southern San Luis Obispo County areas were designated again as an urbanized area based on the results of the 2020 US Census. The transit agencies in these two small urbanized areas and the San Luis Obispo Council of Governments developed two Operators Agreements relative to the governance and transit planning needs as they relate to Federal Transit Administration (FTA) Sections 5307, 5339 and CMAQ funding eligibility. These Agreements allow the transit agencies to use these FTA funding sources for capital, operating, and planning assistance. However, the FTA requires that there be a single “grant recipient” who will perform grant administration activities for each urbanized area. For the benefit of all transit agencies included in these two small urbanized areas, the RTA has served the role of Grant Recipient.

For the RTA to continue serving as the administrator of FTA Sections 5307, 5339 and CMAQ grant funding on behalf of the cities of Atascadero and Paso Robles, as well as for South County Transit, FTA requires the RTA (serving as the Grant Recipient) to have access to the electronic grants management program known as Transit Award Management System (TrAMS). The attached resolution grants the RTA Executive Director or designee access to TrAMS to administer FTA Sections 5307, 5339 and CMAQ grants based on the Operators Agreement between SLOCOG, the cities of Atascadero and Paso Robles, and the RTA, as well as the Operator Agreement between SLOCOG, South County Transit and the RTA.

**STAFF RECOMMENDATION:**

Adopt Resolution seeking continued access to TRAMS in order to administer FTA Sections 5307, 5339 and CMAQ grants.

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
RESOLUTION NO. 25-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE  
FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF  
THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL  
TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C CHAPTER 53 TITLE  
23 UNITED STATES CODE AND OTHER FEDERAL STATUTES ADMINISTERED BY  
THE FEDERAL TRANSIT ADMINISTRATION**

**WHEREAS**, the Federal Transit Administration (FTA) has been delegated authority by the United States Department of Transportation to award Federal financial assistance for transit projects; and

**WHEREAS**, a grant or cooperative agreement for Federal financial assistance will impose certain obligations upon the San Luis Obispo Regional Transit Authority (RTA), and may require the RTA to provide the local share of the project cost; and

**WHEREAS**, the RTA has or will provide all annual certifications and assurances to the FTA required for the projects included in a grant application; and

**WHEREAS**, the RTA as the Grantee will file and execute applications on behalf of the cities of Atascadero and El Paso de Robles, the San Luis Obispo Council of Governments (SLOCOG), and for South County Transit, as sub-recipients of FTA Section 5307, 5339, and Congestion Mitigation and Air Quality (CMAQ) funds required for the identified projects.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the Board of Directors of the San Luis Obispo Regional Transit Authority:

1. Authorize the Executive Director or designee to execute and file applications for Federal assistance on behalf of RTA with the FTA for Federal Assistance authorized by 49.U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the FTA and has received authority from the San Luis Obispo Council of Government, San Luis Obispo, California, the Designated Recipient, to apply for Urbanized Area Formula Program Assistance authorized by 49 U.S.C. 5307, 5339, and CMAQ transferred and administered as 5307.
2. Authorize the Executive Director or designee to execute and file with its application the annual Certifications and Assurances required by the FTA before awarding a Federal assistance grant or cooperative agreement.
3. Authorize the Executive Director or designee to execute and file such applications, assurances or any other documents required by FTA for the purpose of complying with Title VI of the Civil Rights Act of 1964.

4. Authorize the Executive Director or designee to furnish such additional information as the FTA may require in connection with the program of projects identified in applications.
5. The President of the RTA Board of Directors is authorized to execute grant and cooperative agreements with the FTA on behalf of the RTA.

On motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and on the following roll call, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

The foregoing resolution is hereby passed and adopted at a regular meeting of said Board of Directors held on the 8<sup>th</sup> day of January 2025.

\_\_\_\_\_  
President of the RTA Board of Directors

**ATTEST:**

\_\_\_\_\_  
Geoff Straw, Executive Director  
San Luis Obispo Regional Transit Authority

**APPROVED AS TO FORM AND LEGAL EFFECT:**

By: \_\_\_\_\_  
Jon Ansolabehere, Legal Counsel  
San Luis Obispo Regional Transit Authority

Date: \_\_\_\_\_



January 8, 2025

**DESIGNATION OF SIGNATURE AUTHORITY**  
**for the**  
**TRANSIT AWARD MANAGEMENT SYSTEM**  
**(TrAMS)**

The San Luis Obispo Regional Transit Authority hereby authorizes the Executive Director, the Deputy Director/Chief Financial Officer, the Grants and Financial Manager, and the RTA Legal Counsel to be assigned, and to use a Personal Identification Number (PIN) in TrAMS, for the execution of annual Certification and Assurances issued by the Federal Transit Administration (FTA), submission of all FTA grant applications, and the execution of all FTA grant awards, on behalf of the official below and on behalf of San Luis Obispo Regional Transit Authority. This Designation of Signature Authority serves only to authorize the above-referenced persons to take actions in TrAMS; original Certifications and Assurances and original FTA grant agreements must be executed by the Recipient's Designated Official, identified in its Authorizing Resolution, and its legal counsel, unless otherwise delegated in accordance with the Recipient's internal procedures.

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Geoff Straw  
RTA Executive Director

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Jon Ansolabehere  
RTA Legal Counsel

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
JANUARY 8,2025  
STAFF REPORT**

**AGENDA ITEM:** A-4

**TOPIC:** FTA Section 5311 Grant Application

**PRESENTED BY:** Melissa C. Mudgett, Grants and Financial Manager

**STAFF RECOMMENDATION:** **Adopt Resolution Authorizing the Executive Director to Submit a Grant application for the Entire Amount of FTA Section 5311 Funds Apportioned in FY2024-25 for San Luis Obispo County**

**BACKGROUND/DISCUSSION:**

The Federal Transit Administration (FTA) Section 5311 Formula Grants for Rural Areas program, under 49 U.S.C. Chapter 53 as reauthorized under the FAST Act, provides capital, planning, and operating assistance to support public transportation in rural areas with populations of less than 50,000 persons.

Since FY03-04, the San Luis Obispo Council of Governments (SLOCOG) and the San Luis Obispo Regional Transit Authority (RTA) agreed to program all federal funding from the FTA Section 5311 Program to the RTA. In exchange, SLOCOG programs a similar amount of Transportation Development Act (TDA) funds for rural transit operators in the county. The resulting Rural Transit Funds (RTF) can be used by transit operators that provide public transportation services outside of the three small urbanized areas in San Luis Obispo County.

In connection with the RTF exchange program, the RTA must submit an annual grant application to Caltrans for the FTA Section 5311 funds. The grant application must include a resolution, approved by the RTA Board, authorizing submittal of the grant application and authorizing the Executive Director to execute and file all assurances and any other documentation required by Caltrans and the FTA.

Staff is seeking the Board's approval to submit a grant application for the entire amount of FTA Section 5311 funds for the purchase of various materials, supplies, equipment, and/or operations costs for rural bus services. Once adopted, the attached resolution will become part of the grant application for FTA Section 5311 funding to reimburse costs incurred in FY2024-25.

**STAFF RECOMMENDATION**

Adopt resolution authorizing the Executive Director to submit a grant application for the entire amount of FTA Section 5311 funds apportioned in FY2024-25 for San Luis Obispo County.

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
RESOLUTION NO. 25-\_\_\_\_\_**

**RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE (FTA) FUNDING UNDER FTA SECTION 5311 (49 U.S.C. SECTION 5311) FORMULA GRANTS FOR RURAL AREAS.**

**WHEREAS**, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support operating assistance projects for non-urbanized public transportation systems under Section 5311 of the Federal Transit Act (**FTA C 9040.1F**); and

**WHEREAS**, the California Department of Transportation (Department) has been designated by the Governor of the State of California to administer Section 5311 grants for transportation projects for the general public for the rural transit and intercity bus; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority desires to apply for said financial assistance to permit operation of service in San Luis Obispo County; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority has, to the maximum extent feasible, coordinated with other transportation providers and users in the region (including social service agencies).

**NOW, THEREFORE, BE IT RESOLVED** that the San Luis Obispo Regional Transit Authority does hereby authorize the Executive Director, to file and execute applications on behalf of San Luis Obispo Regional Transit Authority with the Department to aid in the financing of capital/operating assistance projects pursuant to Section 5311 of the Federal Transit Act (**FTA C 9040.1F**) for the maximum funding available, as amended.

That the Executive Director or designee is authorized to execute and file all certification of assurances, contracts or agreements or any other document required by the Department; and

That the Executive Director or designee is authorized to execute and file such applications, assurances or any other documents for the purpose of complying with Title VI of the Civil Rights Act of 1964 required by the Department in connection with the application for the Section 5311 projects; and

That Executive Director is authorized to submit and approve request for reimbursement of funds from the Department for the Section 5311 project(s).

On a motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and on the following roll call, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

The foregoing resolution is hereby passed and adopted by the San Luis Obispo Regional Transit Authority Board of Directors at a regular meeting held on the 8<sup>th</sup> day of January 2025.

\_\_\_\_\_  
President of the RTA Board of Directors

**ATTEST:**

\_\_\_\_\_  
Geoff Straw, Executive Director  
San Luis Obispo Regional Transit Authority

**APPROVED AS TO FORM AND LEGAL EFFECT:**

By: \_\_\_\_\_  
Jon Ansolabehere, Legal Counsel  
San Luis Obispo Regional Transit Authority

Date: \_\_\_\_\_

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**JANUARY 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-5

**TOPIC:** Low-Carbon Transit Operations Program Grant Application

**PRESENTED BY:** Melissa C. Mudgett, Grants and Financial Manager

**STAFF RECOMMENDATION:** Adopt Resolution Authorizing the Executive Director to Submit a Low-Carbon Transit Operations Program Grant Application to Fund School Tripper Services, and to Enhance Transit Operations in Disadvantaged Communities

**BACKGROUND/DISCUSSION:**

California Senate Bill (SB) 862, passed in 2014, established the Low-Carbon Transit Operations Program (LCTOP) as a formulaic program instead of a state-level competitive program and established LCTOP as a continuous appropriation with 5% of the annual auction proceeds from the California Air Resource Board's cap-and-trade program, for LCTOP beginning in 2015. This program was created to provide operating and capital assistance for transit agencies to support new or expanded bus service and to reduce greenhouse gas (GHG) emissions and improve mobility along with other community benefits, with a priority on serving lower income and disadvantaged communities (DAC).

Eligible recipients of the LCTOP funds include: the RTA; SLO Transit; South County Transit and Paso Express (operated by the RTA); Atascadero Dial-A-Ride; and Morro Bay Transit. Eligible projects will support new, enhanced or expanded bus services (for up to five years) or expanded intermodal transit facilities, and may include equipment acquisition, fueling, and maintenance and other costs to operate those services or facilities, with each project reducing greenhouse gas emissions.

The amount of LCTOP available for the San Luis Obispo County regional apportionment in FY2024-25 has not yet been determined by the State Controller's Office. Based on prior year allocations, it is estimated that approximately \$788,075 in LCTOP funds will be available for regional programming in FY2024-25, less \$300,000 (year 3 roll-over funding) previously committed to the San Luis Obispo Council of Governments (SLOCOG) for the San Luis Obispo Region-wide Fare Subsidy Pilot program. The total amount of LCTOP available for programming is **\$488,075**.

Staff recommends the application of available LCTOP funds to be used towards the operating costs of new and enhanced transit operations for lower-income and disadvantaged communities. LCTOP funding will support school tripper services in the

cities of Paso Robles and Arroyo Grande. A school tripper service is a regularly scheduled public transit service that is designed to accommodate school students and staff during the academic year. Tripper services are added to certain routes during peak travel times to relieve overcrowding. The tripper services are available to the general public, and are coordinated with school bell schedules. LCTOP funds will also support expanded and enhanced transit services of RTA fixed-routes to lower-income or disadvantaged communities throughout the county of San Luis Obispo. The breakdown of projects and funding requests are identified in the table below.

Table 1: LCTOP Application Breakdown

#	Project Description	Eligibility	Amount
1.	New Paso Robles School Tripper Service	New	\$17,300
2.	New Arroyo Grande High School Tripper	New	\$25,200
3.	New Sunday service Route B (Paso Robles)	Expanded (Low-Income, DAC)	\$35,100
4.	Additional service on Sunday for Rte 9 (SLO-San Miguel), Rte 10 (SLO- Santa Maria), and Rte 12 (SLO-Morro Bay)	Expanded (Lower-Income, DAC)	\$76,100
5.	Additional Express Trips for Routes 9 and 10	Expanded (Lower-Income, DAC)	\$150,700
6.	Route 10 (SLO - Santa Maria) Serving Lower-income and disadvantaged communities	Service to Lower-Income, DAC	\$183,675

Total RTF Funding Request \$488,075

The RTA Board will need to authorize specific projects and amounts allowing staff to apply for these LCTOP grant funds. Applications for LCTOP project nominations are due to the San Luis Obispo Council of Governments (SLOCOG) on February 7, 2025 with the SLOCOG Board of Directors awarding LCTOP funds at its April 2, 2025 meeting.

**STAFF RECOMMENDATION:**

Adopt resolution authorizing the Executive Director to submit a LCTOP grant application to fund school tripper services, and to enhance transit operations in lower-income and disadvantaged communities throughout the county.



**ATTACHMENT A**

**Resolution No. 25-\_\_\_\_\_**

**A RESOLUTION OF THE SAN LUIS OBISPO REGIONAL TRANSIT  
AUTHORITY BOARD OF DIRECTORS, AUTHORIZATION SUBMITTAL OF A  
GRANT APPLICATION TO THE STATE OF CALIFORNIA  
LOW-CARBON TRANSIT OPERATIONS PROGRAM  
FY2024-25**

**WHEREAS**, The San Luis Obispo Regional Transit Authority, on behalf of the South County Transit Committee, is an eligible applicant for Low-Carbon Transit Operations Program funds; and,

**WHEREAS**, it is anticipated that a total of **\$488,075** will be available in FY2024-25 Low-Carbon Transit Operations Program funds, following the reduction of previously committed funds; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority continues to be a leading agency in sustainability efforts and has set significant goals to reduce greenhouse gas (GHG); and

**WHEREAS**, the San Luis Obispo Regional Transit Authority is seeking grant funding to optimize the use of local TDA funds provided by the various agencies included in the Joint Powers Agency Agreement; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority is requesting up to **\$488,075** from the Low Carbon Transit Operations Program to fund the transit school tripper services for the cities of Paso Robles and Arroyo Grande and enhanced transit operations in lower-income and disadvantaged communities throughout the county of San Luis Obispo.

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the San Luis Obispo Regional Transit Authority Board of Directors authorizes the Executive Director to submit a proposal to the State of California Low-Carbon Transit Operations Program of up to **\$488,075** for the transit school tripper services for the cities of Paso Robles and Arroyo Grande and enhanced transit operations in lower-income and disadvantaged communities throughout the county of San Luis Obispo.

**BE IT FURTHER RESOLVED**, that the President of the Board is directed to sign this resolution to authorize the submittal of said funding requests.

**BE IT FURTHER RESOLVED**, that the Executive Director is hereby authorized to submit said funding requests.

Upon motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and on the following roll call, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

The foregoing resolution is hereby adopted this 8<sup>th</sup> day of January, 2025.

\_\_\_\_\_  
President of the RTA Board of Directors

**ATTEST:**

\_\_\_\_\_  
Geoff Straw, Executive Director  
San Luis Obispo Regional Transit Authority

**APPROVED AS TO FORM AND LEGAL EFFECT:**

By: \_\_\_\_\_  
Jon Ansolabehere, Legal Counsel  
San Luis Obispo Regional Transit Authority

Date: \_\_\_\_\_

**SAN LUIS OBISPO REGIONAL TRANIST AUTHORITY**

**JANUARY 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-6

**TOPIC:** Rural Transit Funds Grant Application

**PRESENTED BY:** Melissa C. Mudgett, Grants and Financial Manager

**STAFF RECOMMENDATION:** **Adopt Resolution Authorizing the Executive Director to Submit an RTF Grant Application to Partially Fund the Local Match for Vehicle Replacements, Engine Rehabilitations, and Rural Transit Operations**

Adopt Resolution Authorizing the Executive Director to submit an RTF grant application to partially fund the local match for vehicle replacements, engine rehabilitations, and rural transit operations.

**BACKGROUND/DISCUSSION:**

In 2003, the San Luis Obispo Council of Governments and the RTA agreed to exchange Federal Transit Administration (FTA) Section 5311 funds for Transportation Development Act (TDA) funds to create the local Rural Transit Fund (RTF) program. The RTF program includes the same eligibility of public transportation recipients and projects as the Section 5311 program, and makes the access and availability of funds much easier for the rural transit operators, including Morro Bay Transit and many of the services operated by the RTA. RTF program funds can be used for both capital and operating projects.

After deducting administrative costs for both SLOCOG and RTA, it is estimated that \$1,408,410 will be available in RTF funds for programming to rural transit operators. This estimate includes \$732,910 in FY2025-26 and \$675,500 in FY2024-25 carry-over funding. Eligible recipients of these rural formula funds include the RTA (rural portions of Routes 9, 10, 12 and 15, and Runabout), the City of Morro Bay, and San Luis Obispo County services (Nipomo Dial-A-Ride). RTF FY2025-26 project applications are due to SLOCOG by February 7, 2025. SLOCOG will provide draft recommendations for RTF funds in March with SLOCOG Board adoption scheduled for April 2, 2025. The RTA Board will need to authorize specific projects and amounts allowing staff to apply for these RTF grant funds.

The RTA is seeking the Board's authorization to apply for \$1,408,410 of available RTF program funding to partially fund the required local match for various planned vehicle replacements for the RTA's fixed-route and demand-response services, heavy-duty

diesel bus mid-life engine rehabilitations and rural transit operations for the RTA. The breakdown of projects and funding requests are identified in the following table.

Table 1: RTF Application Breakdown

RTF Available \$1,408,410

#	Project Description	Amount
1.	Local Match 4 E-Buses (2013)	\$299,000
2.	Local match for 4 ADA Runabout vehicles (2019)	\$126,300
3.	Local match for 3 diesel bus mid-life engine rehabilitations (2019)	\$75,000
4.	Local match for 4 Demand Response (2019) & 7 ADA (2020) vehicles	\$210,300
5.	Local match for heavy-duty 40-ft (non-electric) buses (2015)	\$442,400
6.	RTA Rural Operations FY2025-26	\$255,410

Total RTF Funding Request \$1,408,410

**STAFF RECOMMENDATION:**

Adopt Resolution Authorizing the Executive Director to submit an RTF grant application to partially fund the local match for vehicle replacements, engine rehabilitations, and rural transit operations.

ATTACHMENT A

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
RESOLUTION NO. 25-\_\_\_\_\_

A RESOLUTION OF THE SAN LUIS OBISPO REGIONAL TRANSIT  
AUTHORITY BOARD OF DIRECTORS,  
AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE  
SAN LUIS OBISPO COUNCIL OF GOVERNMENTS  
RURAL TRANSIT FUND PROGRAM FY2025-26

**WHEREAS**, The San Luis Obispo Regional Transit Authority is under contract to fully administer transit services for the County of San Luis Obispo; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo are eligible applicants for Rural Transit Program funds (RTF, formerly FTA Section 5311); and,

**WHEREAS**, it is anticipated that a total of **\$1,408,410** in RTF FY2025-26 and RTF FY2024-25 carry-over funds will be available for programming to rural transit operators; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo are in need of various vehicle replacements, materials, supplies, and equipment, all of which are eligible capital and operating expenses under the Rural Transit Fund Program Policies and Procedures; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo will continue to provide transportation services, including complementary ADA paratransit service, in San Luis Obispo County; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo are seeking grant funding to optimize the use of local TDA funds provided by the various agencies included in the Joint Powers Agency Agreement; and

**WHEREAS**, the San Luis Obispo Regional Transit Authority continues to be a leading agency in sustainability efforts and has set significant goals to reduce greenhouse gas (GHG); and

**WHEREAS**, the San Luis Obispo Regional Transit Authority and the County of San Luis Obispo are requesting up to **\$1,408,410** from the RTF program to fund the required local match for various planned vehicle replacements for the RTA's fixed-route and demand-response services, heavy-duty diesel bus mid-life engine rehabilitations and rural transit operations for the RTA., and;

**NOW, THEREFORE, BE IT HEREBY RESOLVED**, that the San Luis Obispo Regional Transit Authority Board of Directors authorizes the Executive Director to submit a proposal to the San Luis Obispo Council of Governments for the Rural Transit Fund Program of up to **\$1,408,410** to fund the required local match for various planned vehicle replacements for the RTA's fixed-route and demand-response services, heavy-duty diesel bus mid-life engine rehabilitations and rural transit operations for the RTA.

**BE IT FURTHER RESOLVED**, that the President of the Board is directed to sign this resolution to authorize the submittal of said funding requests.

**BE IT FURTHER RESOLVED**, that the Executive Director is hereby authorized to submit said funding requests.

Upon motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and on the following roll call, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

The foregoing resolution is hereby adopted this 8<sup>th</sup> day of January 2025.

\_\_\_\_\_  
President of the RTA Board of Directors

**ATTEST:**

\_\_\_\_\_  
Geoff Straw, Executive Director  
San Luis Obispo Regional Transit Authority

**APPROVED AS TO FORM AND LEGAL EFFECT:**

By: \_\_\_\_\_  
Jon Ansolabehere, Legal Counsel  
San Luis Obispo Regional Transit Authority

Date: \_\_\_\_\_

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**JANUARY 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-7

**TOPIC:** SB-1 State of Good Repair Grant Application

**PRESENTED BY:** Melissa C. Mudgett, Grants and Financial Manager

**STAFF RECOMMENDATION:** **Adopt Resolution Authorizing the Executive Director to Submit an SGR Grant Application to Partially Fund the Local Match for Four Battery Electric Buses**

**BACKGROUND/DISCUSSION:**

California Senate Bill 1 (SB-1) is a 2017 transportation measure that provides over \$50 billion through 2027 to maintain and improve California's transportation system. SB-1's State of Good Repair (SGR) program will provide approximately \$105 million annually to transit operators in California for eligible transit maintenance, rehabilitation and capital projects. The SGR is funded from Transportation Improvement Fees on vehicle registrations, as permitted under Public Utilities Code (PUC) Section 99312.1 and according to population and transit operator revenues. The SGR Program benefits the public by providing public transportation agencies with a consistent and dependable revenue source to invest in the upgrade, repair and improvement of their agency's transportation infrastructure, and in turn to improve transportation services.

As a recipient agency and pursuant to Public Utilities Code 99312.1(d)(1), the RTA reports annually on all activities completed with SGR funds to Caltrans and includes the SGR revenues and expenditures in its annual Transportation Development Act fiscal and compliance audit submittal.

The regional discretionary and operator SGR are unknown at this time as the State Controller's Office has yet to release the FY2024-25 allocation list. However, based upon previous year allocations, the San Luis Obispo Council of Governments (SLOCOG) anticipates **\$491,000** in SGR regional discretionary funding will be available for programming in FY2025-26.

The RTA Board will need to authorize specific projects and amounts allowing staff to apply for these SGR grant funds. The RTA intends to apply these SGR funds towards the required local match in the replacement of four (4) heavy-duty 40-ft. battery electric buses that will replace diesel-powered buses that have surpassed their economically useful lives. SGR FY2025-26 regional discretionary funds be a critical funding source necessary to support these vehicle replacements.

Applications for SGR funding are due to SLOCOG by February 7, 2025. SLOCOG will provide draft recommendations for SGR fund awards in March with SLOCOG Board adoption scheduled for April 2, 2025.

**STAFF RECOMMENDATION:**

Adopt Resolution authorizing the Executive Director to submit an SGR grant application to partially fund the required local match for four Battery Electric Buses.



**Attachment A**

**San Luis Obispo Regional Transit Authority  
Resolution No. 25-\_\_\_\_\_**

**AUTHORIZATION FOR THE SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
(RTA) PROJECT LIST FOR THE CALIFORNIA STATE OF GOOD REPAIR (SGR)  
FY2025-26 PROGRAM**

**WHEREAS**, The San Luis Obispo Regional Transit Authority, hereinafter referred to as the RTA, is an eligible recipient of SGR funds in the San Luis Obispo region; and

**WHEREAS**, it is anticipated that **\$491,000** in SGR regional discretionary funding will be available for programs in FY2025-26; and

**WHEREAS**, the RTA is an eligible project sponsor and may receive State Transit Assistance funding from the State of Good Repair (SGR) Account now or sometime in the future for transit projects; and

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

**WHEREAS**, Senate Bill 1 (2017) named the Department of Transportation (Department) as the administrative agency for the SGR; and

**WHEREAS**, the Department has developed guidelines for the purpose of administering and distributing SGR funds to eligible project sponsors; and

**WHEREAS**, the Department requires eligible SGR recipient agencies to submit an annual list of proposed SGR projects; and

**WHEREAS**, the RTA continues to be a leading agency in sustainability efforts and has set significant goals to reduce greenhouse gas (GHG); and

**WHEREAS**, the RTA is requesting up to **\$491,000** from the SGR FY2025-26 regional discretionary program funds to partially fund the procurement of four (4) Battery Electric Heavy-Duty 40-ft. buses and

**NOW, THEREFORE, BE IT RESOLVED** that the RTA acting as the recipient, does hereby authorize the RTA's FY 2025-26 SGR Project List to include local vehicle match Project.

On a motion by Delegate \_\_\_\_\_, seconded by Delegate \_\_\_\_\_, and on the following roll call vote, to wit: the foregoing resolution is hereby adopted this 8<sup>th</sup> day of January 2025.

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINING:**

The foregoing resolution is hereby adopted this 8<sup>th</sup> day of January 2025.

\_\_\_\_\_  
President of the RTA Board of Directors

**ATTEST:**

\_\_\_\_\_  
Geoff Straw, Executive Director  
San Luis Obispo Regional Transit Authority

**APPROVED AS TO FORM AND LEGAL EFFECT:**

By: \_\_\_\_\_  
Jon Ansolabehere, Counsel  
San Luis Obispo Regional Transit Authority

Date: \_\_\_\_\_

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**JANUARY 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-8

**TOPIC:** FTA Annual Certifications and Assurances

**PRESENTED BY:** Melissa Mudgett, Grants and Financial Manager

**STAFF RECOMMENDATION:** Authorize the Executive Director and RTA Counsel to Execute and Submit the Federal Fiscal Year 2025 Certifications and Assurances

**BACKGROUND/DISCUSSION:**

Each year, the California Department of Transportation (Caltrans) and the San Luis Obispo Regional Transit Authority (RTA) must recertify to the Federal Transit Administration (FTA) that all applicable Federal requirements are adhered to when administering Federal grants. To this end, Caltrans and the RTA obtain certification from sub-recipient agencies that they too will comply with applicable Federal requirements.

The RTA is required to execute and submit the attached Federal Fiscal Year 2025 Certifications and Assurances documentation to the appropriate agencies to remain an eligible grantee and sub-recipient of FTA funds. The RTA fulfills this requirement annually and ensures that these Federal requirements are followed.

Attached to this staff report are the draft letters authorizing the delegation of certain duties to RTA staff members, justification for this delegation, legal opinion of counsel, and the annual certifications and assurances document.

**STAFF RECOMMENDATION**

Authorize the Executive Director and RTA Counsel to execute and submit the Federal Fiscal Year 2025 Certifications and Assurances.

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253 Elks Lane  
San Luis Obispo, CA 93401  
(805) 541-2228 Fax (805) 781-1291  
[www.slorta.org](http://www.slorta.org)

January 8, 2025

U.S. Department of Transportation  
Federal Transit Administration, TRO-9  
Attention: Mr. Ray Tellis, Regional Administrator  
90 Seventh Street, Suite 15-300  
San Francisco, CA 94103-6701

Re: **FFY 2025 LEGAL COUNSEL AUTHORIZATION TO PIN IN TRAMS**

Dear Mr. Tellis:

I, Jon Ansolabehere, serving as the Legal Counsel for the San Luis Obispo Regional Transit Authority (RTA), authorize Melissa Mudgett (Grants and Finance Manager) and Tania Arnold (Deputy Director/Chief Financial Officer) to PIN Certification and Assurances on my behalf for the RTA as it relates to the administering Federal Transit Administration (FTA) Sections 5307, 5339, 5311 and CMAQ in the TrAMS system.

I have reviewed the FFY2025 Certifications and Assurances submitted by the grantee and apprised the grantee of the FTA's regulatory requirements as described in the Certifications and Assurances.

Please do not hesitate to contact me if you have any further questions.

Sincerely,

Jon Ansolabehere  
RTA Legal Counsel



253 Elks Lane  
San Luis Obispo, CA 93401  
(805) 541-2228 Fax (805) 781-1291  
[www.slorta.org](http://www.slorta.org)

January 8, 2025

Federal Transit Administration (FTA)  
Mr. Ray Tellis, Regional Administrator  
90 Seventh Street, Suite 15-300  
San Francisco, CA 94103-6701

Re: **RTA EXECUTIVE AUTHORIZATION TO PIN IN TRAMS FFY25**

Dear Mr. Tellis:

I, Geoff Straw, serving as the Executive Director for San Luis Obispo Regional Transit Authority (RTA), authorize Melissa Mudgett (Grants & Finance Manager) and Tania Arnold (Deputy Director/Chief Financial Officer) to pin the Federal Fiscal Year 2025 Certification and Assurances on my behalf for the RTA as it relates to the administering Federal Transit Administration (FTA) Sections 5307, 5339, 5311 and CMAQ in the TrAMS system.

I have reviewed the FFY 2025 Certifications and Assurances submitted by the grantee and apprised the grantee of FTA's regulatory requirements as described in the Certifications and Assurances.

Please do not hesitate to contact me if you have any further questions.

Sincerely,

Geoff Straw  
RTA Executive Director



253 Elks Lane  
San Luis Obispo, CA 93401-5410  
(805) 541-2228 Fax (805) 781-1291  
[www.slorta.org](http://www.slorta.org)

January 8, 2025

U.S. Department of Transportation  
Federal Transit Administration, TRO-9  
Attention: Mr. Ray Tellis, Regional Administrator  
90 Seventh Street, Suite 15-300  
San Francisco, CA 94103-6701

FFY 2025 JUSTIFICATION FOR THE DELEGATION OF AUTHORIZATION TO PIN IN TRAMS

Dear Mr. Tellis:

On January 8, 2025 the Board representing the San Luis Obispo Regional Transit Authority (RTA) authorized the Legal Counsel and the RTA Official to delegate the authority to PIN in TrAMS to the Deputy Director/Chief Financial Officer and the Grants and Finance Manager for the RTA.

The RTA is a small joint-powers authority that provides transit services throughout the county. As a small agency, the RTA contracts with the county of San Luis Obispo for outside legal attorney services. A financial burden of additional legal fees would be incurred by having the attorney set up to PIN in TrAMS. Additionally, the Deputy Director/Chief Financial Officer serves as the RTA Official in his absence and is the primary executive staff responsible for financial matters relating to the RTA.

The RTA respectfully requests the Federal Transportation Administration consider this information and accept this statement and the Board Authorization as valid justification for the delegation of authority to PIN in TrAMS.

Regards,

Geoff Straw,  
Executive Director

**FORM OF**  
**OPINION OF COUNSEL**

January 8, 2025

Geoff Straw, Executive Director  
San Luis Obispo Regional Transit Authority  
253 Elks Lane  
San Luis Obispo, CA 93401

RE: Opinion of Counsel - Federal Transit Administration grant applications

Dear Mr. Straw:

As you know, the undersigned below is an attorney at law admitted to practice in the state of California and is legal counsel to San Luis Obispo Regional Transit Authority (the "Applicant"). This communication will serve as the requisite opinion of counsel to be filed with the Federal Transit Administration (FTA), United States Department of Transportation, in connection with the application of the Applicant for Federal transportation assistance authorized by Chapter 53 of title 49, United States Code and other Federal statutes authorizing activities administered by the Federal Transit Administration.

1. The Applicant is authorized by the San Luis Obispo Regional Transit Authority Joint Powers Agreement to own, operate and administer a county-wide public transportation system within the boundaries of the seven incorporated cities and unincorporated County of San Luis Obispo with the concurrence of the metropolitan planning organization (San Luis Obispo Council of Governments).
2. The authority of the Applicant to provide funds for the non-Federal share of Federal assistance for eligible transportation-related activities is set forth in Article IV, Section 1 of the San Luis Obispo Regional Transit Authority Joint Powers Agreement dated April 16, 2013.
3. I have reviewed the pertinent Federal, State, and local laws, and I have concluded that there is no legal impediment to your filing an application for Federal financial assistance for eligible transportation activities. Furthermore, as a result of my examination, I find that there is currently no pending or threatened litigation or other action which might in any way adversely affect the capability of the Applicant to carry out transportation-related activities.
4. The Applicant has received authority from the Designated Recipient (California State Department of Transportation) to apply for and receive Urbanized Area Formula Program assistance authorized by 49 U.S.C. 5307, 5339, 5311, CMAQ and any FTA discretionary funding.



5. The Applicant is hereby advised to seek and file with FTA a new Opinion of Counsel if there is a material change in circumstances affecting the matters contained herein and upon which this Opinion of Counsel is based.

Very truly yours,

Jon Ansolabehere

By: Jon Ansolabehere  
RTA Legal Counsel

*Not every provision of every certification will apply to every applicant or award. If a provision of a certification does not apply to the applicant or its award, FTA will not enforce that provision. Refer to FTA's accompanying Instructions document for more information.*

*Text in italics is guidance to the public. It does not have the force and effect of law, and is not meant to bind the public in any way. It is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.*

## **CATEGORY 1. CERTIFICATIONS AND ASSURANCES REQUIRED OF EVERY APPLICANT.**

*All applicants must make the certifications in this category.*

### **1.1. Standard Assurances.**

*The certifications in this subcategory appear as part of the applicant's registration or annual registration renewal in the System for Award Management (SAM.gov) and on the Office of Management and Budget's standard form 424B "Assurances—Non-Construction Programs". This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.*

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
- (b) Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- (c) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- (d) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- (e) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).

- (f) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to:
- (1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin, as effectuated by U.S. DOT regulation 49 CFR Part 21;
  - (2) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex, as effectuated by U.S. DOT regulation 49 CFR Part 25;
  - (3) Section 5332 of the Federal Transit Law (49 U.S.C. § 5332), which prohibits any person being excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance from FTA because of race, color, religion, national origin, sex, disability, or age.
  - (4) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps, as effectuated by U.S. DOT regulation 49 CFR Part 27;
  - (5) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age;
  - (6) The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
  - (7) The comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
  - (8) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
  - (9) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing;
  - (10) Any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and,
  - (11) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- (g) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“Uniform Act”) (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases. The requirements of the Uniform Act are effectuated by U.S. DOT regulation 49 CFR Part 24.

- (h) Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- (i) Will comply, as applicable, with the provisions of the Davis–Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.
- (j) Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- (k) Will comply with environmental standards which may be prescribed pursuant to the following:
  - (1) Institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
  - (2) Notification of violating facilities pursuant to EO 11738;
  - (3) Protection of wetlands pursuant to EO 11990;
  - (4) Evaluation of flood hazards in floodplains in accordance with EO 11988;
  - (5) Assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
  - (6) Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§ 7401 et seq.);
  - (7) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and
  - (8) Protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93–205).
- (l) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
- (m) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
- (n) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
- (o) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§ 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded

animals held for research, teaching, or other activities supported by this award of assistance.

- (p) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- (q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Subpart F, “Audit Requirements”, as adopted and implemented by U.S. DOT at 2 CFR Part 1201.
- (r) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the program under which it is applying for assistance.
- (s) Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a sub-recipient from:
  - (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect;
  - (2) Procuring a commercial sex act during the period of time that the award is in effect; or
  - (3) Using forced labor in the performance of the award or subawards under the award.

## **1.2. Standard Assurances: Additional Assurances for Construction Projects.**

*This certification appears on the Office of Management and Budget’s standard form 424D “Assurances—Construction Programs” and applies specifically to federally assisted projects for construction. This certification has been modified in places to include analogous certifications required by U.S. DOT statutes or regulations.*

As the duly authorized representative of the applicant, you certify that the applicant:

- (a) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency; will record the Federal awarding agency directives; and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project.
- (b) Will comply with the requirements of the assistance awarding agency with regard to the drafting, review, and approval of construction plans and specifications.
- (c) Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications, and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

### **1.3. Procurement.**

*The Uniform Administrative Requirements, 2 CFR § 200.324, allow a recipient to self-certify that its procurement system complies with Federal requirements, in lieu of submitting to certain pre-procurement reviews.*

The applicant certifies that its procurement system complies with:

- (a) U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, particularly 2 CFR §§ 200.317–200.326 “Procurement Standards;
- (b) Federal laws, regulations, and requirements applicable to FTA procurements; and
- (c) The latest edition of FTA Circular 4220.1 and other applicable Federal guidance.

### **1.4. Suspension and Debarment.**

*Pursuant to Executive Order 12549, as implemented at 2 CFR Parts 180 and 1200, prior to entering into a covered transaction with an applicant, FTA must determine whether the applicant is excluded from participating in covered non-procurement transactions. For this purpose, FTA is authorized to collect a certification from each applicant regarding the applicant’s exclusion status. 2 CFR § 180.300. Additionally, each applicant must disclose any information required by 2 CFR § 180.335 about the applicant and the applicant’s principals prior to entering into an award agreement with FTA. This certification serves both purposes.*

The applicant certifies, to the best of its knowledge and belief, that the applicant and each of its principals:

- (a) Is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily or involuntarily excluded from covered transactions by any Federal department or agency;
- (b) Has not, within the preceding three years, been convicted of or had a civil judgment rendered against him or her for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty;

- (c) Is not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any offense described in paragraph (b) of this certification;
- (d) Has not, within the preceding three years, had one or more public transactions (Federal, State, or local) terminated for cause or default.

**1.5. Coronavirus Response and Relief Supplemental Appropriations Act, 2021, and CARES Act Funding.**

The applicant certifies that, to the maximum extent possible, and consistent with the Consolidated Appropriations Act, 2021 (Public Law 116–260):

- (a) Funds made available under title IV of division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and in title XII of division B of the CARES Act (Public Law 116–136; 134 Stat. 599) shall be directed to payroll and operations of public transit (including payroll and expenses of private providers of public transportation); or
- (b) The applicant certifies that the applicant has not furloughed any employees.

**CATEGORY 2. PUBLIC TRANSPORTATION AGENCY SAFETY PLANS**

*This certification is required of each applicant under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), each rail operator that is subject to FTA’s state safety oversight programs, and each State that is required to draft and certify a public transportation agency safety plan on behalf of a small public transportation provider pursuant to 49 CFR § 673.11(d). This certification is required by 49 CFR § 673.13.*

*This certification does not apply to any applicant that receives financial assistance from FTA exclusively under the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or combination of these two programs.*

If the applicant is an operator, the applicant certifies that it has established a public transportation agency safety plan meeting the requirements of 49 CFR Part 673.

If the applicant is a State, the applicant certifies that:

- (a) It has drafted a public transportation agency safety plan for each small public transportation provider within the State, unless the small public transportation provider provided notification to the State that it was opting-out of the State-drafted plan and drafting its own public transportation agency safety plan; and
- (b) Each small public transportation provider within the state has a public transportation agency safety plan that has been approved by the provider’s Accountable Executive

(as that term is defined at 49 CFR § 673.5) and Board of Directors or Equivalent Authority (as that term is defined at 49 CFR § 673.5).

### **CATEGORY 3. TAX LIABILITY AND FELONY CONVICTIONS.**

*If the applicant is a business association (regardless of for-profit, not for-profit, or tax exempt status), it must make this certification. Federal appropriations acts since at least 2014 have prohibited FTA from using funds to enter into an agreement with any corporation that has unpaid Federal tax liabilities or recent felony convictions without first considering the corporation for debarment. E.g., Consolidated Appropriations Act, 2021, Pub. L. 116-260, div. E, title VII, §§ 744–745. U.S. DOT Order 4200.6 defines a “corporation” as “any private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association”, and applies the restriction to all tiers of subawards. As prescribed by U.S. DOT Order 4200.6, FTA requires each business association applicant to certify as to its tax and felony status.*

If the applicant is a private corporation, partnership, trust, joint-stock company, sole proprietorship, or other business association, the applicant certifies that:

- (a) It has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (b) It has not been convicted of a felony criminal violation under any Federal law within the preceding 24 months.

### **CATEGORY 4. LOBBYING.**

*If the applicant will apply for a grant or cooperative agreement exceeding \$100,000, or a loan, line of credit, loan guarantee, or loan insurance exceeding \$150,000, it must make the following certification and, if applicable, make a disclosure regarding the applicant’s lobbying activities. This certification is required by 49 CFR § 20.110 and app. A to that part.*

*This certification does not apply to an applicant that is an Indian Tribe, Indian organization, or an Indian tribal organization exempt from the requirements of 49 CFR Part 20.*

#### **4.1. Certification for Contracts, Grants, Loans, and Cooperative Agreements.**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or



an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### **4.2. Statement for Loan Guarantees and Loan Insurance.**

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### **CATEGORY 5. PRIVATE SECTOR PROTECTIONS.**

*If the applicant will apply for funds that it will use to acquire or operate public transportation facilities or equipment, the applicant must make the following certification regarding protections for the private sector.*

## **5.1. Charter Service Agreement.**

*To enforce the provisions of 49 U.S.C. § 5323(d), FTA's charter service regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following Charter Service Agreement. 49 CFR § 604.4.*

The applicant agrees that it, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with Federal assistance authorized under the Federal Transit Laws only in compliance with the regulations set out in 49 CFR Part 604, the terms and conditions of which are incorporated herein by reference.

## **5.2. School Bus Agreement.**

*To enforce the provisions of 49 U.S.C. § 5323(f), FTA's school bus regulation requires each applicant seeking assistance from FTA for the purpose of acquiring or operating any public transportation equipment or facilities to make the following agreement regarding the provision of school bus services. 49 CFR § 605.15.*

- (a) If the applicant is not authorized by the FTA Administrator under 49 CFR § 605.11 to engage in school bus operations, the applicant agrees and certifies as follows:
  - (1) The applicant and any operator of project equipment agrees that it will not engage in school bus operations in competition with private school bus operators.
  - (2) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Mass Transit Regulations, or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
- (b) If the applicant is authorized or obtains authorization from the FTA Administrator to engage in school bus operations under 49 CFR § 605.11, the applicant agrees as follows:
  - (1) The applicant agrees that neither it nor any operator of project equipment will engage in school bus operations in competition with private school bus operators except as provided herein.
  - (2) The applicant, or any operator of project equipment, agrees to promptly notify the FTA Administrator of any changes in its operations which might jeopardize the continuation of an exemption under § 605.11.
  - (3) The applicant agrees that it will not engage in any practice which constitutes a means of avoiding the requirements of this agreement, part 605 of the Federal Transit Administration regulations or section 164(b) of the Federal-Aid Highway Act of 1973 (49 U.S.C. 1602a(b)).
  - (4) The applicant agrees that the project facilities and equipment shall be used for the provision of mass transportation services within its urban area and that any other

use of project facilities and equipment will be incidental to and shall not interfere with the use of such facilities and equipment in mass transportation service to the public.

#### **CATEGORY 6. TRANSIT ASSET MANAGEMENT PLAN.**

*If the applicant owns, operates, or manages capital assets used to provide public transportation, the following certification is required by 49 U.S.C. § 5326(a).*

The applicant certifies that it is in compliance with 49 CFR Part 625.

#### **CATEGORY 7. ROLLING STOCK BUY AMERICA REVIEWS AND BUS TESTING.**

##### **7.1. Rolling Stock Buy America Reviews.**

*If the applicant will apply for an award to acquire rolling stock for use in revenue service, it must make this certification. This certification is required by 49 CFR § 663.7.*

The applicant certifies that it will conduct or cause to be conducted the pre-award and post-delivery audits prescribed by 49 CFR Part 663 and will maintain on file the certifications required by Subparts B, C, and D of 49 CFR Part 663.

##### **7.2. Bus Testing.**

*If the applicant will apply for funds for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components, the applicant must make this certification. This certification is required by 49 CFR § 665.7.*

The applicant certifies that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required by 49 CFR Part 665. The applicant has received or will receive the appropriate full Bus Testing Report and any applicable partial testing reports before final acceptance of the first vehicle.

#### **CATEGORY 8. URBANIZED AREA FORMULA GRANTS PROGRAM.**

*If the applicant will apply for an award under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), or any other program or award that is subject to the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310); “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)); projects that will receive an award authorized by the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) (23 U.S.C. §§ 601–609) or State Infrastructure Bank Program (23 U.S.C. § 610) (see 49 U.S.C. § 5323(o)); formula awards or competitive awards to urbanized areas under the Grants for*

*Buses and Bus Facilities Program (49 U.S.C. § 5339(a) and (b)); or low or no emission awards to any area under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339(c)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5307(c)(1).*

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out the program of projects (developed pursuant 49 U.S.C. § 5307(b)), including safety and security aspects of the program;
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities;
- (c) Will maintain equipment and facilities in accordance with the applicant's transit asset management plan;
- (d) Will ensure that, during non-peak hours for transportation using or involving a facility or equipment of a project financed under this section, a fare that is not more than 50 percent of the peak hour fare will be charged for any—
  - (1) Senior;
  - (2) Individual who, because of illness, injury, age, congenital malfunction, or any other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use a public transportation service or a public transportation facility effectively without special facilities, planning, or design; and
  - (3) Individual presenting a Medicare card issued to that individual under title II or XVIII of the Social Security Act (42 U.S.C. §§ 401 et seq., and 1395 et seq.);
- (e) In carrying out a procurement under 49 U.S.C. § 5307, will comply with 49 U.S.C. §§ 5323 (general provisions) and 5325 (contract requirements);
- (f) Has complied with 49 U.S.C. § 5307(b) (program of projects requirements);
- (g) Has available and will provide the required amounts as provided by 49 U.S.C. § 5307(d) (cost sharing);
- (h) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning);
- (i) Has a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transportation;
- (j) Either—
  - (1) Will expend for each fiscal year for public transportation security projects, including increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, providing an emergency telephone line to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation system, at least

- 1 percent of the amount the recipient receives for each fiscal year under 49 U.S.C. § 5336; or
- (2) Has decided that the expenditure for security projects is not necessary;
- (k) In the case of an applicant for an urbanized area with a population of not fewer than 200,000 individuals, as determined by the Bureau of the Census, will submit an annual report listing projects carried out in the preceding fiscal year under 49 U.S.C. § 5307 for associated transit improvements as defined in 49 U.S.C. § 5302; and
- (l) Will comply with 49 U.S.C. § 5329(d) (public transportation agency safety plan).

#### **CATEGORY 9. FORMULA GRANTS FOR RURAL AREAS.**

*If the applicant will apply for funds made available to it under the Formula Grants for Rural Areas Program (49 U.S.C. § 5311), it must make this certification. Paragraph (a) of this certification helps FTA make the determinations required by 49 U.S.C. § 5310(b)(2)(C). Paragraph (b) of this certification is required by 49 U.S.C. § 5311(f)(2). Paragraph (c) of this certification, which applies to funds apportioned for the Appalachian Development Public Transportation Assistance Program, is necessary to enforce the conditions of 49 U.S.C. § 5311(c)(2)(D).*

- (a) The applicant certifies that its State program for public transportation service projects, including agreements with private providers for public transportation service—
  - (1) Provides a fair distribution of amounts in the State, including Indian reservations; and
  - (2) Provides the maximum feasible coordination of public transportation service assisted under 49 U.S.C. § 5311 with transportation service assisted by other Federal sources; and
- (b) If the applicant will in any fiscal year expend less than 15% of the total amount made available to it under 49 U.S.C. § 5311 to carry out a program to develop and support intercity bus transportation, the applicant certifies that it has consulted with affected intercity bus service providers, and the intercity bus service needs of the State are being met adequately.
- (c) If the applicant will use for a highway project amounts that cannot be used for operating expenses authorized under 49 U.S.C. § 5311(c)(2) (Appalachian Development Public Transportation Assistance Program), the applicant certifies that—
  - (1) It has approved the use in writing only after providing appropriate notice and an opportunity for comment and appeal to affected public transportation providers; and
  - (2) It has determined that otherwise eligible local transit needs are being addressed.

**CATEGORY 10. FIXED GUIDEWAY CAPITAL INVESTMENT GRANTS AND THE  
EXPEDITED PROJECT DELIVERY FOR CAPITAL INVESTMENT GRANTS  
PILOT PROGRAM.**

*If the applicant will apply for an award under any subsection of the Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), including an award made pursuant to the FAST Act's Expedited Project Delivery for Capital Investment Grants Pilot Program (Pub. L. 114-94, div. A, title III, § 3005(b)), the applicant must make the following certification. This certification is required by 49 U.S.C. § 5309(c)(2) and Pub. L. 114-94, div. A, title III, § 3005(b)(3)(B).*

The applicant certifies that it:

- (a) Has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award,
- (b) Has or will have satisfactory continuing control over the use of equipment and facilities acquired or improved under its Award.
- (c) Will maintain equipment and facilities acquired or improved under its Award in accordance with its transit asset management plan; and
- (d) Will comply with 49 U.S.C. §§ 5303 (metropolitan transportation planning) and 5304 (statewide and nonmetropolitan transportation planning).

**CATEGORY 11. GRANTS FOR BUSES AND BUS FACILITIES AND LOW OR NO  
EMISSION VEHICLE DEPLOYMENT GRANT PROGRAMS.**

*If the applicant is in an urbanized area and will apply for an award under subsection (a) (formula grants) or subsection (b) (competitive grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(a)(3) and (b)(6), respectively.*

*If the applicant is in a rural area and will apply for an award under subsection (a) (formula grants) or subsection (b) (competitive grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 9 for Formula Grants for Rural Areas (49 U.S.C. § 5311). This certification is required by 49 U.S.C. § 5339(a)(3) and (b)(6), respectively.*

*If the applicant, regardless of whether it is in an urbanized or rural area, will apply for an award under subsection (c) (low or no emission vehicle grants) of the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5339(c)(3).*

*Making this certification will incorporate by reference the applicable certifications in Category 8 or Category 9.*

**CATEGORY 12. ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAMS.**

*If the applicant will apply for an award under the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program (49 U.S.C. § 5310), it must make the certification in Category 8 for Urbanized Area Formula Grants (49 U.S.C. § 5307). This certification is required by 49 U.S.C. § 5310(e)(1). Making this certification will incorporate by reference the certification in Category 8, except that FTA has determined that (d), (f), (i), (j), and (k) of Category 8 do not apply to awards made under 49 U.S.C. § 5310 and will not be enforced.*

*In addition to the certification in Category 8, the applicant must make the following certification that is specific to the Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities Program. This certification is required by 49 U.S.C. § 5310(e)(2).*

The applicant certifies that:

- (a) The projects selected by the applicant are included in a locally developed, coordinated public transit-human services transportation plan;
- (b) The plan described in clause (a) was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers, and other members of the public;
- (c) To the maximum extent feasible, the services funded under 49 U.S.C. § 5310 will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of a grant from the Department of Health and Human Services; and
- (d) If the applicant will allocate funds received under 49 U.S.C. § 5310 to subrecipients, it will do so on a fair and equitable basis.

**CATEGORY 13. STATE OF GOOD REPAIR GRANTS.**

*If the applicant will apply for an award under FTA's State of Good Repair Grants Program (49 U.S.C. § 5337), it must make the following certification. Because FTA generally does not review the transit asset management plans of public transportation providers, this certification is necessary to enforce the provisions of 49 U.S.C. § 5337(a)(4).*

The applicant certifies that the projects it will carry out using assistance authorized by the State of Good Repair Grants Program, 49 U.S.C. § 5337, are aligned with the applicant's most recent

transit asset management plan and are identified in the investment and prioritization section of such plan, consistent with the requirements of 49 CFR Part 625.

#### **CATEGORY 14. INFRASTRUCTURE FINANCE PROGRAMS.**

*If the applicant will apply for an award for a project that will include assistance under the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) Program (23 U.S.C. §§ 601–609) or the State Infrastructure Banks (“SIB”) Program (23 U.S.C. § 610), it must make the certifications in Category 8 for the Urbanized Area Formula Grants Program, Category 10 for the Fixed Guideway Capital Investment Grants program, and Category 13 for the State of Good Repair Grants program. These certifications are required by 49 U.S.C. § 5323(o).*

*Making this certification will incorporate the certifications in Categories 8, 10, and 13 by reference.*

#### **CATEGORY 15. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.**

*If the applicant will apply for an award under FTA’s Urbanized Area Formula Grants Program (49 U.S.C. § 5307), Fixed Guideway Capital Investment Program (49 U.S.C. § 5309), Formula Grants for Rural Areas Program (49 U.S.C. § 5311), or Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339) programs, the applicant must make the following certification. The applicant must make this certification on its own behalf and on behalf of its subrecipients and contractors. This certification is required by 49 CFR § 655.83.*

The applicant certifies that it, its subrecipients, and its contractors are compliant with FTA’s regulation for the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations, 49 CFR Part 655.

#### **CATEGORY 16. RAIL SAFETY TRAINING AND OVERSIGHT.**

*If the applicant is a State with at least one rail fixed guideway system, or is a State Safety Oversight Agency, or operates a rail fixed guideway system, it must make the following certification. The elements of this certification are required by 49 CFR §§ 659.43, 672.31, and 674.39.*

The applicant certifies that the rail fixed guideway public transportation system and the State Safety Oversight Agency for the State are:

- (a) Compliant with the requirements of 49 CFR Part 659, “Rail Fixed Guideway Systems; State Safety Oversight”;
- (b) Compliant with the requirements of 49 CFR Part 672, “Public Transportation Safety Certification Training Program”; and
- (c) Compliant with the requirements of 49 CFR Part 674, “State Safety Oversight”.



## **CATEGORY 17. DEMAND RESPONSIVE SERVICE.**

*If the applicant operates demand responsive service and will apply for an award to purchase a non-rail vehicle that is not accessible within the meaning of 49 CFR Part 37, it must make the following certification. This certification is required by 49 CFR § 37.77.*

The applicant certifies that the service it provides to individuals with disabilities is equivalent to that provided to other persons. A demand responsive system, when viewed in its entirety, is deemed to provide equivalent service if the service available to individuals with disabilities, including individuals who use wheelchairs, is provided in the most integrated setting appropriate to the needs of the individual and is equivalent to the service provided other individuals with respect to the following service characteristics:

- (a) Response time;
- (b) Fares;
- (c) Geographic area of service;
- (d) Hours and days of service;
- (e) Restrictions or priorities based on trip purpose;
- (f) Availability of information and reservation capability; and
- (g) Any constraints on capacity or service availability.

## **CATEGORY 18. INTEREST AND FINANCING COSTS.**

*If the applicant will pay for interest or other financing costs of a project using assistance awarded under the Urbanized Area Formula Grants Program (49 U.S.C. § 5307), the Fixed Guideway Capital Investment Grants Program (49 U.S.C. § 5309), or any program that must comply with the requirements of 49 U.S.C. § 5307, including the Formula Grants for the Enhanced Mobility of Seniors Program (49 U.S.C. § 5310), “flex funds” from infrastructure programs administered by the Federal Highways Administration (see 49 U.S.C. § 5334(i)), or awards to urbanized areas under the Grants for Buses and Bus Facilities Program (49 U.S.C. § 5339), the applicant must make the following certification. This certification is required by 49 U.S.C. §§ 5307(e)(3) and 5309(k)(2)(D).*

The applicant certifies that:

- (a) Its application includes the cost of interest earned and payable on bonds issued by the applicant only to the extent proceeds of the bonds were or will be expended in carrying out the project identified in its application; and
- (b) The applicant has shown or will show reasonable diligence in seeking the most favorable financing terms available to the project at the time of borrowing.

## **CATEGORY 19. CONSTRUCTION HIRING PREFERENCES.**

*If the applicant will ask FTA to approve the use of geographic, economic, or any other hiring preference not otherwise authorized by law on any contract or construction project to be assisted with an award from FTA, it must make the following certification. This certification is required by the Consolidated Appropriations Act, 2021, Pub. L. 116-260, div. L, title I, § 199(b).*

The applicant certifies the following:

- (a) That except with respect to apprentices or trainees, a pool of readily available but unemployed individuals possessing the knowledge, skill, and ability to perform the work that the contract requires resides in the jurisdiction;
- (b) That the grant recipient will include appropriate provisions in its bid document ensuring that the contractor does not displace any of its existing employees in order to satisfy such hiring preference; and
- (c) That any increase in the cost of labor, training, or delays resulting from the use of such hiring preference does not delay or displace any transportation project in the applicable Statewide Transportation Improvement Program or Transportation Improvement Program.

## **CATEGORY 20. CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK AND OPERATIONS.**

*If the applicant operates a rail fixed guideway public transportation system, it must make this certification. This certification is required by 49 U.S.C. § 5323(v), a new subsection added by the National Defense Authorization Act for Fiscal Year 2020, Pub. L. 116-92, § 7613 (Dec. 20, 2019). For information about standards or practices that may apply to a rail fixed guideway public transportation system, visit <https://www.nist.gov/cyberframework> and <https://www.cisa.gov/>.*

The applicant certifies that it has established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks that complies with the requirements of 49 U.S.C. § 5323(v)(2).

## **CATEGORY 21. PUBLIC TRANSPORTATION ON INDIAN RESERVATIONS FORMULA AND DISCRETIONARY PROGRAM (TRIBAL TRANSIT PROGRAMS).**

*Before FTA may provide Federal assistance for an Award financed under either the Public Transportation on Indian Reservations Formula or Discretionary Program authorized under 49 U.S.C. § 5311(c)(1), as amended by the FAST Act, (Tribal Transit Programs), the applicant must select the Certifications in Category 21, except as FTA determines otherwise in writing.*

*Tribal Transit Program applicants may certify to this Category and Category 1 (Certifications and Assurances Required of Every Applicant) and need not make any other certification, to meet Tribal Transit Program certification requirements. If an applicant will apply for any program in addition to the Tribal Transit Program, additional certifications may be required.*

FTA has established terms and conditions for Tribal Transit Program grants financed with Federal assistance appropriated or made available under 49 U.S.C. § 5311(c)(1). The applicant certifies that:

- (a) It has or will have the legal, financial, and technical capacity to carry out its Award, including the safety and security aspects of that Award.
- (b) It has or will have satisfactory continuing control over the use of its equipment and facilities acquired or improved under its Award.
- (c) It will maintain its equipment and facilities acquired or improved under its Award, in accordance with its transit asset management plan and consistent with FTA regulations, “Transit Asset Management,” 49 CFR Part 625. Its Award will achieve maximum feasible coordination with transportation service financed by other federal sources.
- (d) With respect to its procurement system:
  - (1) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 1201, which incorporates by reference U.S. OMB regulatory guidance, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards,” 2 CFR Part 200, for Awards made on or after December 26, 2014,
  - (2) It will have a procurement system that complies with U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR Part 18, specifically former 49 CFR § 18.36, for Awards made before December 26, 2014, or
  - (3) It will inform FTA promptly if its procurement system does not comply with either of those U.S. DOT regulations.
- (e) It will comply with the Certifications, Assurances, and Agreements in:
  - (1) Category 05.1 and 05.2 (Charter Service Agreement and School Bus Agreement),
  - (2) Category 06 (Transit Asset Management Plan),
  - (3) Category 07.1 and 07.2 (Rolling Stock Buy America Reviews and Bus Testing),
  - (4) Category 09 (Formula Grants for Rural Areas),
  - (5) Category 15 (Alcohol and Controlled Substances Testing), and
  - (6) Category 17 (Demand Responsive Service).

**FEDERAL FISCAL YEAR 2025 CERTIFICATIONS AND ASSURANCES FOR FTA ASSISTANCE PROGRAMS**

(Signature pages alternate to providing Certifications and Assurances in TrAMS.)

Name of Applicant: SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

The Applicant certifies to the applicable provisions of categories 01–21.  X

*Or,*

The Applicant certifies to the applicable provisions of the categories it has selected:

<b>Category</b>	<b>Certification</b>
01 Certifications and Assurances Required of Every Applicant	_____
02 Public Transportation Agency Safety Plans	_____
03 Tax Liability and Felony Convictions	_____
04 Lobbying	_____
05 Private Sector Protections	_____
06 Transit Asset Management Plan	_____
07 Rolling Stock Buy America Reviews and Bus Testing	_____
08 Urbanized Area Formula Grants Program	_____
09 Formula Grants for Rural Areas	_____
10 Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	_____
11 Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	_____

12 Enhanced Mobility of Seniors and Individuals with Disabilities Programs

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13 State of Good Repair Grants

---

14 Infrastructure Finance Programs

---

15 Alcohol and Controlled Substances Testing

---

16 Rail Safety Training and Oversight

---

17 Demand Responsive Service

---

18 Interest and Financing Costs

---

19 Cybersecurity Certification for Rail Rolling Stock and Operations

---

20 Tribal Transit Programs

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21 Emergency Relief Program

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**CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE**  
**AFFIRMATION OF APPLICANT**

Name of the Applicant: SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

**Certifications and Assurances**

Fiscal Year 2025

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: GEOFF STRAW Authorized Representative of Applicant  
EXECUTIVE DIRECTOR

**AFFIRMATION OF APPLICANT'S ATTORNEY**

For (Name of Applicant): SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: JON ANSOLABEHERE Attorney for Applicant  
COUNTY COUNSEL & LEGAL COUNSEL FOR RTA

*Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.*

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
JANUARY 8, 2025  
STAFF REPORT**

**AGENDA ITEM:** A-9

**TOPIC:** Update the RTA Contracting and Procurement Policies, Practices and Procedures Manual

**PRESENTED BY:** Tania Arnold, Deputy Director and CFO

**STAFF RECOMMENDATION:** Approve the *Contracting and Procurement Policies, Practices and Procedures Manual*

**BACKGROUND/DISCUSSION:**

The Federal Transit Administration (FTA) has policies and requirements for procurements utilizing federal funds. To ensure continued eligibility for FTA Section 5307 and other Federal funds, the RTA must ensure its purchasing policy continues to meet Federal requirements.

The *RTA Purchasing Policy* was originally adopted by the RTA Board on October 8, 2008, and it was updated on January 6, 2016. In order to maintain compliance with current FTA regulations, various revisions and updates were needed to the policy. The attached draft *Contracting and Procurement Policies, Practices and Procedures Manual* reflects the most current federal requirements, updates to the RTA's internal procurement processes and is consistent with federal authorization thresholds for procurements and contract language.

Of particular note is the change in purchase authority. Under the current *RTA Purchasing Policy*, the Executive Director has authority to execute purchasing agreements of up to \$15,000; the proposed new limit as shown in Table 1 in the draft *Contracting and Procurement Policies, Practices and Procedures Manual* is up to \$50,000.

The FTA procurement regulations are found in FTA Circular 4220.1F Third Party Contracting Guidelines and the FTA Master Agreement Section 16 (version 30, November 2, 2022). If approved, the attached *Contracting and Procurement Policies, Practices and Procedures Manual* will replace the existing *RTA Purchasing Policy* document.

**Staff recommendation**

Approve the *Contracting and Procurement Policies, Practices and Procedures Manual* as presented.

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## **CONTRACTING AND PROCUREMENT**

### **POLICIES, PRACTICES AND PROCEDURES MANUAL**

The San Luis Obispo Regional Transit Authority (RTA) will maintain sound contracting and procurement practices in accordance with all Federal, state and local laws and direct its financial resources towards meeting the RTA's long-term goals.

The RTA will cultivate and further develop programs to ensure its long-term ability necessary to provide the level and quality of service required by the public.

Board of Directors Pending Approval Date: January 8, 2025

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## CHAPTER 1 PURPOSE AND INTRODUCTION

The San Luis Obispo Regional Transit Authority (RTA) has the major responsibility of the operation of a public transportation system and the programming of transit projects. All contracts are awarded by the RTA's Finance Department in accordance with this Contracting and Procurement Policies, Practices and Procedures Manual, and is responsible for identifying the needs of the RTA and originating the procurement package for supplying those needs. The RTA receives transit funding from the Federal government and the State of California, as well as other regional and local agencies and local contributions. The RTA will follow standard public agency contract law as set forth in California Government and Public Contract Codes for procurements that are funded with state or local revenues and do not have any Federal funding. The RTA is further committed to meeting all requirements in [FTA Circular 4220.1\(F\)](#) and its successors for procurements that involve Federal funds. These procurement policies and procedures are consistent with Federal regulations and the laws of the State of California.

The purpose of these policies and procedures is to set forth the procurement methods and establish standards for obtaining goods and services, including construction, professional, and architectural/engineering (A/E) services necessary for the operation of the RTA. These procedures include guidelines for the solicitation, award and administration of formally advertised contracts, as well as the consultant selection, negotiation, award and administration of competitively negotiated and A/E contracts.

The procurement procedures are designed to:

- Instill public confidence in the transit procurement process of the RTA;
- Ensure fair and equitable treatment of all vendors who seek to do business with the RTA;
- Ensure maximum open and free competition in the expenditure of public funds; and
- Provide the safeguards to maintain a procurement system of quality and integrity.

To the extent possible, this manual establishes the RTA's procurement processes, which cover the procurement of, accounting for, and disposal of surplus property (materials, equipment, buses, etc.). On items not covered in the RTA Contracting and Procurement Policies, Practices and Procedures Manual, staff will consult with county and legal counsel for guidance. It also provides policy guidance on the procurement and contract administration of professional and other services.

This manual further provides general guidelines in the conduct of procurements that require compliance with Federal and/or state contracting standards.

## A. Step-by-Step Guide

Step 1: The Project Manager (PM) will work with the Grants and Finance Manager (GFM) to determine the following:

- Project scope;
- Expected cost of the procurement;
- Funding source(s) and whether the procurement is already budgeted; and
- Procurement type.

Step 2: For procurement type, the PM and GFM will refer to the policies described herein. Any questions regarding the procurement process will be discussed with the Executive Director (ED), and/or legal counsel to ensure that the policies are being followed and adhered to.

Step 3: The GFM, or his/her designee will be responsible for the administration of the procurement, which includes attaching the proper boiler plate agreements and Federal procurement clauses and obtaining the required review and approval(s), before initiating the procurement process.

Step 4: Over a certain threshold, approval of the procurement by the Board.

Step 5: Upon completion of the procurement process, execution of the contract prior to a notice-to-proceed, or initiation-of-work.

## B. Delegated Authority and Method of Procurement

The proper delegated authority for execution of binding contracts with external entities is necessary to minimize financial, legal, operational, compliance-related risks for the benefit of the RTA.

The Board of Directors authorizes and delegates to the Executive Director, or his/her designee, the authority and responsibility to approved purchase orders, contracts, amendments and change orders on behalf of the RTA. A summary of the types of procurement methods and solicitation thresholds is provided below in Table 1. The RTA Procurement Policy Matrix is provided as Appendix A.

Table 1: Delegated Authority and Method of Procurement Matrix

<b>Contract Threshold</b>	<b>Method of Procurement</b>	<b>Required Approval Level</b>	<b>Notes</b>
Construction greater than \$2,000	Micro Purchase / Simple Acquisition Purchase (RFP / IFB / Sole Source)	Deputy Director / CFO	Davis-Bacon prevailing wage requirements, will apply to construction contracts exceeding FTA thresholds, even though the recipient uses micro-purchase procurement procedures.
Less than \$10,000 (FTA)	Micro Purchase	Deputy Director / CFO	
Between \$10,000 and \$50,000	Simple Acquisition Purchase (RFP / IFB / Sole Source)	Executive Director	These purchases are exempt from FTA's Buy America requirements, Davis-Bacon prevailing wage requirements,
Greater than \$50,000	Simple Acquisition Purchase (RFP / IFB / Sole Source)	Board of Directors	
Change Order (less than \$50,000 or 10% or original contract price)	Change Orders	Executive Director	Modifications to contracts or purchase orders which represent no change in the scope of the character of material or services provided in the original contract or purchase order may be approved by the ED or PM if the cumulative dollar value of the modification and the original contract amount are within the ED award authority.
Change Order (greater than \$50,000 or 10% or original contract price)	Change Orders	Board of Directors	
Claims Settlement (less than \$10,000)	Claims	Executive Director	
Claims Settlement (greater than \$10,000)	Claims	Board of Directors	



### **CHAPTER 3                    PROCUREMENT & CONTRACTING RESPONSIBILITIES**

The Board of Directors: The RTA Board of Directors (Board) is responsible for governing the operation of the agency including all procurement policies that serve as a basis upon which procurement procedures can be developed.

Executive Director: The Executive Director (ED) will be responsible, in accordance with the best administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, non-competitive/sole source evaluations, protests, disputes, and claims. All protests shall be processed in accordance with the RTA's protest procedures (Chapter 8). The ED or the Deputy Director/CFO designee shall execute contracts, purchase orders, modifications, and supplemental agreements in accordance with established thresholds. The ED or designee shall implement the policies herein set forth. This manual serves to complement applicable higher authority (e.g., Federal, state, and local government) procurement regulations and serves to provide staff with a primary frame of reference for all matters pertaining to the RTA's procurement and contracting activities.

Deputy Director/Chief Financial Officer: The Deputy Director/Chief Financial Officer (CFO) or designee has primary responsibility for ensuring that the procurement process is in accordance with FTA requirements, legal requirements and the RTA policy, as interpreted by Legal Counsel. The Deputy Director/CFO, as the ED designee, shall execute contracts, purchase orders, modifications, and supplemental agreements in accordance with established thresholds. The Deputy Director/CFO will serve as the agency's DBE Liaison Officer (DEBELO) and will track DBE information as it relates to the RTA's procurements. The Deputy Director/CFO is responsible for establishing material management policies and issuing instructions concerning the storage, distribution, and disposal of surplus property.

Grants and Finance Manager: As designated by the Deputy Director/CFO, the Grants and Finance Manager (GFM) is responsible for ensuring that the contract agreements, purchase orders, modifications, supplemental agreements and procurement processes are in accordance with FTA requirements, legal requirements and the RTA policy. The GFM is responsible for procurement documentation and ensuring compliance with Federal, state and local requirements.

RTA Staff/Project Manager: All personnel involved in procuring goods and services on behalf of the RTA should be familiar with the procedures and requirements of the RTA, general project management principles and state and Federal procurement requirements and are instructed to follow the RTA Contracting and Procurement Policies, Practices and Procedures Manual, as well as instructions issued by the Deputy Director/CFO regarding the storage, distribution, and issuance of material. A Project Manager (PM) will be the RTA staff member directly responsible for the daily technical administration of a contract including monitoring the contractor in its performance of the contract and performing those functions as specified. The PM is the technical expert to assist in ensuring contractor compliance with technical requirements of the contract; approving / disapproving the technical acceptability and timeliness of the work completed and the invoices submitted by the contractor for payment.

## A. Procurement Responsibility

The Deputy Director/CFO or GFM designee is responsible for:

- Maintaining all official contract files.
- Managing procurements and coordinating with the Project Manager (PM) to ensure procurement files meet local, state, and Federal requirements.
- Updating these procurement procedures on an as-needed basis.
- Ensuring that a clear and accurate specification / scope of work is developed for each procurement.
- Determining that contract prices are fair and reasonable.
- Ensuring all applicable requirements of Federal law, Federal regulations and circulars, California law, and all other applicable procedures have been met.
- Ensuring that contractors receive impartial, fair, and equitable treatment in accordance with the policies specified in this manual.
- Ensuring that sufficient unencumbered funds are available for obligation for each contract.
- Writing, preparing and assembling contract documents; obtaining necessary pre-solicitation approvals; advertising Request for Proposals and Invitation for Bids, issuing amendments, obtaining post-bid opening approvals for award, conducting investigations of proposed Contractor's past performance, conducting consultant selection meetings for negotiated contracts and conducting negotiations,
- Serving as lead of pre-bid and pre-proposal conferences, qualification hearings and proposal evaluation meetings; for conducting contract negotiation sessions
- Managing the non-technical aspects of post award contract administration including negotiation of modifications, claims, and supplemental agreements; and for maintaining procurement files.
- Consulting with PMs to monitor contractor's performance, and managing termination for default or convenience procedures whenever the need arises.

The Project Manager (PM) is responsible for:

- Developing clear and accurate specification / scope of work for each procurement.
- Soliciting quotes, bids and proposals directly or working with the Deputy Director/CFO or GFM on such solicitation.
- Attending pre-bid and pre-proposal conferences, qualification hearings and proposal evaluation meetings as the technical expert.
- Being the technical expert to assist in ensuring contractor compliance with technical requirements of the contract.
- Reporting of warranted equipment malfunctions or failures, or any problems with the contractor's performance and works with contractor for remedial action.
  - Should the contractor fail to respond in a timely or adequate manner to rectify any problem, the PM will notify the Deputy Director/CFO or designee of apparent breach of the contract

- Communicating with Deputy Director/CFO or designee, including necessary meetings, conferences, and written communications.
- Approving / disapproving the technical acceptability, timeliness of the work completed and contractor invoices for payment.

## CHAPTER 4 PROCUREMENT & CONTRACTING POLICIES

### A. Federal Procurement Requirements and State Law

The formation of contracts shall conform to the Federal Transit Administration's (FTA) Third Party Contracting Guidance, as contained in [FTA Circular 4220.1F](#), and applicable California State law, whichever is more stringent. Any subsequent changes or amendments to either the Circular or State law after the effective date of this Contracting and Procurement Policies, Practices and Procedures Manual shall be incorporated into said Policy by this reference.

The FTA requires certain contract provisions for each procurement depending on the nature, type and value of the procurement. As the Federal government makes regular updates to procurement guidelines and the clauses required in such, the RTA will reference the required clauses tables provided by the FTA either through the [Best Practices Procurement Manual \(BPPM\)](#) or the Triennial Review Program latest workshop workbook available through the FTA website. (Appendix B – 2024 FTA Procurement Clauses)

The FTA Circular 4220 and Best Practices Procurement Manual applies to all FTA grantees and sub-grantees that contract with outside sources under the RTA-assisted programs. The RTA Contracting and Procurement Policies, Practices and Procedures Manual shall incorporate State and Local procurement procedures as well as reflect applicable Federal law identified in the Circular.

The RTA annually "self- certifies" that its procurement system meets FTA requirements and has the technical capacity to comply with Federal procurement requirements.

### B. Standards of Conduct and Conflict of Interest Policies

All RTA personnel involved in procurements will comply with any Code of Conduct or Conflict of Interest requirements set forth in applicable State or Federal law including but not limited to the requirements of [23 CFR 172.7](#) (Appendix C - Conflict of Interest Declaration Form Evaluation Committee). The RTA's procurement code of conduct is as follows:

No Board member, officer, employee or agent of the RTA shall participate in the selection, award or administration of a contract (including purchase orders) if a conflict of interest, real or apparent, would be involved. Such a conflict would arise if any prospective vendor or contractor (or any subcontractor) considered for an award is:

- A Board member,
- An RTA employee, or
- Has a family member, domestic or business partner that is employed by the RTA

No Board Member, officer, employee or agent of the RTA who participates in the procurement, management, or administration of contracts shall, directly or indirectly, shall:

- Have a financial or other personal interest in any contract made or influenced by him/her in his/her official capacity.
- Solicit or accept gratuities, favors, or anything of monetary value from consultants, vendors, contractors, or potential consultants, or parties to sub-agreements in excess of the applicable gift limit established by the Fair Political Practices Commission (“FPPC”). Gifts shall be reported consistent with [FPPC](#) requirements.
- Violate these standards. Violations may result in sanctions, or other forms of discipline (oral, written) up to and including suspension, demotion, or termination. This policy is in addition to any discipline statutorily available for those participating in the selection, award or administration of a contract if a conflict of interest exists. ([Cal. Gov. Code, §§ 81000-91014.](#))

#### C. [Contract Administration Guidelines](#)

- The RTA will originate the purchase order, or contract agreement.
- Once a purchase order/contract has been fully executed, a Notice-to-Proceed will be issued to initiate contract work.
- All agreements will be assigned a purchase order number or contract agreement number, which must be referred to on all orders and the contractor’s invoices.
- The PM and GFM will approve all invoices before payment is issued.
- A contract amendment is necessary for a change in scope of work, term or compensation and must be completed before additional work or payment is authorized.
- A copy of the procurement documents must be included with the contract files, including an explanation of the process used in procuring the goods or services.

#### D. [Equal Employment Opportunity/Affirmative Action](#)

All procurement documents issued by the RTA require all interested vendors to certify that the vendor:

- Does not discriminate against any employee or applicant for employment, because of race, religion, sex, age, creed, color, disability or national origin;
- Is compliant with all Federal, state and local laws regarding fair employment practices, and non-discrimination in employment; and
- Agrees to demonstrate positively the principle of equal opportunity in employment.

#### E. [Disadvantaged Business Enterprise](#)

The RTA has adopted a Disadvantaged Business Enterprise (DBE) Program as required by the Code of Federal Regulations (CFR) at 49 CFR Part 26. The DBE Program sets goals for DBE participation in Federally-funded contracts, monitors these contracts to determine DBE participation, and reports DBE participation to FTA. The RTA informs its contractors of these goals and monitors DBE participation by subcontractors.

DBEs shall have the opportunity to compete fairly for contracts financed in whole or in part with Federal funds. Accordingly, all the RTA procurements funded with Federal funds may include, as

appropriate, the use of goals for the procurement of all classes of goods and services, as set forth in the RTA's DBE program.

The DBE Liaison Officer (DEBELO) will track DBE information as it relates to the RTA's DBE program, goals and reporting. The DEBELO will implement procedures to seek involvement by DBEs and Small Business Enterprises (SBE), irrespective of whether they qualify as DBE/SBE, in the RTA's procurement processes to the fullest extent practicable.

Examples of procedures that may achieve that involvement may include:

- Including qualified disadvantaged, small, women-owned, and minority businesses on solicitation lists;
- Assuring that disadvantaged, small, women-owned, and minority businesses are solicited whenever they are potential sources;
- When economically feasible, dividing total requirements into small tasks or quantities so as to permit maximum disadvantaged, small, women-owned, and minority business participation;
- Where the requirement permits, establishing delivery schedules which will encourage participation by disadvantaged, small, women-owned, and minority businesses.
- Using the services and assistance of the Disadvantaged Business Enterprise, Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

#### F. Buy America

Buy America regulations require that all steel, iron, and manufactured products used in the project are produced in the United States. Solicitations for steel, iron, and manufactured products must contain a Buy America certification, unless the procurement is subject to a general waiver, small purchase waiver, or other applicable FTA authorized waiver. Buy America requirements also apply to capital leases for rolling stock and related equipment. Buy America rules apply to utility work that is within the scope and budget of an FTA funded project. Buy America applies to the entire project, including contracts funded with non-Federal funds.

Buy America statute applies to:

- All purchases of steel, iron, and manufactured products greater than \$150,000, regardless of whether they involve capital, operating, or planning funds
- Contractors and subcontractors if the contract or subcontract is more than \$150,000, including labor and options
- Purchases made using an intergovernmental agreement and jointly purchased manufactured products

For all procurements of more than \$150,000, the RTA shall include in its bid or request for proposal an appropriate notice of the Buy America provision. Such specifications shall require, as a condition of responsiveness, that the bidder or offeror submit with the bid or offer a

completed Buy America certificate in accordance with [49 CFR §§ 661.6 or 661.12](#) of this part, as appropriate.

#### G. Warranty of the Work

The contractor, Architect and/or Engineer (A/E), shall warrant to the RTA that all materials and equipment furnished under the contract will be of highest quality and new unless otherwise specified by the RTA, free from faults and defects and in conformance with the contract documents. The work must be of safe, substantial and durable construction in all respects. Any work not conforming to these standards shall be considered defective. The contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment.

The contractor guarantees the work against defective materials or faulty workmanship for a minimum period of one (1) year after final payment by the RTA and shall replace or repair any defective materials or equipment or faulty workmanship during the period of the guarantee at no cost to the RTA.

#### H. Public Records Act

All bids and proposals received become the exclusive property of the RTA. At such time as a contract award is recommended to the RTA Board, all bids and proposals become a matter of public record and shall be regarded as public records, with the exception of those elements in each proposal which are trade secrets as that term is defined in California Government Code 6254.7 and which are so marked as “TRADE SECRET,” “CONFIDENTIAL” OR “PROPRIETARY.” The RTA shall not in any way be liable or responsible for the disclosure of any such records or portions thereof, including, with limitation, those so marked if disclosure is deemed required by law or by an order of a court.

## CHAPTER 5 PROCUREMENT & CONTRACTING METHODS

### *Open Competition*

All procurement transactions will be conducted in a manner providing full and open competition. To ensure the most efficient and economic purchases, proposed procurements are reviewed by the RTA staff to avoid purchase of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase.

When appropriate, an analysis will be made of lease vs. purchase alternatives to determine the most economical approach.

To ensure sufficient procurement planning and forecasting, consideration should be given to establishing contractual relationships with suppliers and obtaining bids on repetitive purchase items—for example, vehicle parts or bus shelter repairs—to ensure competitive pricing based upon economies of scale. Grouping and bidding these purchases will ensure favorable pricing based on economies of scale. Blanket agreements will be considered if this procurement type is determined to lead to a decrease in prices or an increase in efficiency.

### *Restrictive Competition*

Some situations may be considered to be restrictive of competition if the solicitation includes;

- Unreasonable requirements placed on firms in order for them to qualify to do business;
- Unnecessary experience and excessive bonding requirements;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive award to any person or firm on retainer contracts;
- Organizational conflicts of interest. An organizational conflict of interest means that because of other activities, relationships, or contracts, a contractor is unable or potentially unable, to render impartial assistance or advice to the RTA; a contractor's objectivity in performing the contract work is or might be otherwise impaired; or a contractor has an unfair competitive advantage.
- The specification of only a brand name product without listing its salient characteristics and not allowing an equal product to be offered;
- Exclusionary or discriminatory specifications; and
- Any arbitrary action in the procurement process.
- Bonding requirements for construction contracts that do not exceed one hundred fifty thousand (\$150,000)

### *Methods of Procurement*

There are several types of procurement methods depending on the complexity and value of the project. In compliance with Federal, state and local requirements, the RTA has developed a process for determining the most appropriate method of procurement. The Procurement Checklist (Appendix D) streamlines the decision-making process and identifies the appropriate method; ensuring the procurement file contains all the required documentation.

#### *A. Cooperative Procurement*

When circumstances warrant, the RTA may attempt to fill requirements through a cooperative purchasing agreement (without independent bids or quotations) with the State of California, the California Association of Coordinated Transportation (CalACT), or with other appropriate public agencies. In such cases, the RTA will ensure all state and Federal requirements are met.

#### *B. Piggybacking*

"Piggybacking" is an assignment of existing contract rights to purchase supplies, equipment, or services.

Piggybacking is permissible when the solicitation document and resultant contract contain an assignability clause that provides for the assignment of all or a portion of the specified deliverables as originally advertised, competed, evaluated, and awarded. If the supplies were solicited, competed and awarded through the use of an Indefinite Delivery Indefinite Quantity (IDIQ) contract, then both the solicitation and contract award must contain both a minimum and maximum quantity that represent the reasonably foreseeable needs of the party(s) to the solicitation and contract. If two or more parties jointly solicit and award an IDIQ contract, then

there must be a total minimum and maximum. Piggy-backing requires preapproval of an assignment by the RTA and approval of the contractor or consultant.

#### C. Micro-Purchase

Purchases below \$10,000 may be made without obtaining competitive quotations if it is determined by the GFM that the price is fair and reasonable. The GFM or designee will document how this determination was derived. The Davis-Bacon Act applies to public works/construction contracts exceeding \$2,000.

#### D. Simple Acquisition (Small) Purchases

For goods and other professional service procurements between \$10,000 and \$250,000, three (3) bids shall be solicited. Oral quotes will be accepted with written confirmation received in 24 hours. Appropriate documentation, including but not limited to a list of the vendors contacted, a fair and reasonable price determination and the quotes received, shall be filed with the project documentation.

#### E. Construction Purchases exceeding \$2,000

FTA-funded capital projects, exceeding \$2,000, must follow FTA's Construction and Project Management Guidelines:

<https://www.transit.dot.gov/funding/procurement/fta-project-and-construction-management-guidelines-2016>

#### F. Sealed Bids/Invitation for Bid (IFB)

For sealed bidding to be feasible, the following conditions should be present:

- A complete, adequate, and realistic specification or purchase description is available;
- Two or more responsible bidders are willing and able to compete effectively for the business;
- The procurement lends itself to a firm-fixed price contract and the selection of the successful bidder can be made principally on the basis of price; and
- No discussion with bidders is needed.

If this procurement method is used, the following requirements apply:

- The invitation for bids will be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time to prepare bids prior to the date set for opening the bids;
- The invitation for bids, which will include any specifications and pertinent attachments, shall define the items or services sought in order for the bidder to properly respond;
- All bids will be publicly opened at the time and place prescribed in the invitation for bids;
- A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder.
- Any or all bids may be rejected if there is a sound documented business reason. This method of procurement may be utilized for the purchase of vehicles and equipment. The sealed bid method is the preferred method for procuring construction if the conditions in paragraph (1) above apply.



The procurement files will contain an explanation for the choice of the procurement process being used.

#### G. Request for Qualifications (RFQ) / Request for Proposals (RFP)

The RFQ/RFP competitive procurement process is used when conditions are not appropriate for the use of a sealed IFB. The latter is generally the case in the purchase of services such as lease agreements, maintenance and service contracts, rental contracts, and professional service contracts.

The RFQ/RFP process for goods and professional services is coordinated by GFM with the assistance of the PM and will include latest Federal and state procedures for the procurement process. This is a competitive negotiated procurement process that requires evaluation of offeror's proposed costs and understanding of the contract performance requirements in accordance with established evaluation criteria. The competitive negotiated procurement process does not require award to the lowest offeror.

#### H. Architectural/Engineering Services Request for Qualifications (RFQ)

The Architectural/Engineering (A/E) RFQ process will be used for the procurement of architectural and/or engineering services and related services such as program management, construction management, feasibility studies, preliminary engineering, design, architectural, engineering, surveying, mapping, or related services.

Following this method, competitors' qualifications are evaluated and the most qualified competitor is selected subject to negotiation of fair and reasonable compensation. Under this method, the RTA may not consider price as an evaluation factor in determining the most qualified offeror. Negotiation is conducted with only the most qualified offeror. This method, where price cannot be used as an evaluation factor and negotiations are conducted with only the most qualified offeror, can only be used in procurement of the above services. This method of procurement cannot be used to obtain other types of services even through a firm that provides the above types of services are also potential sources to perform other services.

#### I. Design-Bid-Build

The design-bid-build procurement method requires separate contracts for design services and for construction.

- **Design Services.** For design services, the recipient must use qualifications-based procurement procedures, in compliance with applicable Federal, State and local law and regulations.
- **Construction.** Because the recipient may not use qualifications-based procurement procedures for the actual construction, alteration or repair of real property, the recipient generally must use competitive procedures for the construction. These may include sealed bidding or competitive negotiation procurement methods, as appropriate.

#### J. Design-Build

The design-build procurement method consists of contracting for design and construction simultaneously with contract award to a single contractor, consortium, joint venture, team, or partnership that will be responsible for both the project's design and construction. FTA's

enabling legislation expressly authorizes the use of FTA capital assistance to support design-build projects “after the recipient complies with Government requirements,” [49 U.S.C. Section 5325\(d\)\(2\)](#). Design-Build, requires that the type of procurement method used be based on the estimated value of the design vs. construction work. If the estimated value of the construction work exceeds the value of the design work, then a qualifications-based method may not be used to award the contract. The RTA shall determine the contract value by separating the various contract activities to be undertaken and classify them as design or construction, and then calculate the estimated total value of each.

- **Design Services.** In the less usual circumstance in which the cost of most work to be performed will consist of costs for architectural and engineering, program management, construction management, feasibility studies, preliminary engineering, design, architectural engineering, surveying, mapping, or related A&E services, FTA expects the recipient to use qualifications-based procurement procedures based on the [“Brooks Act,” 40 U.S.C. Sections 1101-1104 \(3.e\)](#).
- **Construction.** When construction costs are predominant, unless FTA determines otherwise in writing, qualifications-based procurement procedures may not be used to acquire architectural engineering, program management, construction management, feasibility studies, preliminary engineering, design, architectural and engineering, surveying, mapping, or related A&E services. However, a qualifications method may be used to determine prospective contractors capable of performing the project and thus qualified to submit detailed technical and price proposals.

#### K. Non-Competitive Procurements (Sole Source)

Sole source procurement is a purchase accomplished through solicitation or acceptance of a proposal from only one source; or, if after solicitation of a number of sources competition is determined inadequate. A sole source purchase must be documented as to the reasons why only one supplier is acceptable.

Sole source procurement may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and at least one of the following circumstances applies:

- The item is available only from a single source;
- The public exigency or emergency (i.e., a threat to public health, welfare, safety, property or other substantial loss to the RTA, or a situation requiring immediate action by the RTA, as determined by the RTA) for the requirement will not permit a delay resulting from competitive solicitation;
- FTA authorizes noncompetitive negotiations; or
- After solicitation of a number of sources, competition is determined inadequate

The reason(s) and justification for the sole source procurement and the cost analysis will be documented in the procurement file. The RTA will certify in writing:

- That such manufacturer or supplier is the only source for such item; and
- that the price of such item is not higher than the price for such item by like customers.

- A cost analysis was conducted before an award of sole source contract.

#### L. Emergency Procurements

Emergency procurements (defined as purchases immediately necessary for the preservation of life or property, or to prevent an immediate termination of a critical the RTA function or activity) will be handled immediately and expedited as required. The ED has the authority to approve the purchase of all goods and services in emergency conditions. If the ED is unavailable to authorize an emergency procurement, the ED may provide the Deputy Director/CFO with the necessary authorization. Upon completion of the emergency procurement, the Deputy Director/CFO will document the actions taken and execute a proper requisition, and provide a report to the Board at its next regular meeting.

#### M. Restricted or Prohibited Contracting Methods

The following contract types are prohibited or restricted, as dictated by [2 CFR Part 200- Uniform Guidance](#):

##### Cost Plus a Percentage of Cost

The use of Cost Plus a Percentage of Cost contracts is expressly prohibited as a method of contracting.

##### Time and Materials

The RTA staff may exercise the use of a Time and Materials contract only after determining that no other contract type is suitable and if the contract specifies a ceiling price that the contractor may not exceed except at its own risk.

##### Tag-on

“Tag-on” is defined as the addition of work (supplies, equipment or services) that is beyond the scope of the original contract and is considered a “cardinal change”. The use of a tag-on is prohibited and applies to the original buyer as well as to others. “In scope” changes are not considered a tag-on.

## CHAPTER 6 PROCUREMENT & CONTRACTING PROCEDURES

### A. Independent Cost Estimate

An independent cost estimate (ICE) shall be performed on all FTA, state, local and general funded procurements prior to receiving bids or proposals. The process for obtaining a cost estimate will depend on the type of procurement being pursued. For example, a cost estimate for a micro purchase (see explanation below) may only involve phone calls to obtain price quotes; while a cost estimate for the procurement of a commuter bus would require a more involved process to assess the market and to develop a reasonably accurate estimate. The cost required to research and prepare the estimate should not outweigh the potential benefits of the estimate. An ICE can be obtained from different sources including the following:

- Published competitive prices
- Results of competitive procurements

- Estimates by in-house estimators
- Outside estimators

The ICE will be included in the procurement records. Construction bids will require an engineering estimate as part of the plans, specifications and engineering phase of the project can be accepted as the ICE.

#### B. System for Award Management (Excluded Parties List)

Any procurement, contract or vendor contract exceeding \$25,000 is subject to the Federal System for Award Management (SAM).

After all qualified bids or quotes have been opened the SAM database will be referenced, which contains all businesses that have been barred or suspended from receiving Federal funds or participating in Federal contracts. The GFM will perform a SAM business name search on each of the businesses for specific procurements.

If a business reference returns a suspended/debarment listing on the SAM, a printout of the web page will be included in the procurement file, while a second copy will be forwarded to the bidding business with a notice that they have been removed from consideration in the procurement.

If the SAM search returns no suspended/debarment listing and is registered current/active, a copy of the webpage, showing the positive and active registration, will be made and included in the procurement file.

#### C. Business Licenses

Prior to final award or completion of a draft contract, the GFM designee will confirm that the business has a valid business license.

If the business has a valid license, a license number will be recorded in the procurement file and, if a contract, will be forwarded to counsel with the draft contract.

If the business does not have a valid business license, they will be contacted to discuss their services and the process for obtaining a license.

#### D. Reasonableness of Price – Price Analysis or Cost Analysis

In all Federal, state, local, and general funded procurements, a price analysis or cost analysis shall be used to determine the reasonableness of the bid price. The RTA will follow the [Federal Acquisition Regulations \(FAR\) Part 31 Contracting Cost Principles and Procedures](#) for determining allowable and reasonable costs. (Appendix E – Price Reasonableness Determination)

##### Price Analysis

“Price analysis” is the process of examining and evaluating a prospective price without evaluation of the separate cost elements or proposed profit of the prospective supplier. A price analysis will normally be used to evaluate reasonableness.

Price analysis may be accomplished through one or more of the following activities:

- Comparison of prices received in a bidding situation;
- The comparison of prior quotations and contract prices with current quotations for the same or similar end items (to provide a suitable basis for comparison, appropriate allowances must be made for differences in such factors as specifications, quantities ordered, time for delivery, etc.);
- The use of "yardsticks" (such as dollars per pound, per horsepower, or other units) to point out apparent gross inconsistencies which should be subjected to greater pricing inquiry;
- The comparison of prices set forth in published price lists issued on a competitive basis, published market prices of commodities, and similar indicators, with discount or rebate arrangements;
- The comparison of proposed prices with estimates of cost independently developed by personnel within the RTA; or,
- The comparison of prices paid by other users (government or commercial) of the same or similar items to the proposed prices.

#### Cost Analysis

If a valid price analysis cannot be completed, a "cost analysis" of a bid price may be conducted. A cost analysis reviews and analyzes the contractor's cost or pricing data and of the factors applied in projection from the data to the estimated costs in order to form an opinion on the degree to which the contractor's proposed costs represent the cost of performance of the contract, assuming reasonable economy and efficiency.

As compared to price analysis, a cost analysis involves a more detailed review of the contractor's/offeror's proposal.

Cost analysis may be accomplished through the following:

- Verify contractor's cost data.
- Evaluate specific elements of costs and project these elements to determine the effect on prices of such factors as:
  - The necessity for certain costs;
  - The reasonableness of amounts estimated for the necessary costs;
  - Allowances for contingencies; and
  - The basis used for allocations of particular overhead costs to the proposed contract.
- When the necessary data is available, compare the contractor's estimated cost with:
  - Actual costs previously incurred by the contractor;
  - The contractor's last prior cost estimate for the same or similar estimates;
  - Current cost estimates from other possible sources; and prior estimates or historical costs of other contractors manufacturing the same or similar items.

- Forecasting future trends in costs from historical experience:
  - In periods of either rising or declining costs, an adequate cost analysis must include some evaluation of the trends.
  - In cases involving recently developed, complex equipment, even in periods of relative price stability, trend analysis of basic labor and materials costs should be undertaken.

If only one bid is received, the sole bidder must cooperate with the RTA as necessary in order for its bid to be considered for award. A new solicitation of bids may be made if the single bid price appears unreasonable or if no determination is made as to the reasonableness of the single bid.

#### E. Profit

The RTA will negotiate profit as a separate element of the price for each contract in which there is no price competition and, in all cases, where cost analysis is performed. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

#### F. Best Value

"Best Value" is a selection process in which proposals contain both price and qualitative components, and award is based upon a combination of price and qualitative considerations. Qualitative considerations may include technical design, technical approach, quality of proposed personnel, and/or management plan. The award selection is based upon consideration of a combination of technical and price factors to determine the offer deemed most advantageous and of the greatest value to the agency.

#### G. Geographic Preference

The RTA shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed in-state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. This does not preempt State licensing laws.

Geographic location may be a selection criterion in procurements for architectural and engineering (A & E) services provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

#### H. Use of Brand Name

"Brand Name" means a name of a product or service that is limited to the product or service produced or controlled by one private entity or by a closed group of private entities. Brand names may include trademarks, manufacturer names, or model names or numbers that are associated with only one manufacturer.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equal" description may be used as a means to define the

performance or other salient characteristics of procurement. The specific features of the named brand which must be met by offerors shall be clearly stated.

In instances where the naming of brand products results in a restraint on competition, the RTA will process the solicitation as a sole source (non-competitive) procurement.

#### I. Options

The RTA may include options in contracts. An option is a unilateral right in a contract by which, for a specified time, the RTA may elect to include additional equipment, supplies, or services called for by the contract, or may elect to extend the term of the contract. If the RTA chooses to use options, the requirements below apply:

##### Evaluation of Options

The option quantities or periods contained in the contractor's bid or offer must be evaluated in order to determine contract award. When options have not been evaluated as part of the award, the exercise of such options will be considered sole source procurement.

##### Exercise of Options

- The RTA must ensure that the exercise of an option is in accordance with the terms and conditions of the option stated in the initial contract awarded.
- Options must be evaluated at the time of the original bid, and the cost basis for exercising the option must be established at the time of the bid.
- Option prices and/or conditions cannot be negotiated at the time of the exercise of an option.
- An option may not be exercised unless the RTA has determined that the option price is better than prices available in the market or that the option is the more advantageous offer at the time the option is exercised.

#### J. Advance Payments

The RTA does not authorize and will not participate in funding payments to a contractor prior to the incurrence of costs except as allowed by FTA requirements. There is no prohibition on the RTA's use of local match funds for advance payments. However, advance payments made with local funds before a grant has been awarded, or before the issuance of a letter of no prejudice or other pre-award authority, are ineligible for reimbursement.

#### K. Progress Payments

Progress payments (also called advanced or milestone payments) are payments made to the contractor prior to the completion of all contract work. The FTA encourages the use of advance and progress payments to support a reasonable payment schedule for large capital purchases, such as rolling stock procurements, to reduce the financing costs that transit agencies ultimately pay as part of the contract price. The RTA may use progress payments provided the following requirements are followed:

### Rolling Stock

The RTA may use local funds for progress payments before receiving an FTA grant and maintain eligibility for FTA reimbursement after grant award if it has pre-award authority, or use FTA funds after FTA grant award, provided that:

- Sufficient written documentation is provided to substantiate the basis for making progress payments and the completion of the work for which progress payments are requested. With respect to documentation for rolling stock contracts, tying progress payments to the percentage of completion of the contract is not permissible. Permissible bases for rolling stock progress payments includes the completion of discrete activities necessary to the performance of the contract.
- Adequate security from the contractor is obtained for the progress payments to safeguard against performance difficulties. For a rolling stock procurement, adequate security typically takes the form of a performance bond or letter of credit, but may be other types of security negotiated by the parties, such as receipt of title to the vehicles at an appropriate point in the manufacturing process. The RTA will consult with its FTA Regional Office on the adequacy of alternative forms of security other than a bond or letter of credit.

### Construction

- Progress payments are only made to the contractor for costs incurred in the performance of the contract.
- The RTA must obtain adequate security for progress payments. Adequate security may include taking title, letter of credit or equivalent means to protect the RTA's interest in the progress payment.

#### L. Bonding Requirements (Construction)

##### Bid Bond

A bid bond provides a guarantee, both financial and through legal recourse, to the RTA that the bidder will complete the work if selected. The existence of a bid bond gives assurance that the bidder has the financial means to accept the job for the price quoted in the bid and guarantees compensation to the RTA if the bidder fails to begin or complete a project. Bid bonds are often used for construction projects. If a contractor does not comply with the bid guarantee, the bid may be rejected.

The amount claimed against a bid bond typically covers the difference between the lowest bid and the next lowest bid. A bid bond must be issued by a fully qualified surety company acceptable to the RTA and listed as a company currently authorized under [31 CFR Part 223](#) as possessing a Certificate of Authority as described thereunder.

##### Performance Bond

A bid bond is replaced by a performance bond when a bid is accepted and the contractor proceeds to work on the project. A performance bond protects the RTA from a contractor's failure to perform according to the contractual terms. If the work done by a contractor is poor or



defective, the contractor may be held liable and a claim can be made against the performance bond to provide compensation for the cost of redoing or correcting the work.

- The penal amount of performance bonds shall be 100 percent of the original contract price, unless the RTA determines that a lesser amount would be adequate for the protection of the RTA.
- The RTA may require additional performance bond protection when a contract price is increased. The increase in protection shall generally equal 100 percent of the increase in contract price. The RTA may secure additional protection by directing the contractor to increase the penal amount of the existing bond or to obtain an additional bond.

#### Advance Payment Bond

The contractor may be required to obtain an advance payment bond if the contract contains an advance payment provision and a performance bond is not furnished. The RTA shall determine the amount of the advance payment bond necessary to protect the agency.

## **CHAPTER 7            SEALED BID AND RFQ/RFP EVALUATIONS**

### **A. Sealed Bid Evaluation Process**

#### **Recording of Bids**

To assist in having a complete record of the procurement history, the bid number, bid opening date and time, general description of the procurement item, names of bidders, prices bid, and any other information required for bid evaluation, shall be kept in the official procurement file and be available for public inspection. When the items are too numerous to warrant the recording of all bids completely, an entry shall be made of the invitation number, opening date and time, general description of the procurement items, and the total price bid where definite quantities are involved.

The official record shall be completed as soon as practical after bids have been opened and read aloud. The GFM shall be responsible for maintaining files of these records and abstracts for goods and service, professional services, and capital projects.

#### **Tabulation of Bids**

Bids shall be evaluated on the basis of responsiveness and responsibility indicated in the IFB. Award shall be made to the bidder submitting the lowest bid, unless the RTA determines that the bid is not responsive and/or the bidder is found to be not responsible.

#### **Analysis of Limited Bid Response**

If only one (1) bid has been received, the PM or GFM will contact non-bidding vendors to determine reasons for not bidding. The purpose of this examination is to ascertain and document the reason for the single bid. If the determination is that the IFB restricted competition, the procurement may be rebid. A price or cost analysis shall be performed to establish the reasonableness of the bid price before an award is made.

### Determination of Responsiveness

Once the lowest bidder is determined, the RTA will determine if the bidder is responsive. In order for a bid to be acceptable, it must conform in all material respects to the requirements stated in the solicitation. Responsiveness is determined from the bid documents themselves.

Any bid which fails to conform to the essential requirements of the invitation for bids, such as specifications, delivery schedule, warranty, Federal procurement requirements, or the required bid documents, shall be rejected as non-responsive. The originals of all rejected bids, and any written findings with respect to such rejections, shall be preserved in the file relating to the procurement.

### Responsible Bidder Evaluation

Before awarding the contract, the RTA shall determine that a prospective contractor is responsible and that prices are reasonable. Bidders may be asked to provide any information required to determine the responsibility of the bidder. A responsible bidder is one who meets the standards set forth below:

- Has adequate financial resources, or the ability to obtain such resources as required during performance of the contract.
- Is able to comply with the required or proposed delivery or performance schedule, taking into consideration all existing business commitments.
- Has a satisfactory record of performance. Contractors who are, or have been seriously deficient in current or recent contract performance, when the number of contracts and the extent of deficiency of each are considered, may be considered to be non-responsive bidders. Documented past unsatisfactory performance will ordinarily be sufficient to justify a finding of non-responsibility.
- Is otherwise qualified and eligible to receive an award under applicable laws and regulations.
- Has the necessary organization, experience, operational controls, and technical skills, or the ability to obtain them.
- Has the necessary production, construction, and technical equipment and facilities, or the ability to obtain them.

Evaluation of the responsibility of prospective contractors may be made based upon the following sources:

- A list of debarred, suspended or ineligible firms or individuals.
- From the prospective contractor's bids and proposals, replies to questionnaires, financial data such as balance sheets, profits and loss statements, cash forecasts, and financial histories of the contractor and affiliated concerns; current and past production records, list of tools, equipment, and facilities, written statements or commitments concerning financial assistance and subcontracting arrangements.
- Publications, including credit ratings, trade and financial journals, and business directories and registers may also be used.

- References such as suppliers, subcontractors, customers of the prospective contractor, banks and financial institutions, commercial credit agencies, other government agencies, purchasing and trade associations, and better business bureaus and chamber of commerce.
- Documented past performance on contracts with the RTA.

The procurement files will document the determination of responsive and responsible bidders.

## B. RFQ/RFP Evaluation Process

### Pre-qualified Contractor Lists

The RTA may issue a RFQ or RFP in order to create a pool of qualified consultants that will be placed on a “pre-qualified list” for future services or consulting contracts with the RTA. The RTA staff will ensure that all lists of pre-qualified persons, firms, or products that are used in acquiring supplies, equipment, and services are current and include enough qualified sources to ensure maximum full and open competition

Pre-qualified consultants will remain eligible for consideration and contract negotiation on an as-needed basis for three years from the pre-qualification notification date. This date may be extended by the RTA in its sole and absolute discretion for an additional two years for a total of five years. Pre-qualified consultants are not guaranteed a contract. The RTA reserves the right, in its sole discretion, to utilize other authorized procurement methods for services or consulting contracts and to not use the pre-qualified list process.

### Issuance of RFQ/RFP Packet

The RFQ/RFP packet will include the following:

- *Instructions To Proposers:* General instructions concerning the proposal format, pre-contractual expenses, contract conditions, pre-proposal conferences, and other information.
- *Scope of Work:* Each RFQ/RFP will contain a statement or scope of work prepared by the PM which provides a clear and accurate description of the technical requirements for the materials, products, or services being produced. A statement or scope of work should only state the actual minimum needs of the RTA, and be developed in a manner designed to promote full and open competition. At a minimum, the statement or scope of work should address the following areas:
  - A detailed description of the work to be performed outlining various tasks or phases to be performed, and defining the limits of the proposed project;
  - A requirement for periodic reporting or progress on the project if the procurement involves consultant or professional services;
  - A proposed delivery schedule and proposed contract period.
- *Attachments:* Required forms to be completed by the proposer and submitted with the proposal.
- *Exhibits:* These can be documents which display key facts, specifications, maps, report formats, and other important information to clearly define the goods or services needed in order for the proposers to properly respond to the RFQ/RFP.

- *Evaluation Criteria:* Each RFQ/RFP will contain the criteria and method that will be used to select the successful proposer. If the selection is to be made by lowest price, that will be stated in the solicitation documentation. If the selection process will be a “best value” determination, the solicitation will state so and the relative significance of each criteria will also be included in the solicitation document.

An RFQ/RFP record will be maintained by the GFM in the procurement file and will contain the following information.

- Date and time RFQ/RFP packets are distributed.
- Names and addresses of registered vendors, entities receiving the RFQ/RFP, and if potential vendors attending a pre-proposal conference.
- Registered vendors are included in electronic bid notifications bid publications, issuance of addenda and provides a record for verification in cases of vendor protests and other issues.

### Pre-Proposal Conference

A pre-proposal conference may be used as a means of briefing prospective proposers and explaining complicated specifications and requirements to them as early as possible after the RFQ/RFP has been issued and before the proposals are received. Any information distributed at the pre-proposal conference will be made available to all other prospective proposers in a reasonable time prior to the closing of the bid period, and a copy will be maintained in the procurement file. A roster of attendees at the pre-proposal conference will also be maintained in the procurement file as part of the control record.

### Evaluation and Selection Process

Proposals submitted in response to the RFQ/RFP will be evaluated by an Evaluation Committee established by the RTA, in accordance with the criteria set forth in the RFQ/RFP. The Evaluation Committee may include various RTA staff and outside technical representatives. The Committee will be responsible for scoring the proposals and making a recommendation for award of the contract. Original scoring forms, or summary records of the Evaluation Committee scoring, will be maintained in the procurement file.

### C. Architectural / Engineering Services RFQ Evaluations

#### Issuance of an “A/E” RFQ

A notice of an RFQ will be prepared by the GFM and will be advertised as a public notice in hard copy and electronic format on a website that is accessible by the public and vendor community. Additional sources for posting the A/E RFQ may include national and state print or online transit community publications.

#### Pre-proposal Conference

A pre-proposal conference may be used as a means of briefing prospective proposers and explaining complicated specifications and requirements to them as early as possible after the RFQ has been issued and before the proposals are received. Any information distributed at the pre-proposal conference will be made available to all other prospective proposers in a reasonable time prior to the closing of the bid period, and a copy will be maintained in the procurement file.

A roster of attendees at the pre-proposal conference will also be maintained in the procurement file.

### Evaluation and Contract Negotiation

The steps to be used for proposal evaluation and contract negotiation for A/E and related services solicitations are as follows:

- A qualified evaluation committee shall be established by the PM to review eligible firms and all responses to an RFQ. The evaluation committee is briefed by the PM on the RTA procedures and instructed to maintain confidentiality about the proposal evaluation process.
- Evaluation Committee evaluates the firms based on:
  - Professional qualifications for performance of the required services;
  - Specialized experience and technical competence in the type work required;
  - Capacity to accomplish the work in the required time; and,
  - Past performance in terms of cost control, quality of work and compliance with performance schedules.
- Evaluation team ranks the proposers and, if necessary, holds discussions with the most highly qualified firms ("short list").
- Evaluation team prepares a selection report listing in order of preference, those firms that are considered to be the most highly qualified to perform the required services. The report should include a description of the discussions and evaluations by the team to allow the review of the basis upon which the recommendations were made.
- The final selection shall be made by the PM or his/her designee.
- A copy of the selection report will be maintained in the procurement file.

### D. Consultant Selection

This procurement procedure usually involves a single step process with issuance of the RFP/RFQ to all interested consultants. For non-A&E consulting contracts, a cost proposal shall be part of the RFQ/RFP and the selection criteria. For A&E contracts, the cost proposal is not requested until the consultants have been final ranked based upon their submitted technical proposal.

#### Appoint Consultant Selection Committee

A consultant selection committee with a minimum of three (3) members shall oversee the consultant selection process. The committee reviews all materials submitted by consultants, develops a shortlist of qualified consultants, and develops a final ranking of the most qualified proposals. Representation on the committee includes the PM and subject matter experts from the project's functional area. The members should be familiar with the project/segment to be contracted out and with the local agency standards that will be used in the contract.

The RTA ensures that all committee members meet the conflict-of-interest requirements by completing and signing a conflict-of-interest statement prior to selection process initiation.

### Develop Technical Criteria for Evaluation of Proposals

The PM is responsible for developing the technical criteria, and their relative importance which are used to evaluate and rank the consultant proposals. Geographical preference shall not be used as factor in the evaluation, ranking, and selection phase. All non-technical evaluation criteria, including DBE participation, shall not exceed 10 percent ([23 CFR 172.7\(a\)\(1\)\(iii\)\(D\)](#)). All price or cost related items which include, but are not limited to, cost proposals, direct salaries/wage rates, indirect cost rates, and other direct costs are prohibited from being used as evaluation criteria.

The criteria and relative weights must be included in the RFQ/RFP, and the same criteria and relative weights must be used in the evaluation sheets. Failure to include criteria and relative weights and to use the same criteria and weights during the evaluation will result in the contract costs being ineligible for Federal or state reimbursement

### Develop Final Ranking and Notify Consultants of Results

The selection committee evaluates each proposal; interviews the three or more highest ranked consultants (short listed) if noted in solicitation; and develops a final ranking of the highest ranked consultants. All consultants that submitted proposals must be informed about the final ranking of consultants. It is important that all competing consultants receive the same information.

Most consultants will request information as to why they were not the highest ranked. The local agency may have an established procedure adopted for conducting debriefings but may also consider the following: The selection committee should keep notes as to why a particular consultant was not selected. When a consultant requests debriefing, the reasons for not being selected must be objective reasons. The consultant should not be compared to others and should not be provided with information about other consultants during this debriefing. Normally, the Contract Administrator does the debriefing; however, any member of the selection committee may be designated to do the debriefing.

### Award of the Contract

Unless all bids are rejected, award shall be by written or electronic notice, within the time for acceptance specified in the bid or extension thereof, to the responsible and responsive bidder whose bid, conforming to all the material terms and conditions of the solicitation, is the lowest in price.

When award is made to other than the lowest bidder, the RTA will document in the procurement files the reason for not choosing the lowest bid.

### Project Completion

All original documentation related to each procurement such as the Board authorization, solicitation, ICE, background data, evaluation criteria and scores, meeting reports/notes, as well as the logs documenting bid opening dates and bid receipt dates will be saved in the procurement folders. For audit purposes, complete procurement files will be maintained for a minimum of five (5) years after the project is closed out and completed unless a different time period is mandated by a funding entity.

## **CHAPTER 8 PROTEST PROCEDURES**

Protest procedures will be included directly or by reference in all procurements. The most common types of protest that might be filed before a bid opening would include one based upon restrictive specifications, or alleged improprieties in any type of solicitation that is apparent prior to the schedule bid opening.

The RTA will grant the protesting firm a fair review, and allow up to ten (10) working days to review or appeal a decision provided no state or Federal law or regulation has been violated. It is the intent of the RTA to resolve all protests at the local level. The RTA Bid Protest Procedures are provided in Appendix F.

## **CHAPTER 9 SURPLUS EQUIPMENT/SUPPLIES DISPOSAL STANDARDS**

When equipment or supplies are no longer needed for RTA services and are declared “surplus,” it shall be disposed of according to the policies and procedures outlined below. Disposal should follow competitive sales procedures (where applicable) to ensure the highest possible return.

Service life of equipment is determined by acceptable industry standards for such equipment; the service life of FTA-funded rolling stock is determined in [FTA Circular 9030.1E Urbanized Area Formula Program](#). These standards will be used when determining how surplus equipment or supplies will be disposed and if reimbursement to FTA would be required.

The RTA will ensure that its disposal policy meets FTA requirements as outlined in [FTA Circular 5010.1D Grants Management](#). Records of any disposal of equipment or supplies that were originally procured using FTA funds will be maintained according to the record-keeping requirements. The RTA Surplus Equipment and Supplies Disposal Policy Standard is provided in Appendix G.

## APPENDICES

- A. Procurement Policy Matrix
- B. FTA Contracting Clauses
- C. Conflict of Interest
- D. Procurement Checklist
- E. Determination of Price Reasonableness
- F. Protest Procedures
- G. Surplus Equipment and Supplies Disposal Policy Standard



**APPENDIX A  
Procurement Policy Matrix**

<b>Solicitation Threshold</b>	<b>Signature Authority</b>
All Amounts Above \$50,000	Board Authorized
\$10,000 to \$50,000	Executive Director
Below \$10,000	Deputy Director/CFO
\$1,000 or below	Delegated RTA Department Head

<b>Amount Federal &amp; Non-Federal Funds</b>	<b>FTA Procurement Type</b>	<b>Authorization</b>	<b>Procurement Requirements</b>	<b>DBE/SBE</b>	<b>Basis for Award</b>	<b>Secured By</b>
\$2,000 or greater	Construction	Deputy Director/CFO (up to \$10,000)  Executive Director (\$10,001 to \$50,000)  Board Authorization (\$50,001 or greater)	<b>Informal.</b> To the extent practicable, at least 3 quotes required. Fair and reasonable price determination must be made for each procurement.	All opportunities shall be reviewed with the Civil Rights Officer for DBE/SBE utilization per RTA DBE Policy	For federally-funded projects, determine and document that the price is fair and reasonable and how this determination was derived. Davis-Bacon Employee Protection requirements apply.	PO and/or Written Contract
\$10,000 or less  <i>(Except for Construction Contracts exceeding \$2,000)</i>	Micro-Purchase	Deputy Director / CFO or Delegated Dept Head	<b>Informal.</b> One (1) quote  (Two (2) desired if practical).	All opportunities shall be reviewed with the Civil Rights Officer for DBE/SBE utilization per RTA DBE Policy	For federally-funded projects, determine and document that the price is fair and reasonable and how this determination was derived.	PO
Greater than \$10,000	Non-Competitive Proposal (Sole-Source)	Executive Director (\$10,001 to \$50,000)  Board Authorization (\$50,001 or greater)	<b>Sole Source Justification.</b> May be used only when item available from a single source, public exigency or emergency, or after	All opportunities shall be reviewed with the Civil Rights Officer for DBE/SBE utilization per	For federally-funded projects, determine and document that the price is fair and reasonable and how this determination was derived. Confirmation of non Debarment &	PO and/or Written Contract

			solicitation competition determined inadequate. Justification must be documented.	RTA DBE Policy	Suspension for contracts greater than \$25,000. Lobbying Certification for contracts greater than \$100,000.	
\$10,001 to \$150,000	Simple Acquisition (Small) Purchase  (FTA Threshold \$10,000 - \$250,000)	Executive Director (up to \$50,000)  Board Authorization (\$50,001 or greater)	<b>Informal.</b> To the extent practicable, at least 3 quotes required. Fair and reasonable price determination must be made for each procurement.	All opportunities shall be reviewed with the Civil Rights Officer for DBE/SBE utilization per RTA DBE Policy.	Lowest price if an Invitation for Bids (IFB) or Request for Proposal/Quotations (RFP/RFQ) was employed. For federally-funded projects, determine and document that the price is fair and reasonable and how this determination was derived. Confirmation of non Debarment & Suspension for contracts greater than \$25,000. Lobbying Certification for contracts greater than \$100,000.	PO and/or Written Contract
\$150,001 or more	Simple Acquisition (Small) Purchase  (FTA Threshold \$10,000 - \$250,000)	Executive Director (up to \$50,000)  Board Authorization (\$50,001 or greater)	<b>Formal Solicitation:</b> Sealed Bids (IFB) or Competitive Proposals (RFP). Fair and reasonable price determination must be made for each procurement.	Solicitations shall be reviewed with the Civil Rights Officer for DBE/SBE utilization per RTA DBE Policy.	Lowest responsible bidder or in District's discretion, responsible bidder that provides the Best Value. Confirmation of non Debarment & Suspension for contracts greater than \$25,000. Lobbying Certification for contracts greater than \$100,000. Buy America provisions applied to contracts greater than \$150,000.	Written Contract

\$250,000 or more	Non-Competitive (Emergency)	Board Authorization	<b>Emergency declaration:</b> Invitation for Bids or Request for Proposals. Sealed bids. Fair and reasonable price determination must be made for each procurement.	Solicitations shall be reviewed with the Civil Rights Officer for DBE/SBE utilization per RTA DBE Policy.	Lowest responsible bidder or at the Board's discretion, responsible bidder that provides Best Value.  Confirmation of non Debarment & Suspension for contracts greater than \$25,000. Lobbying Certification for contracts greater than \$100,000. Buy America provisions applied to contracts greater than \$150,000.	Written Contract
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**Procurement of Architectural and Engineering Services**

**(Including Construction Management Services, Repair or Remodeling of RTA Facilities)**

<b>Amount Federal and Non-Federal Funds</b>	<b>Procurement Requirements</b>	<b>DBE/SBE</b>	<b>Basis for Award</b>	<b>Secured By</b>
\$5,000 - \$250,000	<b>Minimum of three (3) price quotes.</b> A fair and reasonable price determination must be made for each procurement.	Solicitations shall be reviewed by the Civil Rights Officer. Formal advertisement for the solicitation explicitly states the District's commitment to using DBE/SBE's in all procurements.	Negotiations are conducted with the most qualified offeror. Only after failing to agree with the most qualified offeror will negotiations with successive offerors in descending order be conducted until a contract award can be made. Confirmation of non Debarment & Suspension for contracts greater than \$25,000. Lobbying Certification for contracts greater than \$100,000. Buy America provisions applied to contracts greater than \$150,000.	PO and/or Written Contract
\$250,000 or more	<b>Qualifications Based –</b> Formal RFQ. A fair and reasonable price determination must be made for each procurement.			Written Contract

**APPENDIX B**  
**FEDERALLY REQUIRED CONTRACT CLAUSES**

The successful contractor is expected to be familiar with and meet all stated or otherwise applicable federal clauses and standards.

The RTA is responsible for evaluating these requirements for relevance and applicability to each procurement.

Listed below is the matrix of FTA required contract clauses and federal certifications.

**Applicability of Third Party Contract Provisions**  
(Excluding micro-purchases, except for construction contracts over \$2,000)

CLAUSE	TYPE OF PROCUREMENT				
	Professional Services/A&E	Operations/ Management/ Recipients	Revenue Rolling Stock	Construction	Materials & Supplies
No Federal government obligations to third-parties by use of a disclaimer	All	All	All	All	All
Program fraud and false or fraudulent statements and related acts	All	All	All	All	All
Access to Records	All	All	All	All	All
Federal changes	All	All	All	All	All
Civil Rights (EEO, Title VI & ADA)	All	All	All	All	All
Incorporation of FTA Terms	All	All	All	All	All
Energy Conservation	All	All	All	All	All
Termination Provisions (not required of states)	>\$10,000	>\$10,000	>\$10,000	>\$10,000	>\$10,000
Debarment and Suspension	>\$25,000	>\$25,000	>\$25,000	>\$25,000	>\$25,000
Buy America			>\$150,000	>\$150,000	>\$150,000 (for steel, iron, manufactured products)
Provisions for resolution of disputes, breaches or other litigation	>\$250,000	>\$250,000	>\$250,000	>\$250,000	>\$250,000
Lobbying	>\$100,000	>\$100,000	>\$100,000	>\$100,000	>\$100,000
Clean Air	>\$150,000	>\$150,000	>\$150,000	>\$150,000	>\$150,000

CLAUSE	TYPE OF PROCUREMENT				
	Professional Services/A&E	Operations/ Management/ Recipients	Revenue Rolling Stock	Construction	Materials & Supplies
Clean Water	>\$150,000	>\$150,000	>\$150,000	>\$150,000	>\$150,000
Cargo Preference			Involving property that may be transported by ocean vessel	Involving property that may be transported by ocean vessel	Involving property that may be transported by ocean vessel
Fly America	Involving foreign transport or travel by air	Involving foreign transport or travel by air	Involving foreign transport or travel by air	Involving foreign transport or travel by air	Involving foreign transport or travel by air
Davis Bacon Act				>\$2,000 (including ferry vessels)	
Copeland Anti-Kickback Act				Section 1: All Section 2: >\$2,000 (including ferry vessels)	
Contract Work Hours & Safety Standards Act		>\$100,000	>\$100,000	>\$100,000 (including ferry vessels)	
Bonding (not required of states)				>\$250,000 (including ferry vessels)	
Seismic Safety	A&E for new Buildings & additions			New buildings & additions	
Transit Employee Protective Arrangements		Transit operations funded with Section 5307, 5309, 5311 or 5316 funds			
Charter Service Operations		All			
School Bus Operations		All			
Drug and Alcohol Testing		Transit operations funded with Section 5307, 5309 or 5311 funds			
Patent Rights	Research & development				
Rights in Data and Copyrights requirements	Research & development				
Disadvantaged Business Enterprises (DBEs)	All	All	All	All	All

CLAUSE	TYPE OF PROCUREMENT				
	Professional Services/A&E	Operations/ Management/ Recipients	Revenue Rolling Stock	Construction	Materials & Supplies
Prompt Payment	All non TVM purchases if threshold for DBE program met	All non TVM purchases if threshold for DBE program met	All non TVM purchases if threshold for DBE program met	All non TVM purchases if threshold for DBE program met	All non TVM purchases if threshold for DBE program met
Recycled Products		Contracts for items designated by EPA, when procuring \$10,000 or more per year		Contracts for items designated by EPA, when procuring \$10,000 or more per year	Contracts for items designated by EPA, when procuring \$10,000 or more per year
ADA Access	A&E	All	All	All	
Veterans Employment				All	
Special Notification Requirements for States	Limited to states	Limited to states	Limited to states	Limited to states	Limited to states
Privacy Act	Contracts with personal identifier files	Contracts with personal identifier files	Contracts with personal identifier files	Contracts with personal identifier files	Contracts with personal identifier files
Bus Testing			All		

**REQUIRED CERTIFICATIONS, REPORTS, AND FORMS**  
(excluding micro-purchases, except for construction contracts over \$2,000)

REQUIREMENT	COMMENTS	MASTER AGREEMENT REFERENCE***
Bus Testing Certification and Report	Procurements of buses and modified mass produced vans	§17.p(4)
Transit Vehicle Manufacturer Certification	Procurements of buses and modified mass produced vans	§13.d(3)
Buy America Certification	Projects >\$150,000 that contain steel, iron or manufactured products (see note)	§16.a
Pre-Award Audit	Rolling stock procurements	§17.p(3)
Pre-Award Buy America Certification	Rolling stock procurements>\$150,000(see note)	§17.p(3)
Pre-Award Purchaser's Requirement Certification	Rolling stock procurements	§17.p(3)
Post-Delivery Audit	Rolling stock procurements	§17.p(3)
Post-Delivery Buy America Certification	Rolling stock procurements >\$150,000 (see note)	§17.p(3)
Post-Delivery Purchaser's Requirement Certification	Rolling stock procurements	§17.p(3)
On-Site Inspector's Report	Rolling stock procurements for more than 10 vehicles for areas >200,000 in population and 20 for areas <200,000 in population	§17.p(3)

Federal Motor Vehicles Safety Standards Pre-Award and Post-Delivery Certification	Non-rail rolling stock procurements	§17.p(3)
Excluded Parties Listing System search	Procurements > \$25,000	§3.b
Lobbying Certification	Procurements > \$250,000	§3.d
Standard Form LLL and Quarterly Updates (when required)	Procurements > \$250,000 where contractor engages in lobbying activities	§3.d



**APPENDIX C  
CONFLICT OF INTEREST DECLARATION FORM  
EVALUATION COMMITTEE**

**NAME:**

**POSITION/TITLE:**

**PROCUREMENT PROJECT:**

**QUOTE/RFP#:**

**DECLARATION**

This form is written to assure the transparency of the RTA’s procurement process, rules and policies. In case of any conflict of interest, individuals involved in the procurement process shall declare if he/she has a private interest with the potential vendor(s)/bidder(s) that could improperly influence the solicitation outcome or the performance of his/her official duties which could be used for personal gain.

\_\_\_\_\_  
Employee Name (Print)

\_\_\_\_\_  
Employee Title

I understand my role as a member of the RTA procurement evaluation team and I make this declaration in good faith.  
(Select one of the two options)

**NO CONFLICT OF INTEREST**

I have no actual, potential or perceived conflict of interest in relation to this procurement process as a member of the procurement evaluation team and I will carry out my duties with the highest objectivity and integrity.

**CONFLICT OF INTEREST**

I have a conflict of interest.

1. Select the type of conflict of interest

**ACTUAL.** This is an existing conflict of interest (such as a close relative/friend who is employed by one of the vendors that has submitted a quote/bid).

**POTENTIAL.** This is a conflict of interest that is about to happen, or could happen (such as a close relative/friend to be hired by, acquiring part or full ownership of, the firm/vendor that has submitted a quote/bid).

**PERCEIVED.** This is a conflict of interest which might be reasonably perceived by other as potentially compromising a person’s objectivity (such as a close personal relationship with a vendor that has submitted a proposal, or stand to benefit as a result of an award to this bidder)



Describe the circumstances giving rise to the conflict of interest:

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

San Luis Obispo  
Regional Transit Authority



PROCUREMENT  
CHECKLIST

Updated December 2024

*Each FTA recipient is responsible for managing its programs and projects in compliance with applicable Federal requirements, and the FTA is responsible for ensuring that recipients comply with those requirements. This also applies to each subrecipient, under an FTA grant or cooperative agreement) that enters into contracts with other parties financed with FTA assistance. RTA, as the Designated Recipient of FTA Section funds, must ensure that subrecipients of these funds also comply with those requirements. Each recipient and subrecipient must comply with applicable Federal laws and regulations including, but not limited to, Federal transit laws at 49 U.S.C. Chapter 53, FTA regulations, and other Federal laws and regulations that contain requirements applicable to FTA recipients and their FTA assisted procurements. The following process was developed to assist FTA funded recipients and subrecipients in complying with these federal requirements.*

*The Checklists on the following pages are intended to offer guidance through a procurement process when utilizing federal and state funding; it does not constitute full compliance and local procurement guidelines may supersede federal and state procedures.*

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## Procurement Management Master Checklist

### STEP 1 – Complete Grantee Information Below

*San Luis Obispo Regional Transit Authority*

Grantee: \_\_\_\_\_ Project ID: \_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_

PROCUREMENT TYPE		PROJECT DESCRIPTION
<input type="checkbox"/> Professional Services	<input type="checkbox"/> Operations/Management	
<input type="checkbox"/> Architectural	<input type="checkbox"/> Rolling Stock	
<input type="checkbox"/> Engineering	<input type="checkbox"/> Construction	
<input type="checkbox"/> Architectural & Engineering	<input type="checkbox"/> Material & Supplies	

Contact Person: \_\_\_\_\_

### STEP 2 – Complete Solicitation Process to Be Used Below

**Solicitation Development** (Choose the solicitation process used from categories below)

**Non-Competitive Solicitation** *Use if a projects cost threshold requires only the acquisition of quotes to satisfy competition.*

**Competitive Solicitation** (Select Below)

- Information for Bid (IFB)
- Request For Proposal (RFP)
- Piggyback
- Sole Source
- Qualification Based (Brooks Act)
- Other \_\_\_\_\_

Based on your solicitation process selected above, continue to “STEP 3” below to assure the required documentation necessary to advance the project is developed & saved in the project folder.

**Please Note:**

*It is recommended that an “Independent Cost Estimate”(for estimated costs of \$250,000 or greater). And ICE should be performed prior to receiving bids or proposals to improve the reliability of forecasting costs. This can range from a budget estimate to a complex estimate based on inspection and review.*

### STEP 3 – Solicitation Development and Submission Requirements

Select the “Method” of acquisition chosen above from the 6 methods below to determine necessary requirements to follow.

Continue to **“STEP 5 – Award and Contract Administration Requirements”**

**Method 2 -Required Documentation (Non-Competitive Solicitation)** all required documents are to be collected and saved in project folder to confirm eligibility.

- 1) Was an Independent Cost Estimate Required/Performed? Yes \_\_\_ No \_\_\_
- 2) Was a quotation evaluation performed? Yes \_\_\_ No \_\_\_
- 3) Search the DBE directory to foster small business participation.  
*Was this performed?* Yes \_\_\_ No \_\_\_
- 4) Obtain and submit two to three written quotes  
*Was this performed?* Yes \_\_\_ No \_\_\_
- 5) Was written notice of approval received from RTA to proceed with the project solicitation? Yes \_\_\_ No \_\_\_
- 6) A "Written Record of Procurement History" is required of grantees to maintain details of a procurement history (see Exhibit II), was this file created? Yes \_\_\_ No \_\_\_
- 7) Enter Milestones in database 

FOR RTA USE ONLY	Yes	No
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- 8) Continue to **"STEP 4 (question 8) – Solicitation and Bid Opening Submission Requirements"**

**Method 3 - Required Documentation (Competitive Solicitation)** all required documents are to be collected and saved in project folder to confirm eligibility.

- 1) Was an Independent Cost Estimate Required/Performed? Yes \_\_\_ No \_\_\_
- 2) Was Solicitation/RFP developed? Yes \_\_\_ No \_\_\_

**The solicitation package should contain at minimum the following content**

- a) Project Scope and Technical Specifications Yes \_\_\_ No \_\_\_
- b) Written Standards of Conduct and Conflicts of Interest Yes \_\_\_ No \_\_\_
- c) Contract Term Limitations (e.g. 5yr limit for Rolling Stock contracts) Yes \_\_\_ No \_\_\_
- d) Evaluation and Selection Criteria, (see Exhibit III) Yes \_\_\_ No \_\_\_
- e) Include written DBE Requirements to foster small business participation.  
*Search the NY State Unified Certification Program to assess qualified DBE's to send a solicitation too, at <https://nysucp.newnycontracts.com/>* Yes \_\_\_ No \_\_\_
- f) Assignability Rights Yes \_\_\_ No \_\_\_
- g) Protest and Appeals Process Yes \_\_\_ No \_\_\_
- h) Model Contract Yes \_\_\_ No \_\_\_

**Federal Requirements**

- Are required Federal Clauses and Certification attached? Yes \_\_\_ No \_\_\_

*One of the principles of contracting with Federal funds received directly or indirectly from FTA is a recognition that, as a condition of receiving the funds, certain specific Federal requirements must be met not only by the recipient of the funds (the grantee) but also by sub recipients and a grantee's third party contractors. The Federal requirements to be met by the grantee's third party contractors will be defined by the clauses and certifications included in the grantee's third party contracts. See "Exhibit I" for comprehensive checklist of required federal clauses & certifications.*

- 3) Was written notice of approval received from RTA to proceed with the project solicitation? Yes \_\_\_ No \_\_\_
- 4) A "Written Record of Procurement History" is required of grantees to maintain details of a procurement history (see Exhibit II), was this file created? Yes \_\_\_ No \_\_\_
- 5) Enter Milestones in database
- 6) Continue to **"STEP 4 – Solicitation and Bid Opening Submission Requirements"**

FOR RTA USE ONLY	Yes	No
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**Method 4 - Required Documentation (PIGGYBACK Solicitation)** *all required documents are to be collected and saved in project folder to confirm eligibility.. (If you are NOT purchasing via the “PIGGYBACK” process please skip this section and move to the appropriate section above or below).*

- 1) Was an Independent Cost Estimate Required/Performed? Yes \_\_\_ No \_\_\_
- 2) Request in writing to the contracting agency the right to piggyback of the existing contract. *Was a written request sent to the contracting agency?* Yes \_\_\_ No \_\_\_
- 3) Obtain written approval from contracting agency for rights to piggyback of the existing contract. *Was written approval received from contracting agency?* Yes \_\_\_ No \_\_\_
- 4) Obtain and review from original contracting agency, the original contract, and review for compliance with federal procurement requirements as stated below.
  - a) Was Procurement Competitively Procured? Yes \_\_\_ No \_\_\_
  - b) Have you obtained a copy of the contract and the solicitation document, including the specifications and any Buy America requirements? Yes \_\_\_ No \_\_\_
  - c) Does the solicitation contain an express "assignability" clause that provides for the assignment of the specified deliverables? Yes \_\_\_ No \_\_\_
  - d) Did it include the signed "certifications" required? See "Exhibit 1". Yes \_\_\_ No \_\_\_
  - e) Did it contain the clauses required by Federal regulations? See "Exhibit 1". Yes \_\_\_ No \_\_\_
  - f) Were the piggyback quantities (including indefinite quantity) included in the original solicitation; and were they evaluated as part of the contract award decision? Yes \_\_\_ No \_\_\_
  - g) If an indefinite quantity contract, did the original solicitation/contract contain minimum and maximum quantity/value, and represent the foreseeable needs? Yes \_\_\_ No \_\_\_
  - h) If this piggybacking action represents the exercise of an option is it still valid? Yes \_\_\_ No \_\_\_
  - i) Does State law allow for the procedures used by original contracting agency? Yes \_\_\_ No \_\_\_
  - j) Was a cost/price analysis performed by the original contracting agency? Yes \_\_\_ No \_\_\_
  - k) Does the contract meet FTA term limitations (i.e.: 5yr for rolling stock)? Yes \_\_\_ No \_\_\_
  - l) Was there a proper evaluation of the bids or proposals? Yes \_\_\_ No \_\_\_
  - m) If changes are required to deliverables, are they within scope of the contract. Yes \_\_\_ No \_\_\_ N/A \_\_\_
- 5) Was a copy of the original contract obtained? Yes \_\_\_ No \_\_\_
- 6) Were you able to answer yes or N/A to the 13 points of number 4 above? Yes \_\_\_ No \_\_\_
- 7) Have you checked the "Excluded Parties List System" (EPLS) to assure the contractor hasn't been declared ineligible from receiving Federal contracts? Yes \_\_\_ No \_\_\_
- 8) All piggyback acquisitions require a new municipal/vendor contract be established, including the required federal clauses and certifications. Is there a new municipal/vendor contract? Yes \_\_\_ No \_\_\_
- 9) Was there a current "Price/Cost Analysis performed? Yes \_\_\_ No \_\_\_
- 10) Was new "Buy America" pre-award/post-delivery audits done, if applicable, to ensure nothing has changed since the original award? Yes \_\_\_ No \_\_\_ N/A \_\_\_
- 11) Was the full draft procurement package forwarded to RTA and was written approval received from RTA to proceed? Yes \_\_\_ No \_\_\_
- 12) A "Written Record of Procurement History" is required of grantees to maintain details of a procurement history (see Exhibit II), *was this file created?* Yes \_\_\_ No \_\_\_
- 13) Enter Milestones in database
- 14) Continue to **"STEP 4 – Solicitation and Bid Opening Submission Requirements"**

FOR RTA USE ONLY	Yes ___ No ___
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**Method 5 - Required Documentation (SOLE SOURCE Solicitation)** *When supplies or services available from only one source, and no other supplies or services will satisfy its requirements, you may make a sole source award. The determination of unique capability or availability of property or services from one source will be a consideration if one of the conditions described below are present and justified.*

**CONDITIONS:**

1. Unique or Innovative Concept. The offeror demonstrates a unique or innovative concept or capability not available from another source. Unique or innovative concept means a new, novel, or changed concept, approach, or method that is the product of original thinking, and has not in the past been available to the recipient from another source.
2. Patents or Restricted Data Rights. Patent or data rights restrictions preclude competition.
3. Substantial Duplication Costs. In the case of a follow-on contract for the continued development or production of highly specialized services, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.
4. Unacceptable Delay. In the case of a follow-on contract for the continued development or production of a highly specialized service, when it is likely that award to another contractor would result in unacceptable delays in fulfilling the recipient's needs.

**Sole Source Justification Checklist**

*The development of a Sole Source justification should be well documented and have several supporting components to it, and have met one or more of the above conditions.*

*Justification should contain at minimum the following checklist credentials:*

- Justification – Why items/services to be purchased or performed are available only from a single source.
- Business Rational – Reason for acquiring items or services and their applicability to the project.
- Alternative Evaluation – Narrative of sole source preference verses performing a re-solicitation and award.
- Cost/Price Analysis – A cost/price analysis is necessary for all sole source procurements to assure continued best value is being sought.
- Reasonableness of Price – Narrative of reasonable of price, demonstrating the level of work being performed is a prudent use of resources.
- Certification – Administrative sign-off on the justification in support of all documentation having been reviewed and approved.
- Scope of Services – Attach a current “Scope of Services” pertaining to the sole source award.

- 1) Has at least one (1) of the four (4) conditions above been met? Yes \_\_\_ No \_\_\_
- 2) Have you written the Sole Source Justification memo? Yes \_\_\_ No \_\_\_
- 3) Was written approval received from the Executive Director/CFO to proceed? Yes \_\_\_ No \_\_\_
- 4) A "Written Record of Procurement History" is required of grantees to maintain details of a procurement history (see Exhibit II), was this file created? Yes \_\_\_ No \_\_\_
- 5) Enter Milestones in database
- 6) Continue to **“STEP 4 – Solicitation and Bid Opening Submission Requirements”**

**Method 6 - Required Documentation (QUALIFICATION BASED - BROOKS ACT)***For applicable projects related to or leading to construction, an FTA recipient must use the qualifications-based procurement procedures (Brooks Act procedures) when contracting for A&E services and other services including program and construction management, feasibility studies, preliminary engineering, design, architectural, surveying, mapping, or related services.*

*Not all projects involving construction require qualifications-based procurement procedures such as: end products used in construction, design of message signs, signals, movable barriers, intelligent transportation system (ITS) projects, and actual construction. Whether qualifications-based procurement procedures are necessary depends on the actual services.*

**Qualifications-Based Procurement Procedures** - *The following procedures apply to qualifications-based procurements:*

1. Qualifications - Unlike other two-step procurement procedures in which price is an evaluation factor, an offeror's qualifications are evaluated to determine contract award.
2. Price - Price is excluded as an evaluation factor.
3. Most Qualified - Negotiations are first conducted with only the most qualified offeror.
4. Next Most Qualified - Only after failing to agree on a fair and reasonable price may negotiations be conducted with the next most qualified offeror.

**Applicability to Design-Bid-Build and Design-Build Procurements**

Design-Bid-Build - The design-bid-build procurement method requires separate contracts for design services and for construction.

1. Design Services - For design services, the recipient must use qualifications-based procurement procedures, in compliance with applicable Federal, State and local law.
2. Construction - Because the recipient may not use qualifications-based procurement procedures for the actual construction, alteration or repair of real property, the recipient generally must use competitive procedures for the construction.

Design-Build - The design-build procurement method consists of contracting for design and construction simultaneously with contract award to a single contractor or team.

1. Procurement Method Determined by Value - First separate out the various activities into design or construction costs, and then calculate the estimated total value of each.
2. Construction Predominant - When construction costs are predominant use competitive negotiations or sealed bids for the entire procurement unless determines otherwise in writing.
3. Design Services Predominant - When design costs are predominant use qualifications-based procurements for the entire procurement.
4. Enter Milestones in database
5. Continue to **“STEP 4 – Solicitation and Bid Opening Submission Requirements”**

FOR RTA USE ONLY	Yes	No
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## STEP 4 – Solicitation and Bid Opening Submission Requirements

The solicitation and BID Opening phase encompasses the Advertising, Opening, Review, Analysis, and the Selection processes of competitive and non-competitive procurements. Detailed and comprehensive execution of this phase can help avoid conflicts that could result in delay or possibly even a re-bid of the entire project. Opportunity for clarification of Solicitation Documents may be necessary. A process to address any potential questions should be offered well in advance of the submission deadline.

Examination of all proposals received for responsiveness to all corresponding instructions, forms, terms and specifications contained in the solicitation is necessary to provide a proper evaluation. Failure to do so may affect the evaluation of the Bid.

The Checklist below is intended to offer guidance through the opening and review phase if a solicitation/bid was performed utilizing federal funding, it does not constitute full compliance. State and local procurement guidelines may supersede federal practices and should be reviewed for further compliance requirements.

*All documents are required.*

- 1) Advertisement of the solicitation without geographic preference, except in A/E under certain circumstances is required.  
*RTA will require documented proof this was performed.  
For further information on geographic preference please see Exhibit IV.  
Was this project advertised without geographic preference?* Yes \_\_ No \_\_ N/A\_\_
- 2) Approved Equals/Request for Clarifications process. *See Exhibit IV for more on approved equal's process. Was an approved equal's process documented?* Yes \_\_ No \_\_ N/A\_\_
- 3) Pre-Bid Meeting - Communicating with potential contractors through pre-bid conferences is a good way to control costs and minimize claims. The grantee "should" post and make the materials distributed and discussed at the conference available to the potential offeror, upon request.  
*Was a Pre-Bid Meeting held? Yes \_\_ No \_\_ N/A\_\_  
If so, was all material and discussions posted and made available? Yes \_\_ No \_\_*
- 4) Bid opening and recording - The opening of bids are public events and open to the general public. The bids are opened at a specified time and recorded on a document called an Abstract of Bids and this document is available for public inspection after completion. *Was a Bid Opening and Recording performed?* Yes \_\_ No \_\_ N/A\_\_
- 5) Review of all request for proposals in accordance with selection criteria – *Were all proposals evaluated based on established Evaluation and Selection Criteria (see Exhibit III) set forth in the solicitation for responsiveness?* Yes \_\_ No \_\_ N/A\_\_
- 6) Disadvantaged Business Enterprises opportunities (DBE)- *Were all proposals evaluated to determine if a "Good Faith Effort" to involve DBE's and documentation provided? (See Exhibit VI)* Yes \_\_ No \_\_ N/A\_\_
- 7) Tabulation of Bids/Proposals – Document in a tabular format all bids/proposals including selection criteria, responsibility determination and grading. *Was the process of tabulating all bid/proposals performed?* Yes \_\_ No \_\_ N/A\_\_
- 8) Cost or Price Analysis - A cost or price analysis is required for every contract and every change order so that the essential objective of a reasonable price is assured. *Was a cost/price analysis performed?* Yes \_\_ No \_\_
- 9) Disbarment (SAMs) – Review of the Excluded Parties List at, <https://www.sam.gov/>

must be performed for all solicitations to assure the contractor hasn't been declared ineligible from receiving Federal contracts. *Was this process performed and a copy printed?* Yes \_\_\_ No \_\_\_  
*Continued: Solicitation and Bid Opening Submission Requirements*

- 10) Review FTA's TVM website (<http://www.fta.dot.gov/civilrights/12891.html>) prior to bid award to verify TVM Certification. Include a print out of the website page with bid documentation. Was this process performed and a copy printed and submitted? Yes \_\_\_ No \_\_\_ N/A \_\_\_
- 11) Award Selection and Justification - The potential winning vendor selected, based on evaluation criteria to offer a contract to must be supported with documented justification explaining the decision. If procurement was low bid, provide justification if award is to be to someone other than lowest bidder. *Was this process performed?* Yes \_\_\_ No \_\_\_
- 12) Formal Protests - Were any filed? *(if your answer is no move onto number 13)* Yes \_\_\_ No \_\_\_  
 If you answered yes, has RTA received all documentation? Yes \_\_\_ No \_\_\_
- 13) Draft copy of proposed Contract – A draft copy of a contract should be developed, containing all federally required clauses and certifications for review prior to actual contract being entering into. *Was this process performed?* Yes \_\_\_ No \_\_\_
- 14) Provide copies of all documentation gathered and prepared in steps 1-13 above to RTA for review and approval. Proceeding to contract award prior to approval can render the project ineligible for funding. Has all documentation been submitted to RTA for review? Yes \_\_\_ No \_\_\_
- 15) Was written approval received from RTA to proceed? Yes \_\_\_ No \_\_\_
- 16) Has all documentation gathered above been placed in the "Written Record of Procurement History" files? Yes \_\_\_ No \_\_\_
- 17) Enter Milestones in database
- 18) Continue to **“STEP 5 – Award and Contract Administration Requirements”**

FOR RTA USE ONLY	Yes	No
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## STEP 5 – Award and Contract Administration Requirements

The Project Award and Contract Administration phase encompasses the contract development, contract award, and order to precede portion of procurement. Clarity of work task expectations spelled out within the contract can help avoid conflicts that could result in delay of the project. Some example expectations include: expected milestones and benchmarks, processes for change orders, and chain of command to be followed.

The Checklist below is intended to offer guidance through the Award and Contract Administration phase if a solicitation/bid was performed utilizing federal funding, it does not constitute full compliance. State and local procurement guidelines may supersede federal practices and should be reviewed for further compliance requirements.

- |   |                        |
|---|------------------------|
| 1) Award contract, adhering to applicable contract term limitations.<br>Was a correspondence for contract award performed?  | Yes ___ No ___         |
| 2) Finalize Contract w/appropriate clauses & certifications. Was this Performed?  | Yes ___ No ___         |
| 3) Secure Bonds and Insurance as required. Was this Performed?  | Yes ___ No ___ N/A ___ |
| 4) Develop milestones and closeout procedures. Was this Performed?  | Yes ___ No ___         |
| 5) Awarded Vendor Information – Provide information on “Exhibit V” “Vendor Information Form” including name, address, phone, fax, email, web, Federal ID, DUNS number, contract amount, force account and DBE/WMBE status. Was “Exhibit” V submitted to RTA for review? | Yes ___ No ___         |
| 6) Submitted documentation to RTA for review and approval.  | Yes ___ No ___         |
| 7) Written order to Proceed, upon approval from RTA. Was this Performed?  | Yes ___ No ___         |
| 8) Change Orders will require approval before project can proceed further.  |                        |
| a. <i>Were there any “Change Orders”?</i>   | Yes ___ No ___         |
| b. <i>Did all change orders receive approval to proceed in writing?</i>   | Yes ___ No ___         |
| c. <i>Did a Price/Cost Analysis accompany all change orders?</i>  | Yes ___ No ___         |
| 9) Submit all documentation gathered above to RTA and place in the "Written Record of Procurement History" file?  | Yes ___ No ___         |
| 10) Enter Vendor data and Milestones in database  |                        |

11) Continue to **“STEP 6 – Project Closeout and Reimbursement Requirements”**

FOR RTA USE ONLY	Yes ___	No ___
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## STEP 6 – Project Closeout and Reimbursement Requirements

A completed contract is one that is both *physically* and *administratively* complete. The eventual request for reimbursement will hinge on close-out having occurred in its entirety. A contract is physically complete only after all deliverable items and services called for under the contract have been delivered and accepted by the grantee. A contract is administratively complete when all payments have been made and all administrative actions accomplished. The steps that must be completed to close out a contract will depend upon the type and/or nature of the contract.

The closeout of routine purchase orders or contracts will need to ensure that all acquisitions have been inspected and accepted in conformance with the purchase order/contract specifications. An inspection/acceptance form should be in the file attesting to the contractor's delivery of all contract end items, including any descriptive literature or warranty documentation. There must also be documentation attesting to final payment by the accounts payable department.

Non-routine contracts for services, construction, rolling stock, etc. - Contracts for personal services, complex equipment, construction, and other one-of-kind items will require a number of steps to effect an administrative closeout. Major elements of the closeout process, and related documentation, might include:

- |  |                        |
|--|------------------------|
| 1. Has resolution of all contract changes, claims, and final quantities to be delivered taken place?   | Yes ___ No ___         |
| 2. Has settlement of all prime and subcontracts as well as any retainage taken place?  | Yes ___ No ___         |
| 3. Have all post delivery inspections been performed and documented as acceptable?   | Yes ___ No ___ N/A ___ |
| 4. Have all post delivery certifications, as applicable, been signed, received and documented, including post delivery buy America requirements?                                       | Yes ___ No ___ N/A ___ |
| 5. Did submittal of all required documentation (final reports, lease & service agreements, maintenance policy and plans, etc.) take place?   | Yes ___ No ___         |
| 6. Have all cancelled checks, electronic transfers, project invoice(s), signed agreements and certifications been submitted to RTA for review and final approval of project close-out? | Yes ___ No ___         |
| 7. Enter Milestones in database  |                        |

### **Important information:**

FOR RTA USE ONLY	Yes ___	No ___
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*Record Retention - The Recipient agrees to maintain intact and readily accessible all data, documents, reports, records, contracts, and supporting materials relating to the Project as the Federal Government may require during the course of the Project and for three years thereafter.*

*Access to Records of Recipients and Subrecipients - Upon request, the Recipient agrees to permit and require its Subrecipients to permit the Secretary of Transportation, the Comptroller General of the United States, and, if appropriate, the State, or their authorized representatives, to inspect all Project work, materials, payrolls, and other data, and to audit the books, records, and accounts of the Recipient and its Subrecipient pertaining to the Project.*

*Project Closeout - Project closeout does not alter these reporting and record retention requirements.*

## **“Exhibit I”**

### Checklist of Required Federal Clauses, Certifications & Other Recommended Federal & Contract Requirements

**TABLE 1: FTA REQUIRED PROCUREMENT CLAUSES**

Sec.	Federal Contract Clause	Applicability to Type of Contract
1	<a href="#">Access to Third-Party Records, Reports &amp; Sites</a>	Value > \$10K, except Construction Contract > \$2K
2	<a href="#">Air Pollution and Fuel Economy</a>	Rolling Stock
3	<a href="#">Americans with Disabilities Act (ADA)</a>	Contracts for rolling stock or facilities construction/renovation
4	<a href="#">Ban Text Messaging While Driving</a>	Value > \$10K, except Construction Contract > \$2K
5	<a href="#">Bonding Requirements</a>	Construction or Facility Improvement Contracts Value > \$250K
6	<a href="#">Bus Testing Requirements</a>	Rolling Stock Acquisition
7	<a href="#">Buy America Requirements</a>	Value > \$150K for Contracts that Involve the Purchase of Iron, Steel, Manufactured Goods or Rolling Stock
8	<a href="#">Cargo Preference Requirements</a>	Equipment/Material/Commodities Transported By Ocean Vessels
9	<a href="#">Changes to Federal Requirements</a>	All
10	<a href="#">Charter Bus Requirements</a>	Charter Operations Service <b>(N/A for RTA)</b>
11	<a href="#">Civil Rights Laws &amp; Regulations</a> (Federal EEO, Non-Discrimination on the Basis of Sex & Age, Federal Protections for Individuals with Disabilities)	Value > \$10K, except Construction Contract > \$2K
12	<a href="#">Civil Rights and Equal Opportunity</a> (Nondiscrimination Race, Color, Religion, National Origin, Sex/Age/Disabilities, Free Speech & Religious Liberty)	Value > \$10K, except Construction Contract > \$2K
13	<a href="#">Clean Air Act &amp; Federal Water Pollution Control Act</a>	Value > \$150K
14	<a href="#">Conformance with National ITS Architecture Policy</a>	Contracts & Solicitations for National Intelligent Transportation System projects
15	<a href="#">Contract Work Hours and Safety Standards Act</a>	Prime Construction Contracts > \$2K All Contracts that Involve Employment of Laborers or Mechanics Value > \$100K
16	<a href="#">Davis-Bacon and Copeland Anti-Kickback Act</a>	Prime Construction Contracts > \$2K All Contracts that Involve Employment of Laborers or Mechanics Value > \$100K
17	<a href="#">Debarment and Suspension (Government-Wide)</a>	Value > \$25K
18	<a href="#">Disadvantaged Business Enterprise (DBE) Requirements</a>	Value > \$10K, except Construction Contract > \$2K
19	<a href="#">Energy Conservation Requirements</a>	Construction > \$250K
20	<a href="#">Environmental Protections</a> (NEPA, Environmental Justice, Clean Air Act & Clean Water Act, Historic Preservation, Indian Sacred Sites, Corridor Preservation)	Construction > \$150K
21	<a href="#">Equal Employment Opportunity</a>	All Construction Contracts
22	<a href="#">Federal Tax Liability and Recent Felony Conviction Certification</a>	Value > \$25,000
23	<a href="#">Fly America Requirements</a>	When Air Transportation Between the U.S. and Outside the U.S. and Paid By FTA Funds
24	<a href="#">Incorporation of FTA Terms</a>	Value > \$10K, except Construction Contracts > \$2K
25	<a href="#">Motor Carrier Safety</a>	Transit Service Operations Contracts
26	<a href="#">National Transit Database (NTD) Reporting</a>	Transit Service Operations Contracts
27	<a href="#">No Federal Government Obligation to Third Parties</a>	All
28	<a href="#">Notice to FTA and US DOT Inspector General of Information Related to Fraud, Waste, Abuse, or other Illegal Matters</a>	Value > \$25K

29	<a href="#">Patent Rights &amp; Rights in Data</a> (Intellectual Property / Rights to Inventions Made by Nonprofit and Small Business)	Research Projects Only
30	<a href="#">Pre-Award and Post-Delivery Audits of Rolling Stock Purchases</a>	Rolling Stock Acquisition
31	<a href="#">Program Fraud and False or Fraudulent Statements and Related Acts</a>	Value > \$10K, except Construction Contract > \$2K
32	<a href="#">Prohibition of Telecommunications / Surveillance Equipment</a>	All
33	<a href="#">Prompt Payment</a>	Value > \$10K, except Construction Contracts > \$2K
34	<a href="#">Public Transportation Employee Protective Arrangements</a>	Transit Operations Contracts
35	<a href="#">Restrictions on Lobbying</a>	Value > \$100K
36	<a href="#">Rolling Stock Limitations</a>	Rolling Stock Acquisition
37	<a href="#">Safe Operations of Motor Vehicles</a> (Seat Belt Use, Distracted Driving & Subcontracts)	All
38	<a href="#">School Bus Operations Requirements</a>	School Bus Operations Service <b>(N/A for RTA)</b>
39	<a href="#">Seismic Safety Requirements</a>	New Construction/Additions to Existing Buildings
40	<a href="#">Severability</a>	All
41	<a href="#">Simplified Acquisition Threshold</a>	Value > \$250K
42	<a href="#">Solid Wastes</a> (Recovered/Recycled Materials)	EPA designated items Value > \$10K In Fiscal Year
43	<a href="#">Special DOL EEO Clause for Construction Projects</a>	Construction Contracts > \$250K
44	<a href="#">Substance Abuse</a> (Drug and Alcohol Testing)	Transit Operations Contracts that Perform Safety Sensitive Functions
45	<a href="#">Termination</a> (49CFR Part 18 applies)	Value > \$10K, except Construction Contracts > \$2K
46	<a href="#">Trafficking in Persons</a>	Value > \$10K, except Construction Contracts > \$2K
47	<a href="#">Veterans Hiring Preference</a>	Construction Projects >\$250K
48	<a href="#">Violation &amp; Breach of Contract</a>	Value > \$250K

Other FTA Certifications (Complete ONLY IF Applicable)			Regulatory Reference
A	<a href="#">Debarment and Suspension Certification</a>	Value > \$25K	FTA Master Agreement §4.h
B	<a href="#">Federal Tax Liability Certification</a>	Value > \$25K	49 CFR Part 613
C	<a href="#">Lobbying Certification</a>	Value > \$100K	49 CFR Part 20
D	<a href="#">Buy America Certification</a> (Including Pre-Award Purchaser's and Post Delivery Certification)	Value > \$150K for Contracts that Involve the Purchase of Iron, Steel, Manufactured Goods or Rolling Stock	49 CFR Part 661
E	<a href="#">Bus Testing Certification of Compliance</a>	Rolling Stock Acquisition	49 CFR Part 665
F	<a href="#">Transit Vehicle Manufacturer (TVM) DBE Certification</a>	Rolling Stock Acquisition	49 CFR Part 26
G	<a href="#">Federal Motor Vehicle Safety Standards (FMVSS) Certification</a>	Rolling Stock Acquisition	49 CFR Part 663

The Federal Transit Administration Master Agreement FTA MA(31) applies to projects financed with federal funds beginning on the effective date of the Master Agreement, until the Master Agreement version is superseded. [FTA Master Agreement \(version 31, May 2, 2024\)](#)

## **“Exhibit II”**

### *Written Record of Procurement History Best Practices*

Many procurement reviews may find few problems with the fundamental decisions leading to the results of procurement, but may reach negative conclusions and unwanted recommendations due to well considered decisions not being well documented. Stating briefly why a decision was made may help you and your agency, as well as satisfy the requirements of applicable third party contracting requirements.

Where appropriate, the procurement documentation file should contain<sup>1</sup>:

- Purchase request, acquisition planning information, and other pre-solicitation documents;
- Evidence of availability of funds;
- Rationale for the method of procurement (negotiations, formal advertising);
- List of sources solicited;
- Independent cost estimate;
- Statement of work/scope of services;
- Copies of published notices of proposed contract action;
- Copy of the solicitation (without geographic preference), all addenda, and amendments;
- Liquidated damages determination;
- An abstract of each offer or quote;
- Contractor's contingent fee representation and other certifications and representations;
- Source selection documentation;
- Contracting Officer's determination of contractor responsiveness and responsibility;
- Cost or pricing data;
- Determination that price is fair and reasonable including an analysis of the cost and price data, required internal approvals for award;
- Notice of award;
- Notice to unsuccessful bidders or offerors and record of any debriefing;
- Record of any protest;
- Bid, Performance, Payment, or other bond documents, and notices to sureties;
- Required insurance documents, if any; and
- Notice to proceed.

Purchase order forms (electronic or manual) and standard files for small purchases can be designed to make the recording of most of the relevant data for small purchases automatic. Bid and proposal files, particularly if you use sealed bids under \$100,000 can also be standardized to facilitate recording the appropriate data. For larger procurements, there are often memoranda or correspondence that, if assembled in the file, addresses many of the key issues.

The procurement file and the contract administration file can be coordinated by standard practice, so that nothing between bid opening and notice of award is omitted.

## **“Exhibit III”**

### *Evaluation and Selection Criteria*

#### PURPOSE

The required feature that principally distinguishes an RFP from an IFB is the listing of evaluation factors. These factors typically include responsibility factors (financial, human, and physical capacity to perform), and technical factors (ability to perform based on information submitted and the relative qualifications of the proposer's personnel).

Some criteria also list order of importance, weighting and the scoring methods use in selection. For instance, in the case of Qualification-Based procurements the elimination of cost as being a deciding factor emphasized the importance of writing to technical, educational and experience skillsets.

The purposes for disclosing of the evaluation process are so that:

- Offerors can more accurately respond to your needs; and
- Clearly present the information you need to conduct your evaluation; and

The competitive proposal process involves a subjective evaluation process and discussions that are typically confidential. Acceptance by the public and dissatisfied offerors is more likely if the evaluation and selection process is well documented.

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The following is a listing of elements commonly found in the competitive proposal method of procurement.

- 1) *Technical and cost proposal may be requested under separate cover so that they may be evaluated, frequently by separate staff. Where the appearance of technical objectivity is important, it is a better practice to initially evaluate the technical proposals without knowledge of costs, so that an objective and impartial evaluation can be obtained;*
- 2) *The evaluation factors<sup>2</sup> to be considered (past performance, technical criteria, key personnel, education and experience, cost, and relative importance) in the award are identified in the RFP along with the relative importance of each. While this requires only the ranking of the factors without quantifying the importance or describing the process for applying the factors to proposals, some agencies disclose their selection process in detail. (Disclosing the specific weights and scoring processes may encourage proposers to distort their proposals, and may strengthen the disappointed proposer's attack on the agency decision);*
- 3) *Provide a full description of the process to be undertaken to guide proposers in a strong understanding your needs. This can also strengthen the impartiality of your evaluation team, encourages openness in a negotiation process, and encourage.*
- 4) *Notify prospective offerors that award may be made on the basis of initial proposals submitted without any negotiations or discussions. This clearly states the initial proposal should be their best effort.*

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<sup>2</sup> FTA Best Practices Procurement Manual, 4.5.2 Evaluation of Proposals



**“Exhibit IV”**  
*Full and Open Competition*

REQUIREMENT

The Federal Transit Administration requires all procurements to be conducted in a manner providing for full and open competition. This requirement limits the use of noncompetitive contract awards to those situations when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and at least one of several specifically named circumstances are present. Thus, contracts with a value of more than \$100,000 shall be awarded by sealed bid or competitive negotiation unless there is an explicit exception.

The FTA considers the following practices to be restrictive of competition<sup>3</sup>:

- Unreasonable requirements placed on firms in order for them to qualify to do business;
- Unnecessary experience and excessive bonding requirements;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive awards to any person or firm on retainer contracts;
- Restrictive use of brand names<sup>4</sup>;
- Any arbitrary action in the procurement process;
- Geographic preferences<sup>5</sup>;
- Organizational Conflicts of Interest; and
- Prohibitive or restrictive type contracts.

<sup>4</sup>Brand Names - A name of a product or service that is limited to the product or service produced or controlled by one private entity or by a closed group of private entities. Brand names may include trademarks, manufacturer names, or model names or numbers that are associated with only one manufacturer. The FTA considers use of brand names restrictive without opportunity for an Approved Equals process (an item or service which has been approved by the procuring agency as equal to the brand name item originally specified).

<sup>5</sup>Prohibition Against Geographic Preferences - Grantees shall conduct procurements in a manner that prohibits the use of statutory or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. This does not preempt State licensing laws. However, geographic location may be a selection criterion in procurements for architectural and engineering (A&E) services provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

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<sup>3</sup> Federal Transit Administration (FTA) Federal Circular 4220.1F, Chapter VI(2)

**“Exhibit V”**  
*Vendor Information Form*

INSTRUCTIONS FOR COMPLETING THE VENDOR INFORMATION FORM

After selection of the vendor chosen to award the contract to, please complete the "Vendor Information Form" below and attach documentation of the “Good Faith Efforts” performed to engage DBE’s and WMBE’s in the solicitation. Once complete please return to your RTA procurement representative for processing. Failure to return this form complete, with documentation of the “Good Faith Efforts, will delay approval to award the contract.

**Step 1 - Complete the form**

Enter the vendor’s information on the form below. All information must be provided before approval to award will be given.

**Step 2 – Form Submission**

After completing this form please save in project folder.

Vendor Information Form

VENDOR NAME					
VENDOR ADDRESS					
CITY		STATE		ZIP CODE	
PHONE			FAX		
EMAIL ADDRESS			WEB ADDRESS		
FEDERAL ID NUMBER			DUNS NUMBER		
CONTRACT AMOUNT	\$		FORCE ACCOUNT	\$	
DBE STATUS	YES	NO	WMBE STATUS	<input type="checkbox"/> YES	<input type="checkbox"/> NO
GOOD FAITH EFFORTS <b>REQUIRED</b> <i>(Attach required documentation to this form)</i>	Documentation of the good faith efforts performed to reach out to DBE’s and WMBE’s is required regardless of awarded. Please use “ <u>Exhibit VI</u> ” below for guidance in providing this required documentation. Was this performed?				<input type="checkbox"/> YES <input type="checkbox"/> NO

**“Exhibit VI”**  
*Guidance Concerning Good Faith Efforts*

Good Faith Efforts procedures<sup>i</sup> must be documented on contracts utilizing federal funds that have an established DBE goal. Award requires a bidder/offeror be able to show good faith efforts were performed to meet the goal. A good faith effort is defined as one where the bidder:

1. *Documents that it has obtained enough DBE participation to meet the goal; or*
2. *Documents adequate good faith efforts, even though it did not meet the goal.*

This appendix “Guidance Concerning Good Faith Efforts” provides grantees with suggested types of actions they should perform/document to demonstrate good faith efforts.

These efforts must be active steps, which could reasonably be expected to lead to sufficient DBE participation to meet the contract DBE participation goal. Good Faith Efforts require that the bidder consider all qualified DBEs, who express an interest in performing work under the contract. This means that the bidder cannot reject a DBE as unqualified unless the bidder has sound reasons based on a thorough investigation of the DBE’s capabilities. Further, the DBE’s standing within its industry, membership in specific groups, organizations or associations and political or social affiliation (for example, union vs. non-union employee status) is not legitimate causes for the rejection or non-solicitation of bids in the Contractor’s efforts to meet the contract DBE participation goal.

The following, which is not all inclusive, list types of actions which indicate good faith efforts on the part of a bidder to meet the DBE goal. The extent and type of actions required will vary depending on such things as industry practice; the time available for submitting a bid and the type of contract.

1. *Attendance at a pre-bid meeting, if any, scheduled to inform DBEs of subcontracting opportunities under a given solicitation.*
2. *Advertisement in general circulation media, trade association publications, and minority-focus media.*
3. *Written notification to capable DBEs that their interest in the contract is solicited.*
4. *Documentation of efforts to negotiate with DBEs for specific sub-contracts including at a minimum:*
  - a. *The names, addresses, and telephone numbers of DBEs contacted and the date.*
  - b. *A description of the information provided to DBEs.*
  - c. *A statement explaining why additional agreements with DBEs were not reached.*
5. *For DBE bidders contacted but rejected as unqualified, the reason for that conclusion.*
6. *Documentation of efforts made to assist the DBEs contacted that needed assistance in obtaining bonding or insurance required by the bidder.*
7. *Documentation of efforts to utilize the services of small business organizations, community and contractor groups to locate qualified DBEs.*
8. *Documentation that the bidder has broken out contract work items into economically feasible units in fields where there are available DBE firms to perform the work.*
9. *Evidence that adequate information was provided to DBEs about the plans, specifications and requirements of the contract, and that information was communicated in a timely manner.*
10. *Documentation of any efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services.*

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<sup>i</sup> Best Practices Procurement Manual, 7.3.5.4 “Good Faith Efforts to Meet Contract Goals”



**APPENDIX E:  
DETERMINATION OF PRICE REASONABLENESS**

PO/Contract Number: (If applicable) \_\_\_\_\_

Vendor: \_\_\_\_\_

Items Purchased:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The price(s) paid for item(s) received under this purchase are determined to be fair and reasonable, based on the following (as checked): (**supporting documentation attached**)

- Adequate competition
- Current price lists
- Catalog price
- Prices found reasonable on recent previous purchases
- Advertisements
- Similar items in a related industry
- Independent price estimate (ICE) (based on a good understanding of what the item should cost)
- Other basis (Explain Below):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Prepared By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX F BID PROTEST PROCEDURES

### **Bid Protest Procedures/Policy Before Bid Opening**

Each bid proposal shall set a timetable for filing a protest before a bid opening, (10 working days).

The most common types of protest that might be filed before a bid opening would include one based upon restrictive specifications, or alleged improprieties in any type of solicitation that is apparent prior to the scheduled bid opening.

RTA will grant the protesting firm a fair review, and allow up to 10 working days to review or appeal a decision provided no state or federal law or regulation has been violated.

It is the intent of RTA to resolve all protests at the local level.

When a protest is filed before a scheduled bid opening certain steps must be followed:

- A. The protest must be submitted in writing within the specified time frame and sent to the Deputy Director/CFO for determination. (10 working days)

San Luis Obispo Regional Transit Authority  
253 Elks Lane  
San Luis Obispo, CA 93401

- B. The protest must contain the reason(s) for the protest and should recommend a remedy.
- C. Where appropriate, RTA will hold an informal conference on the merits of a protest with all interested parties allowed to attend. Interested parties may include all bidders/offerors and subcontractors or suppliers provided they have a substantial economic interest in a portion of the IFB or RFP.
- D. All potential bidders will be advised of a pending protest.
- E. RTA shall not open bids prior to the resolution of the protest, unless it is determined that;
1. The items to be procured are urgently required, or;
  2. Delivery or performance will be unduly delayed by failure to make the award promptly, or;
  3. Failure to make prompt award will otherwise cause undue harm to RTA or the Federal Government.
- F. RTA will respond in writing within 10 working days after receipt of a properly filed protest. The response will be provided by the Deputy Director/CFO and will include a response to each substantive issue raised in the protest.
- G. After the exhaustion of administrative remedies the protesting party will be given our final decision. The Executive Director has the authority to make the final determination regarding all protests. If the protest is not resolved, and if FTA funded, a protest may then be filed with FTA within 5 working days after receipt of our final decision.

Note that FTA will only entertain a protest that the grantee failed to have or follow their protest procedures. A protest to FTA must be filed in accordance with [FTA Circular 4220.1F](#).

## **Bid Protest Procedures/Policy After Bid Opening/Post Award**

A protest filed after a bid opening or post award must be filed within 5 working days after the bid opening or notice of award.

The types of protests most commonly filed after bid openings are varied, e.g., one in which the award is made to other than the low bidder, changes to the criteria during bid evaluation, bid compliance, etc.

RTA will grant the protesting firm a fair review, and allow up to 10 working days to review or appeal a decision provided no state or federal law has been violated.

It is the intent of RTA to resolve all protests at the local level.

All protests, including FTA funded projects, must follow certain guidelines.

- A. The protest must be submitted in writing within the specified time frame and sent to the RTA for determination (unless otherwise specified, five working days).

San Luis Obispo Regional Transit Authority  
Attention: Deputy Director/CFO  
253 Elks Lane  
San Luis Obispo, CA 93401

- B. The protest must contain the reason(s) for the protest and recommend a remedy.
- C. Where appropriate, RTA will hold an informal conference on the merits of a protest with all interested parties allowed to attend. Interested parties may include all bidders/offerors and subcontractors or suppliers provided they have a substantial economic interest in a portion of the IFB or RFP.
- D. RTA will respond in writing within 10 working days after receipt of the protest. The response will be provided by the Deputy Director/CFO will include a response to each substantive issue raised in the protest.
- E. After exhaustion of administrative remedies the protesting party will be given our final decision. The Executive Director has the authority to make the final determination regarding all protests. If the protest is not resolved, and if FTA funded, a protest may then be filed with FTA within 5 working days after receipt of our final decision.
- F. RTA will allow for a request for reconsideration (if data becomes available that was not previously known, or there has been an error of law or regulation).

Note that FTA will only entertain a protest that the grantee failed to have or follow their protest procedures. A protest to FTA must be filed in accordance with [FTA Circular 4220.1F](#).

After a protest that has been rejected by the FTA the protesting firm may file with the Superior Court of the State of California, San Luis Obispo County, 1050 Monterey St, San Luis Obispo, CA 93408.

## **APPENDIX G SURPLUS EQUIPMENT AND SUPPLIES DISPOSAL STANDARDS**

### Purpose

When equipment or supplies are no longer needed for RTA services and are declared “surplus,” it shall be disposed of according to the policies and procedures outlined below. Disposal should follow competitive sales procedures (where applicable) to ensure the highest possible return. Service life of equipment is determined by acceptable industry standards for such equipment; the service life of FTA-funded rolling stock is determined in [FTA Circular 9030 Urbanized Area Formula Program](#). All net local share proceeds from the sale of transit equipment or supplies shall be deposited in RTA’s subaccount in the San Luis Obispo County Investment Pool for future transit capital needs.

### Background

Since its inception, the RTA has used a combination of local, state and FTA funds to procure a variety of capital items. As such, the RTA must ensure that its disposal policy meets FTA requirements as outlined in [FTA Circular 5010 Grants Management](#).

### Declaration of Surplus

In determining whether equipment or supplies shall be deemed surplus, the Executive Director, shall recommend to the RTA Board the following findings:

- A. RTA has or soon will have no practical, efficient or appropriate use for the equipment or supplies, nor will it have such a use for the equipment or supplies in the near future.
- B. The purpose served by the equipment or supplies can be accomplished by use of a better, less costly or more efficient alternative.
- C. The purpose served by the equipment or supplies or its use no longer exists as determined by a change of policy evidenced by a resolution of the Board.
- D. The equipment is or supplies are damaged, worn out or otherwise inoperable and the cost of repairing the same is unwise or impractical.
- E. All RTA markings and other agency-specific brands are removed from the equipment or supplies, and said items are ready for immediate transfer.

The Board will declare through resolution that said equipment or supplies are considered surplus and the method of proper disposal.

### Assessment of Value and Related Procedures

The Executive Director will ensure that all items deemed surplus will be assigned a current fair market value using the methods described below:

- A. Original Purchase with Federal Assistance. Any item for which RTA purchased with federal assistance, will require a formal pricing analysis. The RTA will conduct a fair market value assessment with at least three sellers of like items, or obtain sales prices of like items that were sold in the past 12 months. If this data is not available, a straight-line depreciation method will be used. The RTA will devise a written report that outlines the information obtained, whether or not FTA funds were used to originally procure the item(s), and make a recommendation on an appropriate sales price. This report will be presented to the RTA Board for recommended action on disposal method.

## Disposal Standards

The standards below will be used when determining how surplus equipment or supplies will be disposed and if reimbursement to FTA would be required. Records of any disposal of equipment or supplies that were originally procured using FTA funds will be maintained according to federal record-keeping requirements.

- A. Surplus Equipment Over \$5,000 Value. After the service life of equipment is reached, equipment with a current market value exceeding \$5,000 per unit, or unused supplies with a total aggregate fair market value of more than \$5,000, will be sold through public auction. Any remaining federal share must be returned to FTA. The federal share of the sales proceeds cannot be retained for public transportation use. If FTA funds were originally used to purchase the equipment or supplies, then RTA will reimburse FTA an amount calculated by multiplying the total aggregate fair market value at the time of disposal, or the net sale proceeds, by the percentage of FTA's participation in the original grant.
- B. Surplus Less than \$5,000 Value. Equipment with a unit market value of \$5,000 or less, or supplies with a total aggregate market value of \$5,000 or less, may be sold or otherwise disposed of with no obligation to reimburse FTA. All surplus equipment and supplies valued below this threshold may be auctioned, transferred to another organization or scrapped (as described in the *Surplus Vehicle Transfer Program* and *Unsalable Surplus Equipment and Supplies* sections below).
- C. Disposal Before End of Equipment Service Life. Any disposal of equipment before the end of its service life is subject to Board and FTA (if originally FTA-funded) concurrence in the method of disposal. If FTA funds were originally used to procure the equipment, the reimbursement amount is the greater of the FTA share of the unamortized value of the remaining service life per unit, based on straight line depreciation of the original purchase price or the FTA share of the sales price, even if the unamortized value is \$5,000 or less.
- D. Unused Supplies. Disposal of unused supplies before the end of the industry standard life expectancy is determined in total aggregate fair market value and if found to exceed \$5,000, RTA shall compensate FTA for its share if FTA funds were used to originally purchase the supplies.
- E. Involuntary Removal. When equipment is involuntarily removed from revenue service (i.e., loss through fire, collision, etc.) prior to the expiration of its useful life, the substitution of capital assets purchased with local funds for acquired with FTA funds is permissible when:
  1. Substituted equipment is of equal or greater value;
  2. Substituted equipment was procured in accordance with guidance contained in [FTA Circular 4220.1F Third Party Contracting Guidelines](#).
  3. Useful life criteria are adjusted to coincide with the original;
  4. Equipment is to be used in the programs or projects that are consistent with the purpose for which the original equipment was procured, as prescribed in this Policy;
  5. RTA amends its property records to include the equipment, as appropriate.



### Surplus Vehicle Transfer Program

Although RTA's mission is to provide safe, reliable and efficient transportation services in San Luis Obispo County, the Board also recognizes that having a wide array of transportation options in the county improves quality of life and can enhance independence for some vulnerable members of our community. As such, the Board may declare through resolution that surplus vehicles can be transferred to organizations that the Board deems vital to improving transportation options for disabled, senior and low-income populations in the County. These organizations include, in the order of priority:

- A. Local governmental entities;
- B. Legal 501(c)3 non-profit organizations that provide transportation services in RTA's service area; and
- C. Private for-profit transportation providers that serve elderly, disabled and low-income residents and visitors solely within RTA's service area.

In order for surplus vehicles to be eligible for the Surplus Vehicle Transfer Program, the following criteria must be met:

- A. The receiving entity must declare in writing that it will use the vehicle(s) to enhance mobility options for elderly, disabled and low-income members of our community; and
- B. Surplus vehicles may or may not be in running condition; and
- C. RTA shall not perform any repairs to vehicles designated as surplus once the vehicle is removed from RTA revenue service; and
- D. Recipients of surplus vehicles assume full liability upon transfer of title; and
- E. Surplus vehicles are provided "As-Is, Where-Is" with no warranty expressed or implied as to condition or fitness of purpose.

### Unsalable Surplus Equipment or Supplies

Surplus equipment or supplies which are unsalable because of obsolescence, wear and tear, or other reasons may be dismantled, if necessary, and sold as scrap. All net proceeds from the sale will be deposited in RTA's subaccount in the San Luis Obispo County Investment Pool for future transit capital needs.

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**JANUARY 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-10

**TOPIC:** Transfer of Surplus Vehicles

**PRESENTED BY:** Geoff Straw, Executive Director

**STAFF RECOMMENDATION:** Authorize Executive Director to Transfer Surplus Vehicles to Other Transportation Provider(s) or to Salvage Vehicles

**BACKGROUND/DISCUSSION:**

In an effort to spread out demand for wheelchair-accessible transportation and thus to reduce demand for costly Runabout ADA paratransit services in SLO County, the RTA Board amended its Purchasing Policy in 2016 to allow transfer of surplus vans to other transportation providers in the county. By all accounts, this innovative process has worked well in our county.

This staff report focuses on the potential transfer of six wheelchair ramp-equipped Dodge minivans that have met or exceeded their economically useful lives, and have previously been declared surplus upon the delivery of new replacement vehicles. It should be noted that the current minivans available on the market have been “upscaled” in comparison to the previously available units. This has increased the complexity of the on-vehicle systems (i.e., automatic-closing sliding doors, “smart” key fobs, automatic climate control systems, etc.), which has dramatically increased the cost of the base vehicle before vendors modify them for wheelchair use and has increased the number of warranty claims. For perspective, the RTA paid \$54,060 for each Dodge minivan in 2021 but the Chrysler Voyagers were \$82,487 in 2023 – an increase of almost 53% in three years. Further, local dealers will not honor the Chrysler Voyager factory warranty because the chassis and wiring was modified to make the vehicle wheelchair-accessible, so the minivans must now be towed to the vendor’s dealership in Chino for often weeks-long absences from our operating fleet. For these reasons, I cannot recommend that we continue to purchase low-floor minivans in the future.

The RTA should consider transitioning to slightly more expensive but heavier-duty wheelchair lift-equipped Ford Transit-based chassis (or similar) in the future. Atascadero Dial-A-Ride recently took delivery of a 2024 MobilityTRANS on a Ford Transit van chassis for roughly \$107k. These Ford Transit-based vehicles have also been used by Ventura Transit Systems (VTS) in our region for the past several years with good results and they are fully serviceable by local Ford warranty shops. The RTA will continue to also deploy the larger Ford E-450-based cutaway vans that are scheduled on Runabout trips with more than one wheelchair and/or more than three ambulatory riders. The current RTA demand response fleet is roughly 60% minivan and

40% cutaway van, and that split between medium-sized and smaller-sized vehicles will likely be used into the future.

The Board has already declared the six vehicles in the table below as surplus – at the December 2020 meeting for the 1600-series vans and September 2021 meeting for the 1700-series vans – upon placing the new replacement vehicles into revenue service. As part of that surplus declaration, the Board determined that the RTA would have no practical, efficient or appropriate use for the surplus vehicles, nor will it have such a use for them in the near future. The vehicles have exceeded the FTA useful life requirements in age and/or miles (standard of 4-years or 100,000 miles, whichever comes first) and, as a result of the advanced age and mileage, are regularly experiencing mechanical failures. The higher-cost repairs do not make it economically prudent to keep them as part of the active fleet. Below is a table providing information on the six vehicles.

VEHICLE #	ODOMETER	MAKE & MODEL	YEAR	VIN	Known Defects
1601	107,098	Dodge Braun Minivan	2015	2C7WDGBG8FR642808	
1602	122,380	Dodge Braun Minivan	2015	2C7WDGBG6FR652138	Check engine light on
1701	122,714	Dodge Braun Minivan	2017	2C7WDGBG7GR396495	Engine Cam Issues
1704	126,696	Dodge Braun Minivan	2017	2C7WDGBG1GR396508	Engine Cam Issues
1705	125,673	Dodge Braun Minivan	2017	2C7WDGBG7GR396514	
1706	114,812	Dodge Braun Minivan	2017	2C7WDGBG6GR396519	

### **Authorization to Transfer Vehicles**

The RTA Purchasing Policy requires staff to determine if surplus equipment or vehicles have a per-unit fair market value greater than \$5,000. Should the above listed vehicles have a value greater than \$5,000 at time of disposal and were originally purchased using FTA funds, staff is required to return any remaining federal interest back to the FTA. Staff has completed market value research and we have determined the value of none of the vehicles presented in the table exceed the \$5,000 threshold, so staff is not suggesting that we ask the accepting transportation agency to pay the fair market value as part of the transfer of the vehicles.

On December 16<sup>th</sup>, staff solicited interest from organizations that provide wheelchair accessible transportation in our county, and tallied the requests based on the order of the responses received. VTS responded first with a request for all six vehicles, followed by Ride-On seeking vehicles 1601, 1705 and 1706. Staff is seeking authorization to transfer the six vehicles to VTS as the first priority. If VTS fails to follow-through, then the three vehicles requested by Ride-On would be transferred to Ride-On, and the three remaining vehicles salvaged by a local wrecking yard. If neither VTS nor Ride-On follow-through, the damaged vehicles would be salvaged, and the three operating vehicles would be sold through our auction provider.

### **Staff Recommendation**

Authorize Executive Director to transfer surplus vehicles to other transportation provider(s) or to salvage vehicles.

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**January 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-11

**TOPIC:** Procurement of Demand Response Van and Support Vehicle; Declare Surplus

**PRESENTED BY:** Geoff Straw, Executive Director

**STAFF RECOMMENDATION:**

- 1) Authorize Executive Director to Issue a Purchase Order with Model 1 Commercial Vehicles to Procure One Gasoline-Powered Cutaway for County of San Luis Obispo Nipomo Dial-A-Ride Services at a cost of \$228,277.40**
- 2) Authorize Executive Director to Procure One Electric Non-Revenue Support Vehicle and Related Recharging Equipment at a Cost Not-to-Exceed \$45,625.00**
- 3) Declare Vehicles Surplus, and Authorize the Executive Director to Transfer or Dispose of Vehicles.**

**BACKGROUND/DISCUSSION:**

This staff report outlines the purchase of two new replacement vehicles, and the declaration of surplus of these vehicles.

The RTA was awarded grant funding from the Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Program to replace one 2019 light-duty mid-sized cutaway vehicle for the County of San Luis Obispo Nipomo Dial-A-Ride service. FTA guidelines call for light-duty mid-sized transit vehicles to be replaced after four years or 100,000 miles. By this criteria, this vehicle will have met its FTA useful life in both years and miles at time of replacement.

ID#	Mileage	Make	Model	Seating	Year	VIN	License
1909	100,665	Ford E450	Starcraft Allstar	16+2 WC	2019	1FDFE4FS4KDC26299	1559731

*\*Mileage as of 12/1/2024*

The total project cost of vehicle replacement is \$228,277.40, and will be funded with \$157,410 in FTA Section 5307 funds and \$70,867.40 in State Transit Assistance (STA) local grant funds to support the local match requirement.

This vehicle will be purchased from the FTA approved CalACT MBTA Bid Vehicle Purchasing Cooperative (Contract No. 20-01) at secured 2024 pricing rates. The RTA will ensure that it complies with all Buy America and applicable FTA procurement and regulations and will be compliant with American Disability Act (ADA) and Clean Air Act (CAA) standards. Manufacturing and delivery are estimated to take approximately seven months following the issuance of the purchase order.

Electric Support Vehicle

The RTA was awarded FTA Section 5307 Urbanized Area Formula Program funds to replace one gasoline-powered non-revenue support vehicle with a battery-electric zero-emission support vehicle. FTA guidelines recommend replacement of non-revenue support automobiles after eight (8) years or over 150,000 miles. By this criteria, the vehicle will have met its FTA useful life in both years and mileage at time of replacement.

ID#	Mileage	Make	Model	Year	VIN	License
521	157,984	Ford	Escape	2017	1FMCU0F71HUB03417	1393982

*\*Mileage as of 12/1/2024*

The RTA will ensure compliance with all applicable federal procurement and state emissions requirements. The total project cost is \$45,625, which includes \$36,500 in FTA Section 5307 funds and a required local match of \$9,125 in State Transit Assistance (STA) funds. The RTA will pursue available competitive pricing through local vehicle dealerships and the State of California Department of General Services (DGS) contract, selecting the vehicle type and pricing that best meet the needs of our agency. The RTA’s existing electrical services contract for as-needed services will be used to install the Level 2 rechargers.

**Declaration of Surplus**

Staff has determined that the RTA currently would have no practical, efficient or appropriate use for the vehicle, nor will it have such a use for it in the near future. Due to the advanced age and mileage, these vehicles are regularly experiencing mechanical failures and the higher-cost repairs do not make it economically prudent to keep these vehicle as part of the active fleet.

The RTA Purchasing Policy requires staff to determine if surplus vehicles or equipment have a per-unit fair market value greater than \$5,000. Should the vehicles have a value greater than \$5,000 at time of disposal and was originally purchased using FTA funds, staff is required to return any remaining federal interest back to the FTA.

Staff recommends that the vehicles be disposed of through an existing contract with Ken Porter Auctions, or be transferred to another transportation agency or educational institution should there be a need.

**Staff Recommendation**

Staff is recommending the Board authorize the Executive Director to issue a purchase order with Model 1 Commercial Vehicles to procure one gasoline-powered cutaway for

County of San Luis Obispo Nipomo Dial-A-Ride services at a cost of \$228,277.40 and one electric non-revenue support vehicle and related recharging equipment at a cost not-to-exceed \$45,625. Staff recommends the Board declare the vehicles listed above as surplus, and once replaced, authorize the Executive Director to dispose of through auction, salvage or transfer.

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**January 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-12

**TOPIC:** Procurement of Third-Party Engine Replacement Services

**PRESENTED BY:** Geoff Straw, Executive Director

**STAFF RECOMMENDATION:** Authorize the Executive Director to Solicit Proposals from Qualified Firms to Provide Replacement Services

**BACKGROUND/DISCUSSION:**

The RTA is seeking Board authority to solicit proposals from qualified contractors with requisite experience to provide critical engine rehabilitation/replacement services for our fleet of three 2018 and three 2019 Gillig heavy-duty 40-foot diesel-powered buses. These buses are nearing the 500,000-mile Federal Transit Administration (FTA) useful life standard and are experiencing significant mechanical issues, resulting in costly repairs and creating challenges in continuing to provide reliable transit services to the public. The mid-life rehabilitation of the engines in these buses will be necessary to ensure these fixed-route buses can cost effectively remain in service until their projected replacement date in 2029 and 2030, respectively. Funding for this project is included in formula FTA Section 5339 Bus and Bus Facilities grants, which identifies an 80% federal and 20% local funding split. It is the RTA's intent to award a fixed-price contract for this one-time work.

Upon the Board's approval, an RFP will be issued to solicit responses from interested firms that are experienced in providing bus engine overhaul services through an online RFP/Bidding process (PlanetBids) that will be linked on the RTA's website at <http://www.slorta.org/about-rta/request-for-proposals/>. Prospective bidders will have the ability to register with the RTA to submit proposals for these services. Staff has determined that using the RFP method for these solicitations will provide the best value to the RTA by allowing for negotiation of both price and contract terms without sacrificing service quality. The solicitation will clearly delineate all local, State and Federal responsibilities and all insurance coverage limits. Successful bidders will be required to provide necessary liability coverage (including indemnifying the RTA) and required coverages for its own employees as well as abide by all FTA procurement regulations. Following the selection of the highest-rated bidders for the service listed above and subsequent negotiations, staff intends to bring the draft agreement to the Board at its March 2025 meeting for its consideration.

The RTA remains dedicated to ensuring full and open competition in this proposal process and strives to include as many potential sources as possible in the procurement process. The RTA encourages local, small businesses and disadvantaged business enterprises (DBE) to register with the RTA. The RTA promotes DBE participation in our projects and has adopted a DBE Program Goal of 0.5% for federally funded projects awarded through September 30, 2026. The budget for this procurement is \$750,000.

To ensure procurement of these services for fiscal year 2024-25, staff has developed an RFP project schedule as follows:

- Board Authorization of RFP – January 8, 2025
- Issue of Engine Replacement RFP – January 13, 2025
- Proposer Questions/Clarifications due to RTA – January 27, 2025
- RTA Responds to Questions/Clarifications – February 3, 2025
- **Proposals Due – February 7, 2025 by 5:00 p.m. PST**
- Bid Protest Period – February 8 – 14, 2025
- Proposers Notified of Staff Recommendations – February 17<sup>th</sup>, 2025
- **RTA Board Award of Contract – March 5, 2025**
- Contractor Notice of Award/Notice to Proceed – Week of March 17<sup>th</sup>

#### **Staff Recommendation**

Authorize the Executive Director to solicit proposals from qualified firms to provide bus engine replacement services.

**SCOPE OF SERVICES**

**BUS ENGINE REPLACEMENT PROJECT**

**RFP #2025-01**

**PROJECT DESCRIPTION**

The Bus Engine Replacement Project shall provide engine replacements and related overhaul services for six (6) Gillig heavy-duty 40-foot diesel-powered buses (three 2018 model and three 2019 model). The purpose of the engine replacements is to extend the useful life of the existing RTA buses and improve reliability.

**GENERAL**

1. The successful Bidder shall have the requisite experience to remove and replace engines in the buses outlined below in Table A.
2. The Bidder shall certify the following requirements:
  - a. The engines shall be new and complete with new air compressor, starter, and accessories (minus alternator and power steering pump).
  - b. All coolant hose, air intake hose, oil hose removed to replace the engine must be replaced with new.
  - c. Drivelines removed must be rebuilt with new U-Joint.
  - d. All rubber engine mounts shall be replaced with new.
  - e. The engines shall come complete with all new Engine Control Module (ECM) wiring harness and sensors.
3. The Bidder shall confirm that all work is performed by fully-qualified Cummins technicians and shop.
4. The Bidder shall inspect and clean radiators and chassis mounted charged air coolers and provide quotes for additional work/services if needed.
5. The Bidder shall inspect and clean all Diesel Particulate Filters (DPF) and Diesel Oxygen Catalysts (DOC) and replace with new.

**PROJECT VEHICLES**

Table A: RTA Buses Identified for Engine Replacements

#	Bus #	YR	Make	Model	VIN	Plate #	Length (ft)	Odometer Reading (12/1/2024)	Engine Serial Number	Engine Manuf / Model / Yr
1	1801	2018	GILLIG	LOW FLOOR	15GGD2715J3190447	1509886	40	335,916	74346304	Cummins / ISL 280 / 2017
2	1802	2018	GILLIG	LOW FLOOR	15GGD2717J3190448	1509888	40	331,669	74346951	Cummins / ISL 280 / 2017
3	1803	2018	GILLIG	LOW FLOOR	15GGD2719J3190449	1509887	40	307,567	74346923	Cummins / ISL 280 / 2017
4	1910	2019	GILLIG	LOW FLOOR	15GGD2710K3191300	1466018	40	300,084	74466033	Cummins / ISL 280 / 2018
5	1911	2019	GILLIG	LOW FLOOR	15GGD2712K3191301	1466019	40	284,196	74474490	Cummins / ISL 280 / 2018
6	1912	2019	GILLIG	LOW FLOOR	15GGD2714K3191302	1466017	40	294,402	74467564	Cummins / ISL 280 / 2018

**FACILITY LOCATION**

1. The buses are operated out of the San Luis Obispo Regional Transit Authority (RTA) Bus Maintenance Facility (BMF) located at 253 Elks Lane in San Luis Obispo, CA 93401.
2. Due to bus availability, only one (1) bus may be worked on at a time unless the RTA Facilities and Maintenance Manager or his/her designee approves otherwise. It shall be the Bidder’s responsibility to coordinate the per bus project schedule with the RTA Facilities and Maintenance Manager.
  - a. Buses #1801-1803 will be available first. Buses #1910-1912 may not receive work until Federal approval (ETA Fall 2025). The Bidder will receive a notice to proceed when vehicles are ready to receive work.

3. The Bidder shall be responsible for the pick-up and delivery of the buses from the BMF location referenced above. Transportation charges (such as towing to and from the RTA BMF to the Bidder's facility) shall be included in the cost proposal for this work.

#### **TECHNICAL SPECIFICATIONS**

1. The Bidder must possess, and have readily available in functioning order, all required tools, equipment, apparatus, facilities, and materials needed to perform all work necessary to replace the bus engines as identified in this scope of work and in compliance within adopted standards and specifications.
2. These Specifications are intended to describe all the work necessary to ensure engine replacement work is completed in like-new condition, incorporate updated safety and convenience features, restore excellent reliability and fuel efficiency, and driving experience to Original Equipment Manufacturer (OEM) specifications. All of the new engines must comply with current California Air Resources Board (CARB) regulations for the manufacturer year.
3. Ancillary components and parts not included in these Specifications shall be treated as inadvertent omissions. Work necessary to return such components to OEM specifications shall be provided as part of the re-power at no extra cost to the RTA. Ancillary components may include, but are not limited to: motor isolation mounts, hoses, fittings, etc. All units or parts not specified shall be assumed to be original OEM standard units or parts.
4. Due to the nature of work to be performed during the Bus Engine Replacement project, various components and assemblies will have to be removed in order to perform the required work. Any of the foregoing items removed shall be re-installed after completion of the work performed.
5. Missing and defective components unrelated to the Bus Engine Replacement Project that interfere with the completion of the work as specified will be reviewed by the RTA on a case-by-case basis.
6. In the event that this unforeseen condition is encountered, the Bidder shall, at the RTA's request, provide the Project Manager with a detailed cost proposal, including labor, material, and incidentals, to complete the work.
7. All components, surfaces, parts, etc. shall be thoroughly cleaned to remove dirt, rust, grease, chemicals, etc. and shall be polished, painted, repaired or replaced to restore original look and functionality.
8. The RTA does not anticipate providing buses with non-returnable or damaged component cores. Any such deficiency shall be considered to be an inadvertent omission to the Contract. In the case of contradictory requirements, the more stringent condition applies. The Bidder

should add the Engine Core Credit to the Cost Proposal Form (Appendix C).

9. Proposed components, if different from these Specifications, are subject to review and approval by the RTA.

#### **ENGINE REPLACEMENTS**

1. Each engine bay and bus under frame beneath the engine bay shall be thoroughly cleaned and inspected. Any defects shall be reported to the RTA in writing and shall be inclusive of drawings or photographs that have sufficient detail to clearly display the defect. Disposition for repair or identified defects will be at the sole discretion of the RTA.
2. The successful Bidder shall thoroughly clean and inspect the engine bay, as required, prior to reinstalling the engine. Visible surface rust shall be removed and treated with a rust inhibitor to prevent further spreading. Spot painting shall be permissible. Damaged or missing covers, seals, and insulation material shall be replaced.
3. All wiring harnesses and hoses shall have secondary insulation installed in any area subject to chafing or abrasion during the normal operation of the equipment.
4. The engines shall have the same ratings as supplied from Cummins during the original manufacture of the bus. The engines shall be **new** using only OEM parts. For this purpose, an engine shall include block, heads, intake and exhaust manifolds, sump pan, turbo, and associated mechanical and electronic systems.
5. All items normally delivered from Cummins when a new factory engine is ordered shall be included. Only new engines built by Cummins or a Cummins certified Bidder shall be installed on RTA buses. The new engines shall include a minimum of 24-month, 250,000-mile warranty. All isolators, engine mounts, mounting hardware, interface parts between the engine and transmission (including, but not limited to items such as flex plates, hydro-damper, rubber elements and the like) shall be replaced. Additionally, the air intake housing, piping, and clamps shall be cleaned, inspected, and replaced if required. Filter elements shall be replaced with new. Must comply with California Air Resources Board (CARB) regulations requirements of the manufacturer year.
6. A new Engine Control Module (ECM) shall be installed and programmed. Passwords will be provided by the RTA Facilities and Maintenance Manager. The Bidder shall review all settable parameters with the RTA representative prior to the delivery of the first completed unit. All like series engines shall be programmed identically. The Bidder shall also replace engine wiring harness and supports with new components.
7. All existing bus parts (excluding those having a returned core value) that are replaced shall be returned by the Bidder to the RTA. These parts shall be sorted and identified by its originating RTA bus.

**BUY AMERICA**

1. The Bidder must submit to the RTA the appropriate Buy America certification (included in Appendix C – Cost Proposal Form) with all purchases of steel, iron or manufactured products on FTA-funded contracts. Purchases of steel, iron or manufactured projects that are not accompanied by a completed Buy America certification must be rejected as nonresponsive.

**TRANSPORTATION**

1. The cost for transporting and ensuring RTA equipment to and from the Bidder's facility shall be the responsibility of the Bidder.
2. The Bidder shall include transportation costs in its Cost Proposal (Appendix C).

**QUALITY ASSURANCE**

1. *In-Plant Control:* The Bidder must have and maintain an effective in-plant quality assurance program. The program must be in writing and have defined objectives and procedures. The quality assurance function shall exercise quality control over all phases of the work from initiation of design through preparation for delivery. The function shall also control the quality of supplied articles.
2. *Authority and Responsibility:* The Bidder's quality assurance management personnel shall have the authority and responsibility for reliability, quality control, inspection planning, establishment of the quality control system, and acceptance/rejection of materials and manufactured and remanufactured equipment. This group must be properly trained in the repowering process specific to buses as well as the inspection and quality standard requirements.
3. *QA Inspection Status:* A system shall be maintained by the quality assurance program for identifying the inspection status of completed components. Identification may include cards, tags, or other normal quality control devices. At a minimum, the quality assurance program shall:
  - Verify inspection operation instructions to ascertain that the bus replacement product meets all prescribed requirements.
  - Maintain and use records/data that are essential to the effective operation of its program. These records and data shall be available for review by the RTA Facilities and Maintenance Manager. Inspection and test records for this procurement shall be available to RTA for a minimum of three (3) years after inspections and tests are completed.
  - Detect and promptly assure correction of any conditions that may result

in defective equipment. These conditions may occur in designs, purchases, manufacture, repair, recondition, remanufacture, tests, or operations that culminate in defective supplies, services, facilities, technical data, or standards.

The following standards and facilities shall be basic to the quality assurance process:

4. *Configuration Control*: The Bidder shall maintain drawings and other documentation that completely describe a qualified system that meets all of the requirements of this contract. The quality assurance program shall verify that the system and its components are produced in accordance with these control drawings and documentation. Information pertinent to this section shall be available to the RTA upon request.
5. *Measuring and Testing Facilities*: The Bidder shall provide and maintain the necessary gauges and other measuring and testing devices for use by the quality assurance program to verify that the components conform to all specification requirements. These devices shall be calibrated at established periods against certified measurement standards that have known valid relationships to national standards.
6. *Production Tooling as Media of Inspection*: When production jigs, fixtures, tooling masters, templates, patterns, and other devices are used as media of inspection, they shall be proved for accuracy at formally established intervals and adjusted as necessary.
7. *Equipment Use by the RTA*: The Bidder's gauges and other measuring and testing devices shall be made available for use by the RTA personnel during in-plant inspections to verify that the components conform to all specification requirements. If necessary, the Bidder's personnel shall be made available to operate the devices and to verify their condition and accuracy.

## **TESTING**

1. The Bidder shall conduct fully documented tests on each vehicle during and following the engine replacement to determine its acceptance to overall quality and specification compliance. These acceptance tests shall include pre-delivery inspections and testing. The testing shall include at a minimum:
  - Road tested for a minimum of thirty (30) miles over a variety of surfaces, under various conditions, and with sustained speeds of sixty-five (65) mph, to simulate RTA service operations.
2. Buses will not be accepted until the results of all of the above tests are thoroughly documented and meet the minimum OEM performance requirements and are satisfactory to the RTA. The documents shall be in a clear format and shall be easy to draw appropriate conclusions. No buses will be delivered or shipped until this information has been submitted and approved by the RTA. These tests shall be conducted in addition to or in conjunction with the inspection stop points noted in the previous section.



3. Additional tests may be conducted at the discretion of the Bidder’s management to ensure that the completed vehicles have attained the desired quality and have met requirements of the Bidder’s and the RTA’s technical specifications.

**COMMUNICATION**

1. The Bidder shall immediately inform the RTA, as needed, to apprise the staff of potential production delays and when specification compliance or other issues arise that requires the RTA’s intervention.
2. The Bidder shall identify staff, preferably one contact person, to communicate directly with the RTA representative to clarify and help resolve issues. Photographs and videos shall be taken by the Bidder and forwarded to the RTA representative as needed.
3. Regarding whether a particular part or component requires replacement, it shall be up to the Bidder to make that determination. The RTA will endeavor to respond with a decision within one working day to approve or disagree with the Bidder’s determination, assuming all information needed to make a decision such as OEM specifications, drawings, photographs, etc. are provided to the RTA in a timely manner.
4. If the RTA concurs, action as determined by the Bidder is approved. If the RTA disagrees with the Bidder’s determination, both sides shall work to resolve their differences. In cases where the RTA and the Bidder cannot agree on a mutually acceptable course of action, the RTA shall determine and direct a final course of action.

**FILES AND RECORDS**

1. The Bidder shall maintain all records, files, correspondence, memorandum, and documentation related to the bus repower project, including individual bus files. These files shall include, at a minimum: Bidder’s final inspection sheets; list of items replaced, repaired, test result certificates, inspection records and a signed authorization to ship.
2. Discrepancies noted by the Bidder or the RTA during the bus engine replacement process, if any, shall be included in these files by the inspection personnel on a record that accompanies the vehicle, major component, subassembly or assembly from the start of the repower process through final inspection. The Bidder shall retain copies of all files and send them to the RTA at the completion of each bus repower.

**WARRANTY REQUIREMENTS**

1. The Bidder shall assume all warranty responsibility for workmanship, parts and equipment involved in the bus engine replacement process whether performed by the Bidder or purchased from an outside source. Under no conditions shall the Bidder delegate warranty responsibility to suppliers and/or other outside sources, except for engine warranties that will be provided directly by the manufacturer.
2. The Bidder shall provide claims administration for engines for a period of one year following acceptance by the RTA, and include a 24-month/250,000-mile warranty.
3. Warranties in this document are in addition to any statutory remedies available to the RTA or warranties imposed on the Bidder. Consistent with this requirement, the Bidder warrants and guarantees to the RTA each complete replaced bus engine, specific subsystems and components.

**FINAL ACCEPTANCE**

1. After the Bidder has performed all testing and inspections, the RTA shall conduct a final inspection when the bus is presented by the Bidder.
2. Discrepancies noted during the bus replacement process shall be resolved by the Bidder and approved by the RTA.
3. When all noted defects, specification deviations and other issues have been reported by the Bidder as having been corrected, the RTA will review and approve all of these items before accepting the bus and releasing it for transport to the RTA.
4. In cases where the Bidder refuses to take actions to correct discrepancies or deficiencies or take necessary steps to bring conditions or articles in conformity with the requirements of the contract specifications, the RTA will work with the Bidder to settle the dispute(s). If discrepancies cannot be corrected to the RTA's satisfaction or the RTA does not authorize conditional release, the vehicle shall not be accepted under full payment.
5. The final acceptance inspection conducted by the RTA Facilities and Maintenance Manager or designee. Acceptance constitutes the beginning of the warranty period and the end date for each bus engine replacement. The final inspection defect report(s) shall be provided to the RTA. All items defined in these reports are to be corrected on all units prior to shipment of any remaining buses being rehabilitated.

**BIDDER REQUIREMENTS:**

1. The Bidder shall observe and comply with all federal, state, county, and city laws, codes, ordinances, rules and regulations in accomplishing the work.

2. The Bidder shall possess a current and valid Business License at time of Bid submittal. The Bidder shall maintain the license for the duration of the Agreement Term. **Failure to provide proof of valid Business License will result in rejection of bid.**
3. Cost Proposals **in excess of \$25,000**, require a **mandatory registration** in the federal System for Award Management (SAM). The successful Bidder must be registered and in good standing with the federal government SAM. The RTA requires evidence of such registration at time of bid proposal. **Failure to provide proof of active SAM registration will result in rejection of bid.**
4. Cost Proposals **in excess of \$100,000**, require a **mandatory Lobbying Certification**. The successful Bidder shall be required to sign and date the Certification Regarding Lobbying contained in this RFP package as Appendix D. Acknowledgment of this certification indicates the Bidder agreement to not use the project’s federal funds to influence federal officials; and that if non-federal funds are used for the lobbying of federal officials, the stipulated form describing such activities shall be submitted to the RTA. **Failure to provide the Certification Regarding Lobbying for a Cost Proposal in excess of \$100,000 will result in rejection of bid.**

#### **PAYMENT**

1. The Bidder shall submit invoices for completed and accepted work to the RTA Facilities and Maintenance Manager either by mail or e-mail:
  - By mail:           Regional Transit Authority  
                          Attention: Andy Wyly, Facilities & Maintenance Manager – 2025-01  
                          Engine Rehabs  
                          253 Elks Lane  
                          San Luis Obispo, CA 93401
  - By e-mail:        [Accounting@slorta.org](mailto:Accounting@slorta.org)  
                          Subject Line: #2025-01 Engine Rehabs
2. All invoices for work performed should include the following information to ensure prompt payment:
  - Purchase Order Number
  - Bus identification number
  - Dates of Services
  - Engine serial number or parts serial numbers
  - Description of Labor charges per worker assigned to the task (Labor charge = amount of time x hourly rate)
  - Description of Materials charge showing itemized breakdown of each material repaired / replaced / installed for the task (Materials charge =

- unit charge x quantity)
  - Transportation (Towing Charges) costs
  - Separate line item for sales tax (SLO 8.75%)
3. Additional Work, as approved by the RTA Facilities and Maintenance Manager, shall be billed separately and labeled as “Additional Work” on the invoice.
  4. The method of payment shall be on a per-bus basis with a maximum not-to-exceed the total approved purchase order amount as set by the successful Bidder in the cost proposal or as negotiated between the successful Bidder and the RTA.
  5. Payment will be made to the Bidder within thirty (30) days of receipt of an accurate invoice.

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**JANUARY 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-13

**TOPIC:** PRISM Paid Family Leave Memorandum of Understanding

**PRESENTED BY:** Tania Arnold, Deputy Director/CFO

**STAFF RECOMMENDATION:** Adopt the MOU, and Authorize the Executive Director to Sign the MOU

**BACKGROUND/DISCUSSION:**

At its meeting on September 5, 2024, the PRISM Executive Committee approved the reclassification of the Paid Family Leave (PFL) Program, elevating it from a Miscellaneous to a Major program. Effective January 1, 2025, the PFL Program will be recognized as a risk-sharing purchasing pool, where program members contribute premiums to cover claims cost, and any funding surplus or deficit is shared among members. As of July 2024, the PFL Program includes seven members and holds a positive program equity of \$245,000.

As required by the PRISM JPA agreement, all PRISM Major programs must be governed by a Memorandum of Understanding (MOU) to formalize the program structure and obligations under the new classification. The PFL MOU outlines the specific responsibilities of all parties, including program participation and risk-sharing obligations. It also details the PRISM governance structure and provides a framework for managing potential surpluses or deficits. Staff believes the MOU protects both the PRISM risk pool and the RTA (as a pool member), and seeking the Board's authority to execute the MOU.

**Staff Recommendation for the Board:**

Adopt the PRISM Paid Family Leave Memorandum of Understanding, and authorize the Executive Director to sign the MOU.

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## **MEMORANDUM OF UNDERSTANDING PAID FAMILY LEAVE (PFL)**

This Memorandum of Understanding (hereinafter “Memorandum”) is entered into by and between the Public Risk Innovation, Solutions, and Management (hereinafter “PRISM”) and the participating members of the Paid Family Leave Program (hereafter “Members”), that are signatories to this Memorandum.

1. **CREATION OF THE PROGRAM.** There is hereby created by this Memorandum the Paid Family Leave (PFL) Program (hereafter “Program”). The Program is designed to join California Public Agencies in a risk sharing pool that provides paid leave to employees, as designated by the Program Members.
2. **JOINT POWERS AGREEMENT.** Except as otherwise provided herein, all terms used herein shall be as defined in Article 1 of the Joint Powers Agreement creating PRISM (hereafter “Agreement”), and all other provisions of the Agreement not in conflict with this Memorandum shall be applicable.
3. **PURPOSE.** The Program is formed for the purpose of providing its Members with paid leave benefits for the Members’ designated employee units. The PFL benefits available will be similar to the leave benefits afforded under the California State’s PFL Program and reviewed annually during the renewal process.
4. **PROGRAM COMMITTEE.** The Employee Benefits Committee of PRISM (hereinafter “Committee”) shall, except as otherwise provided herein, have full authority to determine all matters affecting the Program and its Members, including but not limited to premium/rate review, the addition of new Program services, claims experience review, and amending the Memorandum. A majority of the members of the Committee shall constitute a quorum for the transaction of business. All actions of the Committee shall require the affirmative vote of a majority of the members of the Committee.

Except as otherwise provided herein, the Committee shall be authorized to do such acts as are reasonably necessary to further the purposes of this Memorandum and implement its provisions. The Committee may delegate any or all of this authority, as deemed appropriate.

The Committee, when necessary to fulfill the purposes of this Memorandum, shall meet at the call of the Chair of the Committee as provided in Article 12 of the Agreement and Article VI of the Bylaws of PRISM (hereinafter referred to as the “Bylaws”). Any meeting of the Committee shall be subject to the applicable provisions of Government Code §54950 et seq., commonly known as the “Brown Act.”

5. **PROGRAM PARTICIPATION.** Adoption of this Memorandum by a Member allows for participation in the Program. A Member shall be entitled to participate

in the Program until they have withdrawn in accordance with the provisions of paragraph 14 of this Memorandum.

6. **NEW MEMBER APPLICATION.** Any public entity wishing to become a Member of the Program shall make an application to the Program underwriters in a manner prescribed by the Committee. The Committee has developed underwriting guidelines that outline specific criteria for accepting new Members. Program underwriting guidelines are available by request to PRISM and posted on the PRISM website.
7. **PREMIUM.** Participating Member rates/premiums shall be established by the Program underwriters. The participating Members, in accordance with the Program premium provisions of Article 14 of the Agreement, shall be assessed an annual rate for the purpose of funding the Program in which they participate. Premiums may vary based on the Member's benefit plan coverage, the designated employees covered, claims experience, and adjustments, if any, for the surplus or deficit from all Program policy periods.
8. **RENEWALS.** The Program will renew annually on a calendar year basis. The Program renewal rate action will be prepared by the Program's underwriters for approval by the Committee.
9. **ADMINISTRATION COSTS.** PRISM shall be entitled to assess annual administration costs associated with the Program. Administrative costs for the Program shall be determined through PRISM's budget process.
10. **BILLINGS AND LATE PAYMENTS.** Billing dates, payment due dates, and any late fees and/or penalties will be set by the Committee. All Members will receive separate notification of any changes in due dates and/or penalty fees at least thirty (30) days prior to the effective date of any such change. Notwithstanding any other provisions to the contrary regarding late payment of invoices or cancellation from the Program, at the discretion of the Committee, any Member that fails to pay an invoice when due and as billed may be given a ten (10) day written notice of cancellation.
11. **DIVIDENDS AND ASSESSMENTS.** Should the Program not be adequately funded for any reason, pro-rata assessments to the Members may be utilized to ensure the approved funding level for applicable policy periods. Any assessments, which are deemed necessary to ensure approved funding levels, shall be made upon the approval of the Committee in accordance with the following:
  - a. Any dividends or assessments shall be based on each Member's proportional share of premium paid.




- b. Any assessment shall be spread to all Pool Members who participated in the Program year being assessed whether or not they are participating in the Program at the time of the assessment.
  - c. Members must be current participants to receive a dividend, except upon termination of the Program and distribution of assets.
  - d. Fund equity will be evaluated on a total Program-wide basis, as opposed to each year standing on its own.
12. **COVERAGE DOCUMENTS.** Coverage documents shall be issued by the Program's carriers to each Program Member. Except as otherwise provided herein, coverage documents are controlling with respect to Member-specific benefits.
13. **CLAIMS ADMINISTRATION.** Claims administration services shall be provided by the insurance carrier(s) and/or their assignee. The Committee shall, when applicable, approve the retention of additional vendors to provide services for the Program.
14. **WITHDRAWAL and/or CANCELLATION.** Withdrawal of a Member from the Program shall be in accordance with the provisions of Article 20 or 21 of the Agreement.
15. **LIASION WITH THE AUTHORITY.** Each Member shall maintain staff to act as a liaison with PRISM, their Consultant and the Program carriers, consultants and service vendors.
16. **RESOLUTION OF DISPUTES.** The Committee shall first determine any question or dispute with respect to the rights and obligations of the parties to this Memorandum; however, all final determinations shall be in accordance with Article 31 of the Agreement.
17. **COMPLETE AGREEMENT.** Except as otherwise provided herein, this Memorandum constitutes the full and complete agreement of the Members.
18. **SEVERABILITY.** Should any provision of this Memorandum be judicially determined to be void or unenforceable, such determination shall not affect any remaining provision.
19. **AMENDMENT OF MEMORANDUM.** This Memorandum may be amended by a majority vote of the Committee and the signature on the Memorandum by the Member's designated representative, or alternate, who shall have the authority to execute this Memorandum. Should a Member of the Program fail to execute any amendment to this Memorandum within the time period provided by the Committee, the Member will be deemed to have withdrawn from the Program on the next annual renewal date.

20. **EFFECTIVE DATE OF AGREEMENT.** This Memorandum shall become effective on the first effective date of coverage for the Member and upon the signing of this Agreement by the Member and the Chief Executive Officer of PRISM.
21. **EXECUTION IN COUNTERPARTS.** This Memorandum may be executed in several counterparts, each of which shall be an original, all of which shall constitute but one and the same instrument.

**IN WITNESS WHEREOF**, the undersigned have executed the Memorandum as of the date set forth below.

Dated: 10/23/24

  
\_\_\_\_\_  
Public Risk Innovation, Solutions, and Management  
Gina Dean, Chief Executive Officer

Dated: \_\_\_\_\_

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Member Entity

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
REGIONAL TRANSIT ADVISORY COMMITTEE  
JANUARY 18, 2024  
**DRAFT** MINUTES  
C-1

**Members Present:**

Janeen Burlingame	Morro Bay Transit
Ryan Cornell	City of Paso Robles
Marlene Cramer	Cal Poly
Mark Dariz	Runabout/DAR Representative
Alex Fuchs ( <i>Vice Chair</i> )	SLO Transit
Eric Greening	Fixed Route Representative
Todd Katz	Fixed Route Alternate Rep.
Anel Perez	Atascadero Transit
Omar McPherson ( <i>Chair</i> )	South County Transit (SCT)

**Members Absent:**

Josh Roberts	County of San Luis Obispo
Dan Troy	Cuesta College

**Staff Present:**

Geoff Straw	RTA
Tania Arnold	RTA
Anthony Kalvans	RTA

**Guests:**

Daniel Audelo	SLOCOG
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1. **CALL MEETING TO ORDER, ROLL CALL:** Chair Mark Dariz called the meeting to order at 2:02 PM and roll call was taken. There was a quorum present.
2. **PUBLIC COMMENTS:**  
There were no public comments given for items not on the agenda.
3. **ELECTION OF OFFICERS: Elect RTAC Chair & Vice Chair 2023**  
Mr. Dariz nominated Mr. Omar McPherson for Chairperson and Ms. Marlene Cramer seconded the nomination. The motion passed unanimously via voice vote.

Mr. McPherson nominated Mr. Alex Fuchs for Vice Chairperson and Mr. Dariz seconded the nomination. The motion passed unanimously via voice vote.

#### 4. **Annual ADA Appeal Committee Assignment**

**Chair McPherson:** introduced the item and said that there has been one application that was denied. The applicant was given the option between the appeal committee and submitting additional paperwork. The applicant chose to appeal via back up paperwork, which was still denied. The ADA Committee has offered the applicant a hearing before the committee. **Chair McPherson** also noted that Ms. Burlingame, Mr. Dariz, and Mr. Katz are on the appeal committee.

**Mr. Eric Greening** moved to keep the ADA committee the same. The motion was seconded by **Chair McPherson**. The motion passed unanimously via voice vote.

#### A. INFORMATION AGENDA ITEMS:

##### A-1 Executive Director's Report (Verbal, Receive)

**Mr. Geoff Straw** introduced his report and gave an overview on the operator shortages the RTA is facing. **Mr. Dariz** asked if there is a risk of operators burning out. **Mr. Straw** said yes and **Chair McPherson** added in that road supervisors and casual drivers (employees with no guaranteed hours), are helping to fill the open positions.

**Mr. Straw** also went over the status of the electric vehicles and that there is a purchase order for five more electric buses. The goal is to order buses with the largest battery pack and transitioning the fleet to electric.

##### A-2 Member Comments / Reports from Jurisdictions (Receive)

**Mr. Ryan Cornell** had nothing to report for the group.

**Mr. Mark Dariz** had nothing to report for the group.

**Ms. Cramer** reported on the upcoming Cal Poly strike and that while the campus will still be open, there will be detours around the strike area. **Ms. Cramer** also reported that there will be a road diet for Grand Avenue to make room for bike lanes. The road diet is slated for the summer. **Mr. Greening** asked if the existing bus stops along Grand Avenue will be impacted. **Ms. Cramer** said no. **Mr. Straw** asked for clarification if SLO Transit will also be detouring around the strike areas. **Ms. Cramer** said yes.

**Ms. Burlingame** reported that the City of Morro Bay just released its Local Road Safety Plan for public comments with a closing date of January 31<sup>st</sup>.

**Mr. Greening** asked if the passenger counts are under counted and he also noted that his pass stopped working. **Chair McPherson** replied that the buses have a physical automatic counter and that the mag stripe on passes are easily affected, and the passes are not the primary method for counting passengers. **Mr. Greening** said that he was happy with the service and appreciative of the drivers.

**Ms. Anel Perez** reported that the City of Atascadero was in the process of ordering a new van, one of their drivers is switching to part time after 20 years, that the city's contract with MV is ending, and that they will be releasing a new RFP in March. **Mr. Greening** asked about their service to Templeton. **Ms. Perez** noted that the segment to Templeton is operating for doctor's appointments and Trader Joes.

**Mr. Alex Fuchs** reported that the City of San Luis Obispo is down six operators and are relying on casual drivers to fill the spots, that the city is conducting a transit innovation study which came back with 17 recommendations. **Mr. Fuchs** also noted that SLO Transit is looking at expanding K-12 fare options, and are looking at making the passenger code of conduct part of the city's Muni-Code. **Mr. Greening** asked if the city had missed any runs. **Mr. Fuchs** said that only operator illnesses impacted service in December. **Mr. Katz** asked if the city offers pay by phone for its routes. **Mr. Fuchs** said yes via the Token Transit App.

**Mr. Straw** reported that the Paso Express has now surpassed their pre COVID service levels thanks to ridership from K-12 students and Cuesta College students, he also welcomed **Mr. Anthony Kalvans** to the RTA. **Mr. Kalvans** thanked the group for the welcome.

**Chair McPherson** said that the RTA has a new transit app that will allow a rider to select a stop and get updates on bus service to that stop, and that the SMS system is back.

A-3 Discuss Short Range Transit Plan (Verbal)

Working Paper 1 – Overview of Transit Services (Receive)

**Mr. Straw** introduced the item and let the board know this is the draft of the first working paper.

**Mr. Greening** asked about Greyhound and Flix being in the report and if they actually serviced the county. **Mr. Straw** said that he would be checking that. **Mr. Greening** also questioned the defined service day in the report. **Mr. Straw** said that the definition is from the first run to the last bus. Discussion ensued about the definition and its applicability to riders.

**Mr. Katz** highlighted the impact of the unmet transit needs assessment and that the CTAC board voted to remove the 10 to 15-person response requirement for a specific need to be considered unmet. **Mr. Straw** noted that CTAC's recommendation will be before the SLOCOG board in February.

**Mr. Straw** commented that the stakeholder outreach was successful and that while the total number of surveys is down from 2,500 respondents five years ago, there was still over 1,000 respondents. **Mr. Fuchs** asked if the survey demographics reflected the county demographics. **Mr. Straw** said he would need to look into that. A discussion ensued about the results of the survey.

**Mr. Straw** noted that there will be eight working papers as part of the SRTP.

A-4 Review FY23-24 Budget Assumptions and Discuss FY24-25 Budget Calendar (Receive)

**Mr. Straw** introduced the item and said that there are only incremental changes to the budget and that overall funding is flat. He expects a draft of the upcoming budget around March 31<sup>st</sup>. **Mr. Fuchs** asked if the RTA always does a two-year budget. **Mr. Straw** said yes, this is to help keep all jurisdictions informed.

B. ACTION AGENDA ITEMS:

There were no action items for the board to consider.

C. CONSENT AGENDA ITEMS:

C-1 RTAC Minutes of October 19, 2023 (Approve)

**Mr. Greening** said that the minutes were great and only had one correction. On the second to last page, it should be constraint instead of constrain.

**Mr. Greening** made a motion to approve the minutes, **Mr. Dariz** seconded the motion. A voice vote was taken and the motion was approved unanimously.

D. ADJOURNMENT AND COMMITTEE COMMENTS:

**Ms. Cramer** made a motion to adjourn, **Mr. Dariz** seconded the motion. A voice vote was taken and the motion was approved unanimously.

**Chair McPherson** adjourned the meeting at 3:01 p.m.

**Next Meeting: March 13, 2024 with SLO Transit**

**Future Meeting Date: April 18, 2024, July 18, 2024, & October 17, 2024**

Respectfully Submitted,

Acknowledged by,

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Anthony Kalvans  
Administrative Assistant

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Omar McPherson  
RTAC Chairperson 2024

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
REGIONAL TRANSIT ADVISORY COMMITTEE

March 13, 2024

**DRAFT** MINUTES

C-2

**Members Present:**

Janeen Burlingame	Morro Bay Transit
Ryan Cornell	City of Paso Robles
Marlene Cramer	Cal Poly
Mark Dariz	Runabout/DAR Representative
Alex Fuchs ( <i>Vice Chair</i> )	SLO Transit
Eric Greening	Fixed Route Representative
Todd Katz	Fixed Route Alternate Rep.
Anel Perez	Atascadero Transit
Omar McPherson ( <i>Chair</i> )	South County Transit (SCT)

**Members Absent:**

Josh Roberts	County of San Luis Obispo
Dan Troy	Cuesta College

**Staff Present:**

Geoff Straw	RTA
Anthony Kalvans	RTA
Mary Gardner	RTA
Jesse Stanley	SLO Transit
Genevieve Evans	LSC

**Guests:**

John DiNunzio	SLOCOG
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1. **CALL MEETING TO ORDER, ROLL CALL:** Mr. Omar McPherson Chair of the RTAC called the meeting to order at 2:31 PM and roll call was taken. There was a quorum present.

2. **PUBLIC COMMENTS:**

There were no public comments given for items not on the agenda.

3. **JOINT RTAC/MTC DISCUSSION ON SHORT RANGE TRANSIT PLAN INTERIM DOCUMENTS**

**Ms. Genevieve Evans**, the consultant from LSC, opened her presentation by presenting the data from the interim documents and providing the background on the Short-Range Transit Plan. **Ms. Evans** noted that step 1 of the plan has been completed, which involved gathering data on demographics and route performance. **Ms. Evans** noted that steps 2 will involve figuring out the frequency, demand, and costs of each route while step 3 will involve a financial plan. She gave an estimated completion date of Fall 2024.

**Ms. Genevieve Evans** discussed the goals and standards that were established as the basis for the short-range transportation study. She noted that this involved measuring how the routes were performing and compare them with similar routes. She noted that 2015/2016 is the ridership high

mark and was used for calculating standards. **Ms. Evans** also noted the definition of “Mode Split” which is the proportion of all trips taken by bus versus by car. Currently the mode split for the City of San Luis Obispo is 2%. **Mr. Eric Greening of RTAC** asked if the definition of mode split included paratransit and school bus trips. **Ms. Evans** said that the definition did include paratransit, but was unsure about school bus trips. **Mr. David Figueroa of the MTC** asked what the goal and metric was for the mode split. Ms. Evans said the goal is to double ridership.

**Ms. Genevieve Evans** discussed current population and trends across the region. She noted that countywide population growth is estimated at 1% while the City of San Luis Obispo is estimated at 5%. She also noted that most residents work in San Luis Obispo County with the major job centers being Paso Robles, Atascadero, San Luis Obispo, and Arroyo Grande. She also noted that only 22% of people who work in San Luis Obispo City actually live in the city. She then transitioned into the transit needs index which is based on households without a car. **Ms. Evans** noted that the places with the highest index rating were Grover Beach, Oceano, Arroyo Grande, Paso Robles, Los Osos, and San Luis Obispo. **Mr. Eric Greening** stated that he believes that the index should consider unreliable cars or homes with only 1 car.

**Ms. Genevieve Evans** presented an overview of RTA’s service. She highlighted that RTA ridership has declined from 2013-2014 to a low point in 2020-2021, but has since been rebounding. She also noted that Paso Robles City routes are above the 2015-2016 levels. A discussion ensued about school busing needs of students in the City of Paso Robles as many students are relying on RTA to get to school.

**Ms. Genevieve Evans** presented an overview of SLO Transit’s service. She noted that there was a dramatic drop in ridership since the COVID Pandemic. **Ms. Marlene Cramer of MTC & RTAC** noted that Cal Poly will be going through major changes which will impact SLO Transit. She noted that Cal Poly is switching to semesters and will be moving to year-round operations. She also said that Cal Poly has been pushing for more students living on campus and that the school may consider changing start times. **Mr. Eric Greening** expressed his hopes that by having more students living on campus, it will increase ridership on the buses in both directions instead of dropping students off on campus and then deadheading back.

**Ms. Genevieve Evans** presented ridership trends for SLO Transit. She noted that ridership is up 187% with SLO Transit route 4A as its best performing route and the 1B and 2B as the worst performing routes. **Mr. David Figueroa** noted that in 2016-2017 there was a route shift that may have depressed ridership.

**Ms. Genevieve Evans** presented the results from passenger survey of RTA riders. She noted that the survey was conducted in October of 2023 and they surveyed 568 RTA riders. The results showed that for RTA’s fixed routes most riders were under the age of 42, ride three days a week or more, and do not have a car. As for RTA’s Runabout service, most were older adults with no car. She then noted that most trips were work related, however the regional RTA routes had an increased level of university riders and Paso City routes had a high K-12 ridership. She also noted that the most popular requests were weekend service and later service.

**Ms. Genevieve Evans** presented the results from the passenger survey of SLO Transit riders. There were roughly 500 surveys conducted and the results were similar to the RTA results. **Mr. Alex Fuchs**



of RTAC & MTC asked for the definition of trip purpose in the surveys. **Ms. Evans** said it meant for the purpose of the trip during the survey.

A discussion ensued between the RTAC members and **Ms. Evans** regarding their desire that the short-range transit plans for both the RTA and SLO Transit are aligned. **Mr. Straw** noted that the working papers will be together but final plans will be separate to account for each agency's unique needs.

**Mr. John DiNunzio of SLOCOG** asked about emerging stops. **Mr. DiNunzio** was curious as to where ridership has increased since the last short range transit plan and if improvements have been made. **Chair McPherson** noted that there are established standards. **Mr. Figueroa** asked about the airport being an emerging stop and **Ms. Cramer** said that Cal Poly historically subsidized a shuttle that wasn't utilized.

A discussion about light rail and commuter rail ensued.

The joint RTAC/MTC meeting commenced into a break out session at 3:20pm to review the data boards presented by Ms. Evans and give feedback. The meeting was reconvened at 3:43pm.

**Ms. Genevieve Evans** reviewed the feedback from the break out session and noted that for both RTA and SLO Transit the consensus was more frequent service and improved connections with RTA.

**Mr. Greening** recognized the youth ride free program for boosting ridership.

**Mr. Todd Katz of the RTAC** asked about providing enhanced service to the airport. A discussion ensued regarding whether that would be a shuttle, micro transit, and if the county or airport should be spearheading that. **Mr. Straw** noted that the RTA route 10x used to stop at the airport for workers, but that route alignment missed providing service to riders needing to go to the Department of Social Services. **Ms. Robin Kisinger of the MTC** raised concerns about airport opposition as transit ridership may take away from parking revenue. **Mr. Straw** agreed that that could be a concern.

A discussion ensued regarding RTA route 9 with **Mr. Greening** raising concerns about zero emission buses going up the grade and the fact that last trip out of Paso Robles doesn't support service industry workers working the dinner shift.

D. ADJOURNMENT AND COMMITTEE COMMENTS:

**Chair McPherson** adjourned the meeting at 4:01 p.m.

**Next Meeting: April 18, 2024**

**Future Meeting Date: July 18, 2024, & October 17, 2024**

Respectfully Submitted,

Acknowledged by,

\_\_\_\_\_  
Anthony Kalvans  
Administrative Assistant

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Omar McPherson  
RTAC Chairperson 2024

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
REGIONAL TRANSIT ADVISORY COMMITTEE

June 5, 2024

**DRAFT** MINUTES

C-3

**Members Present:**

Janeen Burlingame	Morro Bay Transit (Arrived at 2:48pm)
Ryan Cornell	City of Paso Robles
Mark Dariz	Runabout/DAR Representative
Alex Fuchs ( <i>Vice Chair</i> )	SLO Transit
Eric Greening	Fixed Route Representative
Anel Perez	Atascadero Transit
Omar McPherson ( <i>Chair</i> )	South County Transit (SCT)

**Members Absent:**

Josh Roberts	County of San Luis Obispo
Dan Troy	Cuesta College
Marlene Cramer	Cal Poly
Todd Katz	Fixed Route Alternate Rep.

**Staff Present:**

Geoff Straw	RTA
Anthony Kalvans	RTA
Mary Gardner	RTA
Jesse Stanley	SLO Transit
Genevieve Evans	LSC

1. **CALL MEETING TO ORDER, ROLL CALL:** Mr. David Figeroa Chair of the MTC called the meeting to order at 2:35 PM and roll call was taken. There was a quorum present of both the RTAC and MTC.

2. **PUBLIC COMMENTS:**

There were no public comments given for items not on the agenda.

3. **JOINT RTAC/MTC DISCUSSION ON SHORT RANGE TRANSIT PLAN INTERIM DOCUMENTS**

**Ms. Genevieve Evans**, the consultant from LSC, presented the data from the interim documents and provided the background on the Short-Range Transit Plan. **Ms. Evans** noted that this step of the process involved looking at potential service changes and their impacts with regards to ridership and costs. She mentioned that there will be workshops across the county to solicit feedback, and that she expects to have a draft plan for the RTA ready in the fall.

**Ms. Evans** went over the challenges and needs of the RTA routes. She explained that this is a high-level view. The first area she covered was reducing the travel time into San Luis Obispo; this included analyzing one express trip in the morning and evening for RTA routes 9 and 10. She then went over the need of increased service frequency and analyzing 30-minute headways during commute times. She also recommended restoring route 14. Analysis amongst additional improvements to service frequency included one additional weekend round trip for routes 9 and 10, and mid-day service to Cal Poly via route 9.

**Ms. Evans** discussed potential options for RTA's route 10. This included an express service between San Luis Obispo and Santa Maria, as well as an express route via Guadalupe. **Ms. Evans** did mention potential changes to Santa Maria service with options ranging from shifting stops to stopping service at Nipomo. **Mr. Geoff Straw** voiced his unconditional opposition to ending service to Santa Maria and saying that route 10 will stay the same through fiscal year 24-25. **Mr. Eric Greening** asked about the interval times aligning between RTA and Santa Maria Transit. **Ms. Evans** said that this was a high-level approach that may get fine tuned as the plan progresses.

**Mr. Matthew Duffy of the MTC** brought up improving route 12 service to Cal Poly. **Mr. Straw and Mr. McPherson** both said the concept was worth looking at but neither wanted to duplicate service. **Mr. Straw** offered that it might be worth looking at using the route 14 for Cal Poly service.

**Ms. Evans** discussed the South County Transit service RTA operates and started the conversation by going over the best locations for a transfer hub. She mentioned that they analyzed the existing Ramona Gardens Stop and compared it to the Grover Beach Train Station, and the Walmart stop. She noted that the Walmart stop was not very feasible for transfers and that the Grover Beach Train Station would offer increased connections at the expense of ridership. In addition to the transfer hub, she mentioned tripper service for Arroyo Grande High School, Saturday service on Route 27, and micro transit. She noted that the micro transit wouldn't meet cost standards. **Mr. Figueroa** asked if contracting out the service would make micro transit more effective. **Mr. Straw** noted that even with contracting, the service would still be expensive. A discussion then ensued on the ADA aspect of micro transit.

**Ms. Evans** discussed the North County Service the RTA operates, and highlighted that the Paso City routes are the best performing routes in the RTA system. Her presentation analyzed reestablishing a Route C, converting the Paso Robles Dial-A-Ride to micro transit, and addressing overcrowding around the school bell times. **Ms. Evans** said that the overcrowding merits further consideration.

**Ms. Evans** presented an overview of the challenges and needs of SLO Transit's service. She noted that the main focus here was on increasing frequency to attract more riders and meet climate goals. She mentioned adding two more trips on the 4A and 4B, doubling frequency, and the cost of doubling frequency across the full day: which would cost approximately 2.6 million dollars. **Mr. McPherson** asked if that number included related capital costs to implement the increase in service, **Ms. Evans** said no. A discussion ensued regarding climate and prioritization.

**Ms. Evans** discussed additional options that were analyzed including expanding B routes for weekend service and micro transit. **Mr. Ryan Meller of the MTC** asked to look at weekend only micro transit. **Mr. Greening** said he believe that the greatest need will be in the summer. A discussion ensued regarding Cal Poly going to an all-year schedule. **Ms. Evans** also presented some routing alternatives including reinstating route 6x and rerouting routes 1 and 3 to improve ridership.

**Mr. Greening** stated that he opposes eliminating the last run of the day for route 10, but likes the rest of the proposals. **Mr. Figueroa** asked if there could be changes to focus on denser areas. **Mr. Straw** said that the RTA provides service evenly and that the existing hourly service a lifeline for many. **Mr. Straw** also noted that Sunday service is most productive as buses are full. **Mr. Greening** also said that he would like better connections between SLO Transit and RTA.

**Mr. Duffy** asked if the goal was to increase ridership, but heard that increasing service doesn't always mean increasing ridership. **Ms. Evans** said that is correct, as there is an elasticity component.

**Mr. Straw** brought up wanting to discuss route 10 and fine tuning it to see if it is better to have it continue to stop at the Marion Medical Center or a nearby dense residential area. A discussion subsequently ensued on the topic.

**Mr. Figueroa** asked if a person could use Amtrak interchangeably with local buses. **Mr. Straw** said that SLOCOG is currently looking into it.

**Mr. Greening** asked if Santa Maria would be involved in this. **Mr. Straw** responded that the city doesn't have a citizens advisory committee, but their staff has been notified of these meetings.

**Mr. Straw** said that these studies are helpful as it shows what happens and what is needed cost wise to double service levels.

**Mr. Hans Hersberger of the MTC** asked about analyzing consumer cost efficiency of a single occupancy vehicle versus a bus.

**Ms. Evans** said that the draft plan is expected to be released in October with a potential joint meeting in November, but cautioned that the timeline is not set in stone.

D. ADJOURNMENT AND COMMITTEE COMMENTS:

**Mr. Mark Dariz** made a motion to adjourn the meeting, **Mr. Greening** seconded the motion. the meeting was adjourned at 4:10 p.m.

**Next Meeting: October 17, 2024**

**Future Meeting Date: January 16<sup>th</sup>, 2025**

Respectfully Submitted,

Acknowledged by,

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Anthony Kalvans  
Administrative Assistant

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Omar McPherson  
RTAC Chairperson 2024

SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
REGIONAL TRANSIT ADVISORY COMMITTEE

October 16, 2024

**DRAFT** MINUTES

C-4

**Members Present:**

Janeen Burlingame	Morro Bay Transit
Marlene Cramer	Cal Poly
Mark Dariz	Runabout/DAR Representative
Alex Fuchs ( <i>Vice Chair</i> )	SLO Transit
Eric Greening	Fixed Route Representative
Todd Katz	Fixed Route Alternate Rep.
Omar McPherson ( <i>Chair</i> )	South County Transit (SCT)

**Members Absent:**

Josh Roberts	County of San Luis Obispo
Dan Troy	Cuesta College
Anel Perez	Atascadero Transit
Ryan Cornell	City of Paso Robles

**Staff Present:**

Tania Arnold	RTA
Anthony Kalvans	RTA
Jesse Stanley	SLO Transit
Genevieve Evans	LSC
Lance Okuno	SLOCOG
Ivana Rodriguez	SLOCOG

1. **CALL MEETING TO ORDER, ROLL CALL:** Mr. David Figueroa Chair of the MTC called the meeting to order at 2:35 PM and roll call was taken. There was a quorum present of both the RTAC and MTC.

2. **PUBLIC COMMENTS:**

There were no public comments given for items not on the agenda.

3. **JOINT RTAC/MTC DISCUSSION ON SHORT RANGE TRANSIT PLAN INTERIM DOCUMENTS**

**Ms. Genevieve Evans**, the consultant from LSC, presented the data from the interim documents and provided the background on the Short-Range Transit Plan. **Ms. Evans** noted that this step of the process involved looking at potential capital projects, fares, and the supplemental memo for bus service.

**Ms. Evans** went over the capital needs of SLO Transit. She noted that the City has 19 vehicles in its fleet and 8 of those were new buses, which were not included in the capital planning figures. She did highlight that the California Air Resources Board (CARB) is pushing for zero emission transit by 2040. Outside of vehicles **Ms. Evans** highlighted electric vehicle charging, bus stop improvements, updated GPS system, and better onboard camera system as identified capital projects. For long term projects, **Ms. Evans** highlighted that SLO Transit should continue to focus on zero emission bus purchases, a mobility center, and a new transit center in downtown.

**Ms. Evans** transitioned into the capital plan for the RTA. She noted that the RTA has 69 vehicles in its fleet and will need roughly \$37 million for bus replacement over seven years and as well as investing opportunity charging. Over the long-term **Ms. Evans** said that the RTA should continue transitioning towards zero emission vehicles.

**Mr. Eric Greening** had a couple of questions regarding electric buses, how they will perform on the route 9, and how the opportunity charging will work. He asked if the RTA will need a larger bus fleet to meet the challenge. **Mr. Omar McPherson** said that the goal with opportunity charging to have buses charge while they layover at places like the Paso Robles Transit Center and noted that the RTA is currently testing the electric buses on the route 9.

**Ms. Evans** said that the state recognizes that electric buses are expensive and she also mentioned that a lot of projects are being funded via SB125 legislation. **Mr. Greening** asked if the changing technology could mean that electric buses are obsolete by the end of the SRTP. **Mr. David Figueroa of the MTC** noted the production backlog of electric buses. **Ms. Evans** responded by saying that it can be up to two years for an electric bus to be produced, but it is improving. A discussion ensued about hydrogen as an alternative energy source and the challenges this area faces in implementing it.

**Ms. Evans** transitioned the conversation by talking about fares and revenues. She noted that the farebox recovery ratio is 10% for rural areas, 20% for urban areas, and somewhere in between for agencies that serve both. She also noted that the RTA has not raised fares since 2017 and that riders are price sensitive.

**Ms. Evans** presented information regarding fares alternatives including increasing the minimum base fare to \$2, implementing student fares on South County Transit routes, an RTA only day pass, and a fare capping program. **Ms. Evans** brought up the issue of fare evasion through the senior discount program and recommended implementing a fare card. A discussion ensued about the difficulties for riders in need to get that card.

**Mr. Figueroa of the MTC** said that the transit agencies should be actively promoting the K-12 service and fares as well to help build a new generation of bus riders.

**Ms. Evans** presented the fare strategy for SLO Transit. She noted that SLO Transit should consider simplifying the number of pass types available as few riders get the 5-day or 7-day pass. She also mentioned that the City Council does not want to increase fares and the study looked at options like expanding the downtown access program to cover more areas. **Ms. Marlene Cramer** asked for more information about the downtown access program. **Mr. Alex Fuchs** said that the City is looking at reducing the administrative barriers for people to use the program with a goal to maximize the subsidy provided by the downtown parking program.

A discussion ensued about the open loop payment systems and fare capping. It was noted that people may tap on to ride transit, but not always tap off. Further, it was noted that fare capping only works by using the same card consistently.

**Ms. Evans** transitioned to the additional service alternatives that were studied as part of the SRTP. For SLO Transit, it was noted that the 2A and 2B are up to 15 minutes late, 45% of the time. Options that were considered was running the bus on a 90-minute headway, eliminating the lightly used

Descanso loop, and realigning the route to better serve San Luis Ranch and Avila Ranch housing tracts. She also mentioned that the City Council asked to study an alignment via Tank Farm Road, which unfortunately did not meet performance standards.

For the RTA routes, **Ms. Evans** said they looked at modifying the route 12 service due to the travel times between Los Osos and San Luis Obispo. An express route for commuters was studied along with running a clockwise and counter clockwise loop. The loop configuration would replace the existing route 12 alignment. The operational costs were noted to be a barrier of this method. **Mr. Greening** asked if using Foothill Boulevard instead of Los Osos Valley Road would be more efficient or cheaper. **Ms. Evans** said that was something that could be reviewed.

**Ms. Evans** presented the status quo financing scenario, and noted that both RTA and SLO Transit are in positions to keep operations going under the status quo. She also noted that RTA's capital plan is funded while SLO Transit's capital plan is funded except for the proposed downtown center.

**Ms. Evans** presented the draft recommendations for both agencies. For RTA, she noted that it is proposed to streamline route 10 service in the Santa Maria area and change the frequency of service around the Marian Medical Center to focus on peak demand times. In addition, it was proposed to operate in revenue service for the early morning run into Santa Maria and eliminate the final southbound night run into Santa Maria. For the other routes, it is recommended to introduce a tripper service to serve Paso Robles Schools, restoring route A service on Saturday, introducing Sunday service on one Paso Robles route, a mid-day route 9 service to Cal Poly, and adding a round trip to routes 9 and 10. A discussion ensued on climate change goals, shifting funding from capital projects to operational projects, and vehicle miles traveled. It was noted by the consultant that most of that would have to be discussed under a separate study.

For SLO Transit, **Ms. Evans** recommended to run A and B route on Saturday, increasing service on the route 4A and 4B, making the route 2A/2B more efficient, reinstating the pre-COVID routes, and increasing year-round service. **Mr. Figueroa of the MTC** asked about the Santa Maria to San Luis Obispo service. **Mr. McPherson** said that that is still being discussed. **Ms. Kinzinger of the MTC** said that the current A routes only format were not enough for weekend service. **Mr. Greening** said that he wanted smoother connections between RTA and SLO Transit on the weekend. A discussion ensued about mode shift and quantifying the proposed increase in ridership. **Mr. Figueroa of the MTC** asked about trying out service from Cal Poly to the Airport or Amtrak Station. **Ms. Evans** said they looked at Micro transit as an option and it did not meet standards. **Ms. Cramer** noted that Amtrak already provides service to Cal Poly and that when Cal Poly tried a shuttle service, it was lightly used.

**Ms. Evans** outlined the next steps in the SRTP noting that Studio 6 will be involved in the marketing plans, and there will be another working paper focusing on RTA and SLO Transit coordination of Runabout service. She said that the draft SRTP plan should be ready in January. It was also requested that the presentation be provided in high contrast for visually impaired viewers.

#### 4. ADJOURNMENT OF JOINT SESSION TO RTAC SESSION:

The joint RTAC/MTC meeting was adjourned at 3:37pm. **Ms. Cramer** left at 3:39pm. The RTAC only meeting opened up as an informational session due to a lack of quorum.

**Next Meeting: January 16, 2025**

**Future Meeting Date: April 10, 2025; July 17, 2025; & October 16, 2025**

Respectfully Submitted,

Acknowledged by,

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Anthony Kalvans  
Administrative Assistant

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Omar McPherson  
RTAC Chairperson 2024



**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**

**JANUARY 8, 2025**

**STAFF REPORT**

**AGENDA ITEM:** A-15

**TOPIC:** Bus Maintenance Facility CEQA Mitigations 3<sup>rd</sup> Annual Monitoring Report

**PRESENTED BY:** Geoff Straw, Executive Director

**STAFF RECOMMENDATION:** Receive and File

**BACKGROUND/DISCUSSION:**

The RTA Board of Directors adopted a Mitigated Negative Declaration (MND) report for the *RTA Bus Maintenance Facility* project on September 6, 2017. The Board also adopted a Mitigation Monitoring/Reporting Program at the same meeting. The City of San Luis Obispo subsequently required the RTA to re-examine the MND due to slight changes to the project that were identified during the design development phase, as well as the need to address the City's Water Resources Status Report that was updated after the RTA certified its MND in 2017. The amended report was submitted to the City in June 2019; no changes to the mitigations monitoring process were included. By issuing building permits, the City accepted the amendments to the RTA's MND.

The MND identified four *Pre-Construction* mitigation measures, ten *During Construction* mitigation measures, and one *Post-Construction/Operations* mitigation measure. As reported to the Board in January 2023, all four *Pre-Construction* and all ten *During Construction* mitigations measures were appropriately implemented, and no further annual reporting is necessary.

Staff also identified at the January 2023 RTA Board meeting that the sole *Post-Construction/Operations* mitigation (see below) was in the process of being fully implemented, and the "No Diesel Idling" signs were posted in February 2023 near the parts delivery door so that delivery drivers are sufficiently notified.

*Post-Construction / Operations*

**AQ-3 Measures to Reduce Operational Idling Emissions**

*To help reduce the emissions impact from diesel buses and equipment at the proposed facility, RTA will implement the following idling control techniques:*

1. *California Diesel Idling Regulations*
  - a. *On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for*

*operation on highways. It applies to California and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:*

- 1. Shall not idle the vehicle's primary diesel engine for greater than 5-minutes at any location, except as noted in Subsection (d) of the regulation; and*
  - 2. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.*
- b. Signs must be posted in the designated queuing areas and job sites to remind drivers and operators of the state's 5-minute idling limit.*
  - c. The specific requirements and exceptions in the regulations can be reviewed at the following web sites: <https://ww2.arb.ca.gov/our-work/programs/atcm-to-limit-vehicle-idling> and <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/sbidling/fro.pdf>.*
- 2. Diesel Idling Restrictions Near Sensitive Receptors. In addition to the state required diesel idling requirements, the RTA shall comply with these more restrictive requirements to minimize impacts to nearby sensitive receptors:*
    - a. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;*
    - b. Use of alternative fueled or electric equipment is recommended as feasible; and Signs that specify the no idling areas must be posted and enforced at the site.*

The RTA continues to fully adhere to the mitigations identified in the *Post-Construction/Operations* section.

As required by our *Policy and Procedures for Environmental Evaluation of RTA Projects* adopted in May 2016, staff will report our compliance with mitigations monitoring annually to the RTA Board for a period of five years. This report represents the third required annual report.

#### **STAFF RECOMMENDATION**

Receive and file this third annual Mitigations Monitoring Report as an information item.

**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
JANUARY 8, 2025  
STAFF REPORT**

**AGENDA ITEM:** B-1

**TOPIC:** Executive Director's Report

**PRESENTED BY:** Geoff Straw, Executive Director

**STAFF RECOMMENDATION:** Receive and File

**BACKGROUND/DISCUSSION:**

**Possible Morro Bay Transit & Atascadero DAR Consolidation into the RTA:**  
Agenda Item C-1 and Agenda Item A-11 are related to our progress on negotiating consolidation of Morro Bay Transit into the RTA.

As noted at the November meeting, we provided a proposal to Atascadero officials to consolidate the City's dial-a-ride services into the RTA. The negotiations are progressing, and we expect to bring a draft agreement to the RTA Board for consideration at its March 2025 meeting.

**Operations:**

Two Bus Operators (Craig and Triss) have completed training and began operating in revenue service since the previous Board meeting in November. One more candidate is in the permitting / background check phase, and should begin training in mid-January. It should be noted that two Bus Operators promoted into two recently vacated Operations Supervisor positions (congratulations to Triss and Jovon), which opened their full-time Bus Operator positions. In total, we have four open Bus Operator bids – three full-time, and one part-time. The bus runs in those open shifts continue to be covered by employees who chose Extra-Board shifts, as well as by Casual employees and other employees who work overtime.

Staff is still working on the scope of work and other procurement documents to replace our existing Scheduling and Dispatch System, including Computer-Aided Dispatch / Automatic Vehicle Location (CAD/AVL), used for Runabout and other demand response services. The RouteMatch software currently be used was originally implemented in 2012. The CAD/AVL system has become somewhat antiquated, despite recent updates by the software vendor. Staff is developing a scope of work to potentially replace the system. We will bring proposed budgeting – including federal and state grants – to the March 2025 RTA Board meeting for consideration.

For fun, below is a picture of the Operations Supervisor group decked-out in their finest Christmas garb.



**Maintenance:**

Since my last report in November, we are already experiencing anticipated battery-electric bus (BEB) efficiency reductions due to the colder weather, which requires more energy (kilowatts consumed per mile) to heat the buses in comparison to cooling them during hot weather. The energy usage data being reported by the on-bus Vericiti software is also converging with the data reported by the ChargePoint chargers; 10% discrepancy in recent months compared to up to 20% in early months. In total, we have operated almost 35,000 miles since launching the buses in July as shown in the table below.

BEB Operating Results, July 1 through November 30, 2024		
Route	Total Miles Operated	kW/mi
Route 9: SLO - Paso Robles	81	2.04
Route 10: SLO - Santa Maria	9,034	1.94
Route 12: SLO - Morro Bay - Los Osos	24,368	1.84

However, the wear experienced on BEB drive-tires is roughly three times that of diesel buses – due to the extra weight of the battery packs, and a combination of both acceleration/regeneration forces that is unique to BEBs. More specifically, the four rear tires on a diesel-powered GILLIG bus tend to last approximately 55k miles, whereas the first set of rear tires on our GILLIG BEBs lasted roughly 17k miles. This issue is exacerbated by the higher-cost special-compound tires we must use on the BEBs. At the six-month period, staff will do a deeper dive into all maintenance related cost/mile elements, and report our findings at the March 2025 meeting.

In other maintenance related news, we promoted mechanic James Stogsdill into the Assistant Manager – Maintenance position following the retirement of long-time employee Dave Guerrero. James started as a Mechanic B in January 2020 and promoted to Mechanic A in February 2021. Most recently, James has served as the evening shift Lead, and has also served as a union shop steward since August 2022. We are in the midst of interviews to fill James' former Mechanic position, as well as one other recently vacated position. Two Utility workers are in the final stages of background check and will start in mid-January.

### **Marketing & Communications:**

Since we last reported at the RTA Board meeting in November, our recent marketing initiatives include:

- Updated and republished the *RTA Special Transit Needs* information brochure, designed to provide information about options to RTA's Runabout services
- Created and began a new Bus Operator recruitment campaign using custom photos and quotes from current drivers. Results will be provided in a future Board report. Radio ads are also running now.
- Ran a "Find Out if Transit Works for You" campaign that included Personal Trip Plans, which riders really like and that the SRTP ad agency calls "Genius!"
- Partnering with Cuesta College who is seeking to start offering a Professional Commercial Drivers course. With our partnership, all students who complete the course get an interview with RTA, hopefully providing much needed Bus Operators. Their goal is to start offering the course Spring 2025.
- Participating in SLOCAL's "Last Mile Working Group," seeking to promote transit solutions for visitors to SLO County.
- Working with the SRTP marketing subconsultant agency on the impending Working Paper on marketing and community engagement.
- Developing plan to transition the SoCo Transit brand to the RTA brand, likely launching with an effort to replace faded SoCo Transit bus stop signs.
- Worked with our website contractor to update our site's ADA accessibility features that will make our website more usable for all and with a secondary goal of preventing lawsuits

RTA staff continues to work with our SLOCOG, Caltrans, SLO Transit and Morro Bay Transit partners to implement a Cal-ITP contactless fare-capping payment system. We have conducted weekly meetings with the Cal-ITP implementation team since late July, and we are currently working with our transit agency and SLOCOG partners to finalize evaluations of systems and pricing proposed by the State-approved vendors. This

project will provide the backend infrastructure, payment methods, on-bus equipment, and operating costs for the first five-year period. A total of \$2.6M of SB125 funds is identified for this important regional project. Our marketing resources are focused on providing messaging related to implementation of the planned system. The current goal is to have a system in place by Fall 2025.

### **Finance and Administration:**

Pricing for new buses and vans continues to dramatically increase. The price for a replacement cutaway van that will be used on both the Nipomo Dial-A-Ride and RTA Route 15 Morro-San Simeon services is included in Agenda Item A-11; the price has increased from \$198k two years ago to almost \$230k now. The heavy-duty 40-foot BEB pricing shown in Agenda Item C-2 is also up almost \$80k per vehicle over what we identified in our FTA Section 5339b grant proposal (\$1.418M vs. \$1.495M) in less than one year, or a roughly 5.4% increase. Staff will continue to seek alternative funding through the RTF and SGR programs, and we are finalizing the California Energy Commission grant negotiations mentioned at the November meeting to possibly cover a portion of the BEB cost.

A summary of our unaudited operating results for the first five months of FY24-25 is provided below. Graphs showing ridership trends are provided at the end of this report.

- RTA core fixed-route annual ridership totaled 207,795 year-to-date in FY24-25, which is an increase of 8.7% over last year (191,161) but still 32.7% lower than the pre-pandemic total of 308,653. These results are in line with the experience of many intercity fixed-route operators across the globe, where the ridership of local fixed-route operators has essentially recovered while longer/regional routes continue to lag behind.
- When looking at non-core local fixed-route services operated by the RTA, the Paso Express ridership is actually up 24.7% in comparison to pre-pandemic levels (57,586 vs. 46,194). Ridership is also up 13.3% the first five months of FY24-25 in comparison to FY23-24 (50,820). A large part of the increase is due to boardings by K-12 students, whose yellow school bus travel options have dwindled in recent years.
- South County Transit ridership is still 19.7% below pre-pandemic levels (76,179 vs. 94,920), and is down 7.2% compared to FY23-24 ridership (82,118). Some of this decline in ridership can be attributed to a high degree of roadway construction in the Five Cities Area, which required bus route detours and likely made some riders avoid using transit.
- Runabout ridership totaled 12,481 through the first five months in FY24-25, which is an 10.3% increase compared to FY23-24 (11,319). The pre-pandemic total was 17,136, which is 27.2% higher than in FY24-25.
- Trends over the past five years for ridership and productivity, which is defined as the average number of passenger-boardings per service hour, are shown in

graphs at the end of this report. Note that the ridership decline at the outset of the pandemic in 2020 is no longer shown. The graphs illustrate growing ridership year over year for all RTA core fixed-route and Runabout services. We will keep a close eye on Runabout ridership, which does not follow the same relatively predictive seasonal patterns experienced on the fixed-routes.

In terms of year-to-date FY24-25 financial results, staff works hard to ensure operating and capital costs are within budget in light of the recovering ridership and other financial challenges. The tables at the end of this report depict results for the first four months of the fiscal year. Some important takeaways include:

- In terms of overall non-capital expenses, we expended 37.7% of the annual Administration budget and 35.3% of the annual Operations budget through 41.7% of the fiscal year. Overall, non-capital expenses are at 35.7%
- Not surprisingly, the farebox recovery ratio (FRR) for core RTA fixed-route services continues to suffer due to lower ridership compared to pre-pandemic periods at only 10.0%. The FRR was 17.7% for Paso Robles local fixed-route services, and 5.9% for South County fixed-route services. Runabout's FRR remains low at 3.4%. The results will remain below our standards until such time that recent high inflation abates and/or ridership fully recovers.
- The YTD subsidy per passenger-trip on RTA core fixed-route services is \$13.15, while the Runabout result so far is \$124.32. The subsidy per passenger-trip is \$5.45 for Paso Robles services and \$10.74 for South County services.

#### **STAFF RECOMMENDATION**

Accept this as an information item.

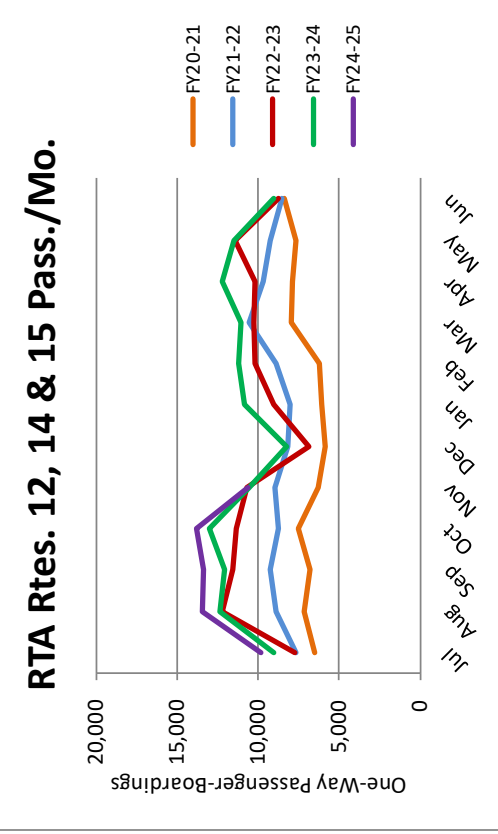
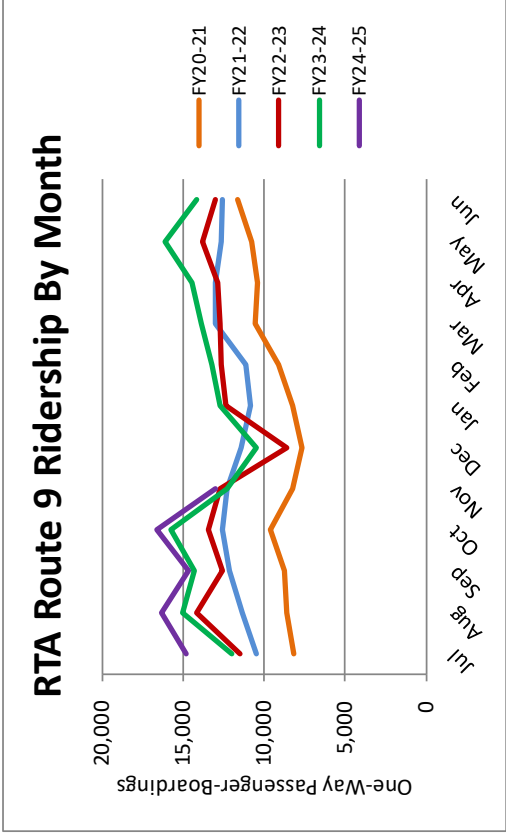
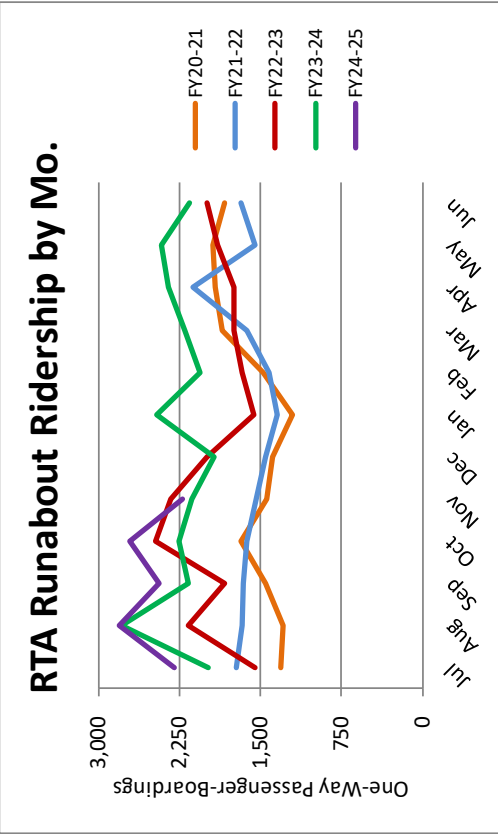
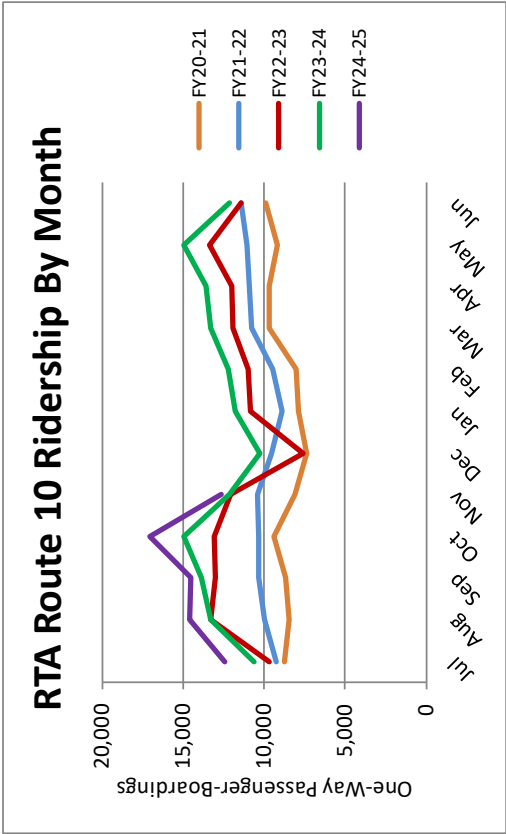
**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
YEAR TO DATE THRU NOVEMBER 30, 2024  
CURRENT FISCAL YEAR - 2024/2025**

	RT 9 P.R., TEMP., ATAS., S.M., CAL POLY, S.L.O.	RT 10 S.M., N IPOMO, A.G., S.L.O.	RT 12 MORRO BAY, CUESTA, SAN LUIS	RT 14 CUESTA, SAN LUIS TRIPPER	RT 15 SAN SIM., CAMBRIA, CAYUCOS, M.B.	TOTAL RTA CORE SERVICES	RUN/ABOUT	SERVICES PROVIDED FOR THE CITY OF PASO ROBLES	SERVICES PROVIDED FOR SOUTH COUNTY TRANSIT	SERVICES PROVIDED FOR THE COUNTY OF SLO	SYSTEM TOTAL
<b>REVENUES:</b>											
FARES	\$ 118,613	\$ 118,906	\$ 59,778	\$ 0	\$ 6,416	\$ 303,712	\$ 54,250	\$ 68,671	\$ 51,425	\$ 11,134	\$ 489,192
<b>TOTAL ROUTE REVENUES</b>	\$ 118,613	\$ 118,906	\$ 59,778	\$ 0	\$ 6,416	\$ 303,712	\$ 54,250	\$ 68,671	\$ 51,425	\$ 11,134	\$ 489,192
<b>EXPENDITURES:</b>											
ADMINISTRATION	\$ 197,430	\$ 163,312	\$ 115,254	\$ 878	\$ 58,049	\$ 534,923	\$ 350,230	\$ 24,597	\$ 58,817	\$ 48,312	\$ 1,016,878
MARKETING	8,854	7,437	5,308	40	2,457	24,096	-	-	-	-	24,096
OPERATIONS/CONTINGENCY	686,432	613,267	411,394	3,320	213,760	1,928,173	1,088,664	317,544	675,850	176,777	4,187,009
FUEL	105,549	107,976	64,831	608	36,212	315,176	75,555	22,895	81,882	15,707	511,215
INSURANCE	78,510	80,319	48,242	450	27,185	234,706	91,496	22,809	52,826	9,195	411,031
<b>TOTAL EXPENDITURES</b>	\$ 1,076,775	\$ 972,312	\$ 645,029	\$ 5,296	\$ 337,663	\$ 3,037,075	\$ 1,605,945	\$ 387,845	\$ 869,374	\$ 249,991	\$ 6,150,229
<b>FAREBOX RATIO</b>	11.0%	12.2%	9.3%	0.0%	1.9%	10.0%	3.4%	17.7%	5.9%	4.5%	8.0%
<b>SERVICE MILES</b>	126,483.1	129,393.8	77,699.5	727.5	43,518.3	377,822.2	147,130.0	36,755.9	84,949.2	15,082.0	661,739.2
<b>SERVICE HOURS</b>	5,097.2	4,238.8	3,016.8	22.4	1,500.2	13,875.4	9,238.0	2,888.5	5,948.6	1,731.2	33,681.7
<b>RIDERSHIP (Automatic Counters)</b>	75,495	71,260	55,173	406	5,461	207,795	12,481	58,573	76,179	6,301	361,329
<b>RIDERS PER MILE</b>	0.60	0.55	0.71	0.56	0.13	0.55	0.08	1.59	0.90	0.42	0.55
<b>RIDERS PER HOUR</b>	14.8	16.8	18.3	18.1	3.6	15.0	1.4	20.3	12.8	3.6	10.7
<b>COST PER PASSENGER</b>	\$ 14.26	\$ 13.64	\$ 11.69	\$ 13.04	\$ 61.83	\$ 14.62	\$ 128.67	\$ 6.62	\$ 11.41	\$ 39.67	\$ 17.02
<b>SUBSIDY PER PASSENGER</b>	\$ 12.69	\$ 11.98	\$ 10.61	\$ 13.04	\$ 60.66	\$ 13.15	\$ 124.32	\$ 5.45	\$ 10.74	\$ 37.91	\$ 15.67

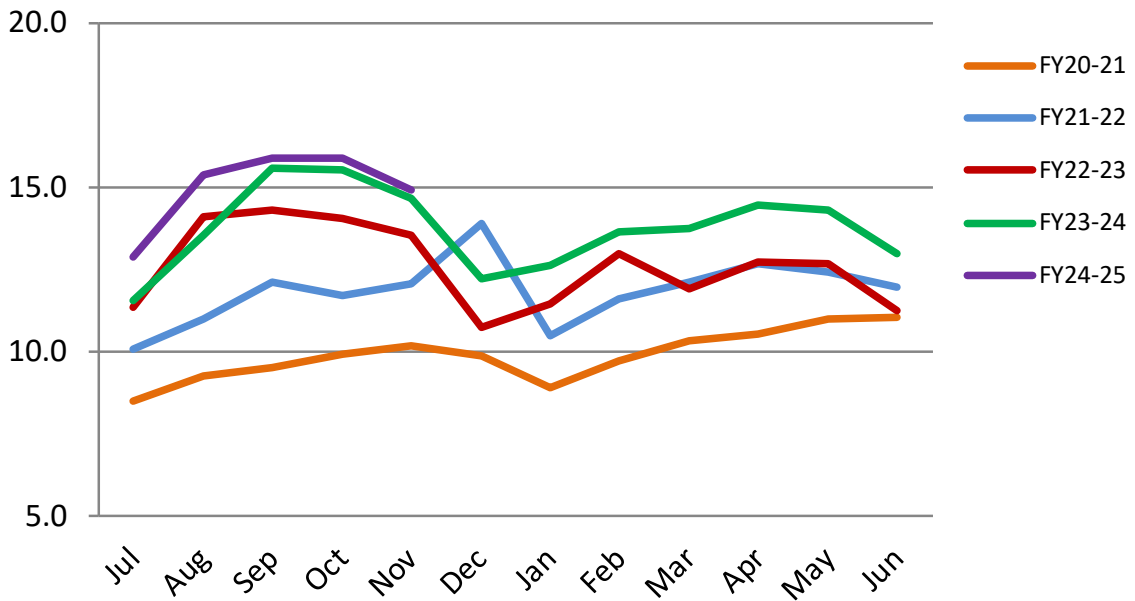


## RTA Budget vs. Actual Expenses (through November 2024)

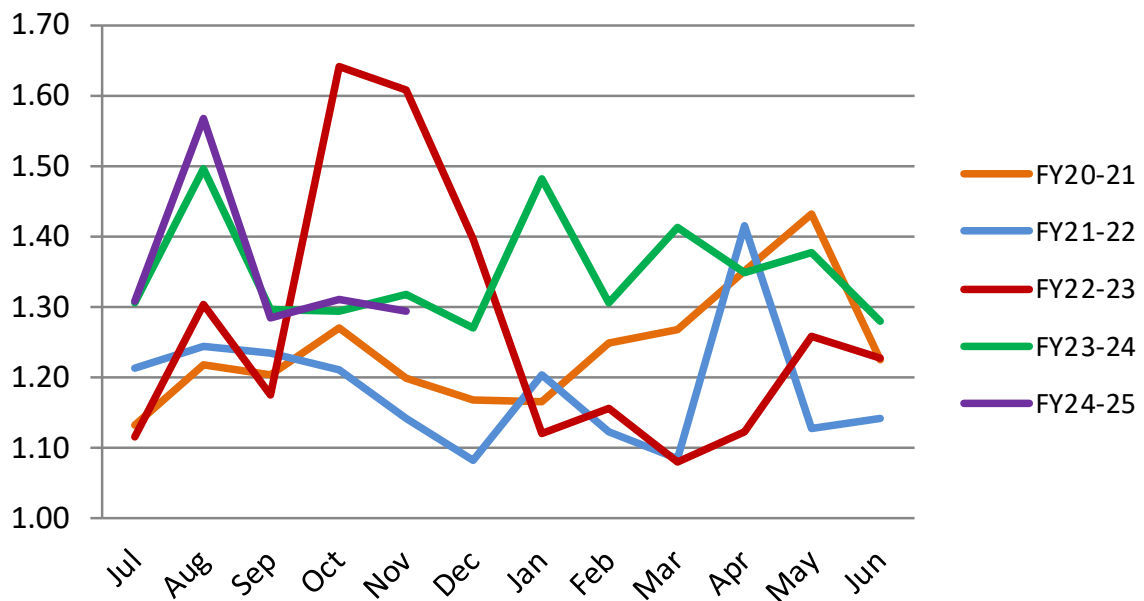
		Adopted Budget	Year to Date	Percent of Total Budget
		FY 2024-25	FY 2024-25	FY 2024-25
	Hours	79,390	31,950	40.2%
	Miles	1,851,210	646,657	34.9%
<b>Administration:</b>				
Labor	operations cost	1,334,260	522,596	39.2%
Labor - Administration Workers Comp	operations cost	47,560	19,914	41.9%
Office Space Rental	operations cost	59,770	23,532	39.4%
Property Insurance	operations cost	283,570	203,273	71.7%
Professional Technical Services	operations cost	320,550	72,228	22.5%
Professional Development	operations cost	97,340	14,335	14.7%
Operating Expense	operations cost	419,320	153,079	36.5%
Marketing and Reproduction	hourly	141,300	24,096	17.1%
North County Management Contract	operations cost	(59,030)	(24,596)	41.7%
County Management Contract	operations cost	(121,670)	(50,696)	41.7%
SCT Management Contract	operations cost	(141,160)	(58,817)	41.7%
<b>Total Administration</b>		<b>2,381,810</b>	<b>898,946</b>	<b>37.7%</b>
<b>Service Delivery:</b>				
Labor - Operations - Bus Operators	hourly	5,581,200	1,943,620	34.8%
Labor - Operations - Training Staff	hourly	422,910	162,391	38.4%
Labor - Operations - Operations Supervisors/Schedulers	hourly	1,551,600	538,821	34.7%
Labor - Operations - Ops Mgt./Oversight	hourly	448,750	173,723	38.7%
Labor - Operations Workers Comp	hourly	360,680	151,024	41.9%
Labor - Maintenance	miles	1,998,840	707,579	35.4%
Labor - Maintenance Workers Comp	miles	98,760	41,353	41.9%
Fuel	miles	1,565,280	511,214	32.7%
Insurance	miles	1,010,430	411,032	40.7%
Special Transportation (for SLOCAT)	n/a	33,500	9,939	29.7%
Maintenance (parts, supplies, materials)	miles	1,059,720	324,069	30.6%
Maintenance Contract Costs	miles	156,120	70,133	44.9%
<b>Total Operations</b>		<b>14,287,790</b>	<b>5,044,899</b>	<b>35.3%</b>
<b>Capital/Studies:</b>				
Computer System Maintenance/Upgrades		393,260	8,674	2.2%
Miscellaneous Capital				
Maintenance Equipment		218,760	2,233	1.0%
Vehicle ITS/Camera System		18,030	16,694	92.6%
Bus Stop Improvements		324,930	89,009	27.4%
Large Capital Repairs		402,760	76	0.0%
Vehicles				
Support Vehicles		45,600	-	0.0%
Fixed Route Vehicles		320,650	76,728	23.9%
Trolley Vehicles		293,200	-	0.0%
Cutaway and Dial A Ride Vehicles		154,810	155,068	100.2%
Runabout Vehicles		1,125,260	277,382	0.0%
<b>Total Capital Outlay</b>		<b>3,297,260</b>	<b>625,864</b>	<b>19.0%</b>
<b>Contingency</b>	hourly	<b>200,040</b>	<b>-</b>	<b>0.0%</b>
<b>PERS Buyout</b>		<b>178,310</b>	<b>74,295</b>	<b>41.7%</b>
<b>Loan Repayments</b>		<b>472,140</b>	<b>47,578</b>	<b>10.1%</b>
<b>Short Range Transit Plan</b>		<b>92,030</b>	<b>68,069</b>	<b>74.0%</b>
<b>Elks Lane Projects</b>		<b>2,379,560</b>	<b>46,354</b>	<b>1.9%</b>
<b>Management Contracts</b>		<b>321,860</b>	<b>134,108</b>	<b>41.7%</b>
<b>TOTAL FUNDING USES</b>		<b>23,610,800</b>	<b>6,940,114</b>	<b>29.4%</b>
<b>TOTAL NON-CAPITAL EXPENDITURES</b>		<b>17,369,810</b>	<b>6,199,826</b>	<b>35.7%</b>



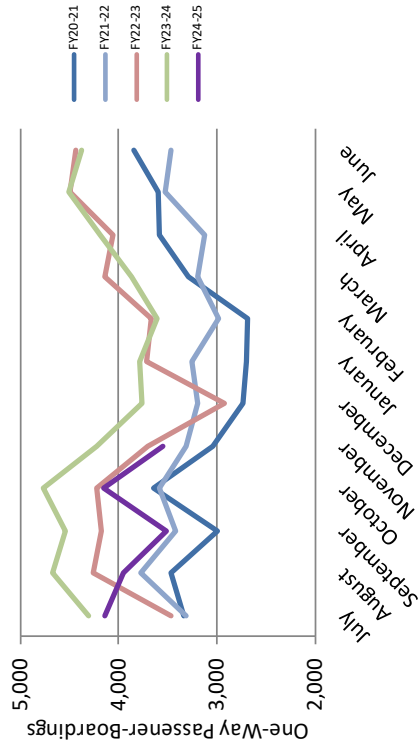
## RTA Fixed Route Productivity



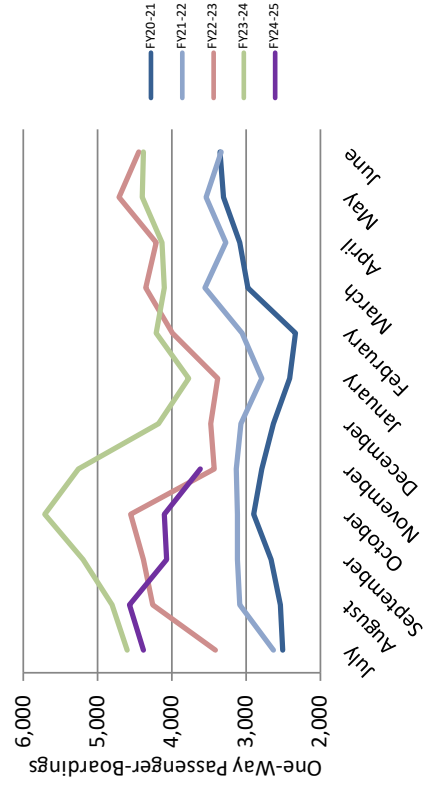
## RTA Runabout Productivity



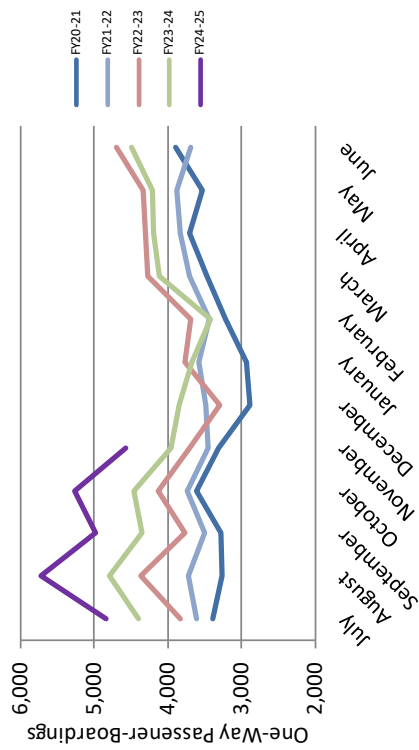
**Route 24 Ridership By Month**



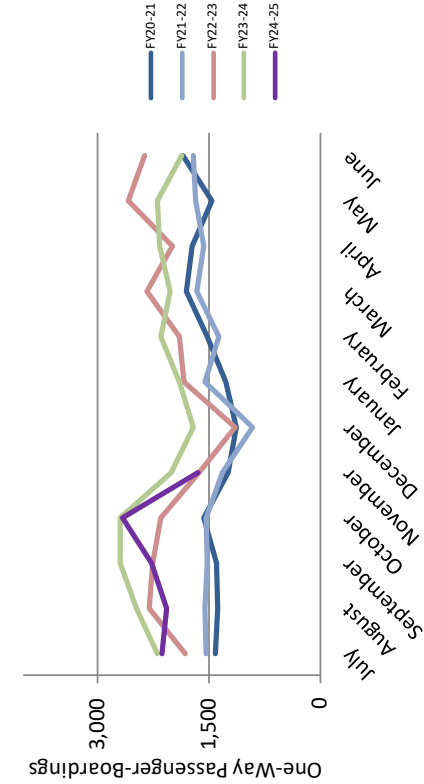
**Route 28 Ridership By Month**

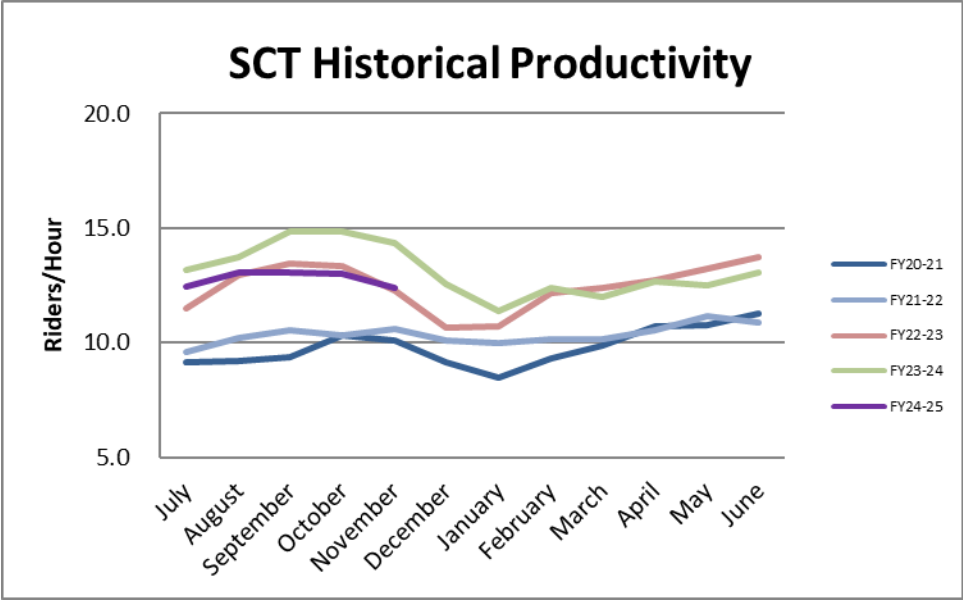


**Route 21 Ridership By Month**



**Route 27 Ridership By Month**





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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY  
JANUARY 8, 2025  
STAFF REPORT**

**AGENDA ITEM:** B-2

**TOPIC:** Update on Joint Short-Range Transit Plans Study

**PRESENTED BY:** Geoff Straw, Executive Director

**STAFF RECOMMENDATION:** Receive and File

**BACKGROUND/DISCUSSION:**

Staff continues to work closely with the SRTP consultant team, as well as our partners at SLO Transit and SLOCOG, to conduct the Joint SRTPs study. We post interim working papers on the RTA website; since the November 2024 Board meeting we have added the following two public documents:

1. Working Paper #5 Financial Alternatives, and
2. Working Paper #7 Capital Improvements.

Staff has provided comments on the administrative draft Working Paper #8 Coordination Alternatives to the consultant team in mid-December. Once those minor editorial issues are addressed, we expect to post the public draft on our website in early January. We expect to receive the administrative draft of Working Paper #6 Marketing by the end of December, and will provide our comments to the consultants soon thereafter.

The study steering committee is focused on developing real-world feasible solutions that are financially constrained and improve transit services in the region. The consultant team has provided a wide range of service, institutional, capital and financial alternatives that address weaknesses discovered during the evaluation of existing services and those that were raised by members of the public. So far, staff is pleased with the breadth and scope of the alternatives developed and presented by the consultant team.

The Draft Plan – which combines all interim working papers and provide final draft recommendations in an Executive Summary chapter 00 will be presented at the March 5<sup>th</sup> RTA Board meeting.

**Staff Recommendation for the Board:**

Receive and file this as an information item.

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**  
**January 8, 2025**  
**STAFF REPORT**

**AGENDA ITEM:** C-1

**TOPIC:** Agreement to Operate Morro Bay Transit Services

**PRESENTED BY:** Geoff Straw  
Executive Director

**STAFF RECOMMENDATION:** Authorize the RTA Executive Director and/or Board President to:

1. Execute the Agreement to Operate and Administer Morro Bay Transit Services;
2. Procure One Cutaway Van and Related Equipment Using RTF and City Funding; and
3. Execute an Amendment with LSC Transportation Consultants to Conduct an SRTP Side Study to Guide Future Morro Bay Transit Services using RTF and City funding.

**BACKGROUND/DISCUSSION:**

This staff report and the attached Agreement focus on the consolidation of Morro Bay Transit services into the RTA. The primary benefit of this consolidation is the City of Morro Bay would realize reduced demands on City staff resources for ever more complex transit operations. Riders benefit by their ability to transfer across local and intercity/regional services more seamlessly. The RTA and the San Luis Obispo Council of Governments (SLOCOG) benefit due to reduced oversight responsibilities for Rural Transit Fund (RTF) and other requirements, as well as shared spare vehicle and other resources along the North Coast.

Attached is the final draft Agreement that would become effective on Sunday June 1, 2025. Under the agreement, the RTA would assume full operation, management, vehicle maintenance, and administration of Morro Bay local transit services. The RTA would also serve as the direct TDA recipient. The Agreement also stipulates that the City will continue to fully fund local transit services; none of the costs would be borne by the other jurisdictions that fund RTA core operations. Staff is seeking the Board's authorization for the RTA Executive Director and RTA Board President to execute the final Agreement once ratified by the Morro Bay City Council and SLOCOG, as well as other required actions as described below. Any final changes to the Agreement that have insubstantial impacts on RTA would be reported back to the RTA Board as an information item; any substantial changes would require reconsideration by the full

Board. The Morro Bay City Council intends to consider the Agreement at its January 14, 2025 meeting, and the SLOCOG Board will consider it at its February 5, 2025 meeting.

### Next Steps

As part of the consolidation, the City is transferring its responsibilities to complete projects funded by SLOCOG-administered RTF, with local match provided by City transit fund balance. Attached is a draft letter jointly written by RTA and City staff, seeking SLOCOG concurrence to transfer the funds and project responsibilities; those actions are summarized in the consolidation Agreement. The letter details how the Morro Bay Transit vehicles would be modified to include passenger amenities that would make using services across the two systems seamless for passengers while also meeting SLOCOG objectives. The letter also identifies a proposed amendment to the existing RTA Joint Short-Range Transit Plan (SRTP) agreement to conduct a side-study to guide Morro Bay Transit services over the next five years; that study report would be presented to the City Council for acceptance and to the RTA Board for information purposes in late fall 2025 – but the execution of the SRTP amendment would need to be authorized by the RTA Board as part of this agenda item. No additional RTA funds would be necessary for any of these capital or planning projects.

RTA maintenance staff has conducted a preliminary inspection of existing Morro Bay Transit vehicles. The cutaway vans are similar to the ones used on RTA Route 15 and on Nipomo Dial-A-Ride services, and the seasonal trolleys are similar to the ones used for the Avila Beach services. We will work with City officials to complete a full inspection of all vehicles following full Agreement ratification to record any wear/tear or any deferred maintenance conditions and determine a schedule for any needed repairs.

RTA staff has been working closely with Morro Bay and SLOCOG staff to plan for this consolidation. We intend to begin scheduling vendors to implement on-site modifications to the existing Morro Bay Transit vehicles, and to issue a purchase order for the planned new replacement cutaway van<sup>1</sup> as soon as the City and SLOCOG exercise the Agreement. Once Connexionz has installed GPS-based automatic vehicle location, in-bus passenger information, and automated passenger counting equipment on the existing vehicles, staff will “go live” with real-time passenger information and fare media handling capabilities on or before June 1<sup>st</sup>. We would also install a Transit Tracker sign at each bus stop so that riders could receive real-time bus arrival information via SMS or through our website.

Staff would also kick-off the SRTP side-study in the first quarter of 2025, with public meetings scheduled in Morro Bay. We will provide updates to the RTA Board and City Council throughout the study period. We also intend to begin interviewing incumbent MV Transportation employees in late March 2025, and to finalize training modules and begin training Bus Operators and Supervisors in in April 2025 in preparation for a Sunday June 1, 2025 assumption of services date.

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<sup>1</sup> The van would be the same as the one identified in Agenda Item A-11, and we have already obtained pricing for the RTA vehicle and this Morro Bay vehicle.

**STAFF RECOMMENDATION**

Authorize the RTA Executive Director and/or Board President to:

1. Execute the Agreement to operate and administer Morro Bay transit services;
2. Procure one cutaway van and related equipment using RTF and City funding.
3. Execute an amendment with LSC Transportation Consultants to conduct an SRTP side study to guide future Morro Bay Transit services using RTF and City funding.

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# CITY OF MORRO BAY

## PUBLIC WORKS DEPARTMENT

955 Shasta Avenue  
Morro Bay, CA 93442

December 23, 2024

San Luis Obispo Council of Governments  
Attn: Pete Rodgers, SLOCOG Executive Director  
1114 Marsh Street  
San Luis Obispo, CA 93401

Re: **Request Rededication of RTF Funds Awarded to Morro Bay Transit**

Dear Mr. Rodgers,

As you know, the City of Morro Bay and the San Luis Obispo Regional Transit Authority (RTA) are working to consolidate Morro Bay Transit (MBT) services into the RTA, with a likely effective date of June 1, 2024.

Among the many tasks we are jointly investigating is how to meet the City's obligations for projects funded through the SLOCOG Rural Transit Fund (RTF). This memorandum provides a summary of the four RTF awarded projects, including a status update for each. At the end of this memorandum, I will recommend a number of steps that the City, the RTA and SLOCOG officials can undertake in the coming weeks to redirect RTF awards toward necessary upgrades to MBT vehicles in preparation for consolidation and the conduct of a SRTP update study.

### Status of RTF Awarded Projects:

1. **Zero Emission Bus Plan** (FY21/22, \$40,000 with no local match) – this project would have procured consultant services to complete the CARB-required ICT Fleet Rollout Plan. Subsequent to the RTF award, City staff worked with CARB to develop the Fleet Rollout Plan in-house. CARB provided confirmation on October 3, 2023 that the Fleet Rollout Plan meets all requirements. **Status:** *Complete, and funds can be redistributed.*
2. **Automated Fare Collection System** (FY21/22, \$74,000 with no local match) – this project would have retrofitted automated fareboxes onto two cutaway vans, and retrofitted CAD/AVL systems onto the two cutaway vans and three trolleys. **Status:** *Not started.*
3. **Comprehensive Operational Analysis** (FY23/24, \$60,000 with no local match) – this project would “right-size” transit services. It should be noted that the City's Short Range Transit Plan (SRTP) was adopted by the City Council a few weeks before the COVID-19 pandemic, which had a profound and continuing impact on Morro Bay Transit ridership. **Status:** *Not started pending execution of consolidation agreement between the City and RTA.*
4. **Purchase New Transit Vehicle** (FY24/25, \$140,800 plus \$19,200 local match) – this project would have issued a purchase order through the CalACT/Basin Transit Purchasing Cooperative. However, due to on-going discussions about consolidating with the RTA, this project has been put on hold. **Status:** *On hold pending execution of consolidation agreement between the City and RTA.*

In summary, SLOCOG has awarded a total of \$314,800 in RTF to the City, in addition to the \$19,200 the City has committed in local matching funds. Together, these two funding sources total \$334,000 for the City's transit projects.

## Cost Estimates for MBT Vehicle Upgrades

The Class C – Starcraft Allstar vans used on the MBT deviated fixed-route service are essentially the same ones used by the RTA for its Route 15 service that operates between Morro Bay and San Simeon. The difference is that the MBT vehicles do not utilize on-vehicle security systems or GPS-based passenger information systems. In order to more effectively use resources across both systems under eventual consolidation, the MBT vehicles should be “upgraded” to match RTA cutaway vehicles and include elements that enhance the passenger riding experience, such as a GPS-based computer-aided dispatch / automatic vehicle location (CAD/AVL) system, geo-located passenger boarding/alighting data, a security camera system, a passenger wi-fi system, an airborne-pathogen scrubber/ionizer system, and automated fare systems.

Table 1 below depicts the estimated costs for these upgrades, based on the RTA’s recent purchase of vehicle number 2431 that was placed into revenue service at the beginning of summer 2024.

Item	Estimated cost from last RTA Purchase	Quote Source	Costs				
			Cutaway Vans		Trolleys		Subtotal
			New	Retrofit	Retrofit		
			1	1	2		
Class C - Starcraft Allstar 16+2	\$160,720	Sep-2023 purchase & 5% CPI	\$160,720	N/A	N/A	<b>\$160,720</b>	
Connexionz CAD/AVL	\$15,400	Connexionz quote 8/2023	\$15,400	\$15,400	\$30,800	<b>\$61,600</b>	
Odyssey Farebox	\$29,500	2401 order from Gillig	\$29,500	N/A <sup>Note 1</sup>	N/A	<b>\$29,500</b>	
SafeFleet 9-Camera Security System	\$8,495	2431 Cutaway quote	Included	\$8,495	\$16,990	<b>\$25,485</b>	
Rotating Driver Barrier	\$1,395	2431 Cutaway quote	Included	\$1,395	\$2,790	<b>\$4,185</b>	
Climate Comfort Tech. Air Cleaner/Ionizer	\$3,950	2431 Cutaway quote	Included	N/A <sup>Note 1</sup>	\$7,900	<b>\$7,900</b>	
Motorola XPR 5550e Two-Way Radio	\$2,520	2431 Cutaway quote	Included	\$2,520	\$5,040	<b>\$7,560</b>	
Destination Sign	\$5,240	2431 Cutaway quote	Included	\$5,240	N/A	<b>\$5,240</b>	
Stop Request System (w/ sign)	\$1,000	2431 Cutaway quote	\$1,000	\$1,000	\$2,000	<b>\$4,000</b>	
Sportworks Bike Rack (Apex 2-Fat Tire-Stainless)	\$3,850	2431 Cutaway quote	Included	N/A	\$7,700	<b>\$7,700</b>	
Third-party vendor costs to retrofit equipment	\$2,000	Discussions with vendors	Included	\$2,000	\$4,000	<b>\$6,000</b>	
<b>Subtotals/Total</b>			<b>\$206,620</b>	<b>\$36,050</b>	<b>\$77,220</b>	<b>\$319,890</b>	

Note 1: RTA can donate a spare GFI farebox and a spare Ionizer for use on MBT unit B2.

Table 1 above shows an overall need for \$319,890 to implement the following:

1. Purchase one new replacement Starcraft cutaway van that includes all RTA-specified improvements shown in Table 1. The City recommends that the RTA directly undertake this procurement on the City’s behalf so that the region can be assured the vehicle is operationally consistent with other RTA vehicles, and is compliant with existing CAD/AVL and other systems.
2. Retrofit MBT’s 2024 vehicle B3 with those improvements that would be included in the new vehicle, but with an important distinction – the RTA would install a used GFI automated farebox and a used air scrubber/ionizer that were removed from a recently decommissioned bus. MBT vehicle B2 would not be needed upon consolidation and thus would not be upgraded with any RTA-specified systems; it would be salvaged upon delivery of the new replacement vehicle discussed above.
3. Retrofit two trolleys that are actively used in seasonal services with pertinent RTA-specified systems. Note that the trolley upgrades would not include a GFI Odyssey farebox or a destination sign, since those elements are not necessary for seasonal trolley services. In addition, the oldest two trolleys (vehicles T4 and T5) would be salvaged following execution of the consolidation agreement – thereby reducing the trolley fleet from four to two vehicles.

Please note that the costs shown in Table 1 above are best estimates, but that we will need to revisit final costs once we get firm bids from the vendors.

The City is also desirous of conducting a focused study to help guide MBT services in light of the proposed consolidation and changes resulting from the COVID pandemic. The consultant completing the RTA's SRTP has provided a proposal on June 18, 2024 that would require \$60,550, as shown in the table on page 15 of the attached. As indicated, the study could kick-off in February 2025, with completion in late-fall – in time for Morro Bay's FY26-27 budget-making efforts.

In summary, the City has identified a total need of \$380,440 for these important planning and vehicle upgrades efforts. The City has identified transit fund balance monies that could be used to make up the \$46,440 shortfall after all existing RTF awards to the City are redistributed to the RTA.

Recommendations to Address Vehicle Upgrade & Planning Needs

I believe that SLOCOG, RTA and City officials should work together to redirect already awarded RTF grant funds from the City to the RTA in order to upgrade the fleet so that it is compatible with the RTA's deviated fixed-route vehicles and to undertake the SRTP side study. Upon completion of the upgrades identified in Table 1 above, this would immediately provide an enhanced passenger experience and permit the RTA to begin collecting real-time operating data. The SRTP study will help the City guide MBT services over the next five to seven years.

To move this process along, an Agreement among SLOCOG, RTA and the City of Morro Bay would include language that would allow the RTA to purchase the replacement vehicle, manage the vehicle upgrades, and administer the RTF on the City's behalf, while also meeting SLOCOG's requirements. Should the RTA and City ultimately fail to execute an agreement to consolidate in early 2025, all transit-related assets would revert back to the City.

Please do not hesitate to reach out to me or Geoff Straw with any questions. We look forward to discussing these proposals with you and your SLOCOG team.

Sincerely,



Janeen Burlingame  
Management Analyst



Geoff Straw  
RTA Executive Director

Attachment: *Proposal for Additions to SRTP to Address Morro Bay and Atascadero*

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Geoff Straw, General Manager  
San Luis Obispo Regional Transit Authority  
253 Elks Lane  
San Luis Obispo, CA 93401

RE: Proposal for Additions to Joint SRTP To Address  
Morro Bay and Atascadero

Dear Mr. Straw:

Per your request, this letter is to outline the scope of work and cost estimate associated with expanding the scope of the joint San Luis Obispo Regional Transit Authority / City of San Luis Obispo Short Range Transit Plan (SRTP) to include evaluation of the transit programs currently serving the City of Morro Bay and the City of Atascadero. Specifically, these evaluations will assume provision of transit services by the RTA. Separate scopes and cost estimates are provided for Morro Bay and for Atascadero.

## **MORRO BAY SRTP SCOPE OF WORK**

### **TASK 1 – Existing Transit Conditions, Evaluation of Current Services & Past Recommendations**

#### **Conduct Initial “Kickoff” Virtual Meeting**

After a review of prior studies and documents available on-line, the Consultant Team will develop and provide to City and RTA staff a list of desired data items. In an effort to keep project costs at a minimum, LSC proposes to hold an initial “kick-off” meeting via teleconference between the Consultant Team, City staff, RTA staff and other stakeholders (at the City’s discretion) early in the process.

The kick-off meeting will have a number of goals, including the following:

- A detailed discussion about expectations regarding communications between LSC and City staff during the course of the study including monthly progress reports.
- Identification of the key issues at stake in the study, as well as local interest groups and stakeholders.
- A frank discussion of the current status of transit services in the area, including both existing strengths and shortcomings.

- Identification of external factors (such as planning processes in other jurisdictions, or relationships with private partners) that will impact the transit “environment” over the coming five-to-ten years.
- A review of the proposed work tasks, budgets, and schedule, which will culminate on a final and agreed upon work program with a project timeline, detailed steps, and associated allocated costs.

The Consultant Team will provide a summary of the meeting discussion to ensure accurate interpretation of study concerns and issues.

### **Existing Transit Conditions**

In an effort to gain a clear understanding of the community and setting in which transportation services may be provided, the Study Team will prepare a profile of demographic and economic conditions in the City of Morro Bay and the surrounding area:

Population Characteristics Review – The first step in the transit planning process is to identify concentrations of population which are typically transit dependent. This includes youth, elderly, financially disadvantaged, disabled, and households with no vehicle available. Graphics will be prepared displaying the demographic information with overlying routes and services in order to display areas of concentrated transit-dependent populations and level of transit services provided. As a basis to estimate future transit demand, LSC will evaluate projected population change by age group, which can be gathered from the California Department of Finance as well as potential new development in the area.

Travel Behavior and Patterns – A review of current travel patterns and characteristics will provide insight into the travel needs of residents and visitors in Morro Bay. A primary part of this analysis includes reviewing commuter modes of travel and origin-destination patterns, as commuters serve as an important segment of the transit rider population. As such, the US Census Longitudinal Employer Household Dynamics survey and other commuter databases will be reviewed.

### Changes in Transit Generators

LSC will review land use plans that have the potential to change transit needs and service areas over the coming five years. In addition, and planned changes in schools or social service programs will be identified and considered.

## **Current Services Evaluation**

LSC will prepare a summary of existing fixed route/Call-A-Ride and trolley services serving the City of Morro Bay. To the degree that available existing data allows, the summary will include existing routes and schedules, historical and current ridership by route, ridership by time of day and weekday/Saturday/Sunday, vehicle fleet, vehicle maintenance/operations facility and arrangements, passenger amenities, and fare structure. Ridership data by stop will also be reviewed as available.

## **System Performance Analysis**

An important part of a transit planning study is to review the productivity and efficiency of existing transit services so as to identify routes/services with high/low demand as well as provide direction for the alternatives analysis later in the study. First, a cost allocation model will be developed for Morro Bay Transit. This model will assign all existing operating costs to the appropriate service variable (annual vehicle miles and hours), so that operating costs for each route/service can be estimated. Next, the Consultant Team will review the following performance measures by route:

- Passenger-trips per vehicle hour
- Passenger-trips per vehicle mile
- Operating cost per passenger-trip
- Operating cost per vehicle hour
- Operating subsidy per passenger-trip
- Farebox recovery ratio

A summary will be developed highlighting the most efficient and least efficient Morro Bay Transit services.

Next, LSC will review any adopted performance standards or goals found in previous transit plans, regional transportation plans, and the operations contract. LSC will develop a set of draft performance goals and standards for Morro Bay Transit services based on existing standards for Morro Bay and actual performance of similar transit systems in Central and Northern California. These standards can be both quantitative and qualitative in nature and include but not be limited to: passengers per hour, farebox ratio, subsidy per trip, and on-time performance. LSC will compare actual performance of Morro Bay Transit services to the proposed draft standards.

## **Past Recommendations**

The Study Team will review pertinent recent planning documents in order to gain an understanding of the regulatory and institutional context of the study effort. In particular, the most recent SRTP, the *Regional Transportation Plan/Sustainable Communities Strategy for San Luis Obispo County*, the *City of Morro Bay General Plan*, the most recent two *Triennial Performance Audits*, *Unmet Transit Needs Minutes*, and any other documentation of transit needs.

After the completion of Task 1, **Technical Memorandum One** will be prepared and will include the results of the existing conditions and current services analysis. The document will be produced in Word and Excel and PDF format, with GIS Arc Info graphics, as appropriate and provided electronically to RTA staff. After sufficient time to review the document, LSC will schedule a conference call to discuss the document with RTA and City staff.

<b>Task 1 Deliverable</b>	<p><i>Technical Memorandum Number One: Existing Conditions</i></p> <ul style="list-style-type: none"> <li>• Socio-Economic Profile</li> <li>• Existing Transit Conditions Report with Service Map</li> <li>• Current Services Evaluation Summary</li> <li>• Past Recommendations</li> </ul>
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## **Task 2 – Service Alternatives and/or Improvements**

As part of this task, a wide variety of service alternatives or potential improvements will be analyzed based on work performed thus far, including input from discussion with stakeholders, staff, community members and surveys. Alternatives will be designed to meet the projected needs of the transit system over the next five years. The following information will be provided for each alternative:

- Type of service to be offered.
- Operating characteristics, including service areas, routes and schedules, hours of operation, vehicle mileage, ridership, etc.
- Ridership impacts, disaggregated by type of rider. In particular, LSC will compare the potential for additional new riders versus the impact of any service modifications on existing ridership.
- Financial characteristics including operating, capital and administrative costs as well as fares, advertising, tax, and other revenues.
- Provisions for meeting elderly and disabled needs in general and the requirements of the ADA in particular.

The first alternative will consider provision of existing services by the RTA. This will use RTA cost models and driver scheduling parameters to define costs of the existing services. We will assume that existing City of Morro Bay transit vehicle assets would be provided to RTA. We will

also review the potential viability and advantages/disadvantages of use of City facilities for vehicle storage, driver check in / check out and vehicle fueling.

Beyond the alternative of RTA operating existing Morro Bay transit services, LSC will evaluate potential service alternatives as follows:

- Route modifications to provide enhanced service in existing areas
- Changes to the Morro Bay Trolley to better attract visitors and tourists
- Changes in span of service
- Viability of microtransit service to replace portions or all of the fixed route during various days and hours of service.
- Review opportunities for increased coordination with regional transit providers (such as the implementation of more transfer opportunities with RTA).

The alternatives performance analysis will reveal which alternatives are the most cost effective and provide the most mobility for city residents. The qualitative benefits of each alternative will also be considered, such as the benefit of serving a disadvantaged neighborhood even if it does not meet performance standards. This comprehensive analysis will culminate in **Technical Memorandum 2: Service Alternatives Analysis**.

Next, the Study Team will schedule a virtual meeting to discuss Tech Memo 2 with RTA and City staff and choose preferred alternatives. The presentation will summarize all work performed to this point and make preliminary service plan recommendations.

<b>Task 2 Deliverable</b>	<p><i>Technical Memorandum Number 2: Service Alternatives Evaluation</i></p> <ul style="list-style-type: none"> <li>• <i>Alternatives Analysis</i></li> <li>• <i>PowerPoint Presentation</i></li> </ul>
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**Task 3 – Service Plan, Capital Plan, Financial Plan, Marketing Strategies**

**Service Plan**

Based on input, LSC will finalize the preferred service plan elements to be included as part of the Five-Year Short Range Transit Plan.

## Capital Plan

This task will coincide with and support the findings and recommendations of Task 3 and the recommended Service Plan by identifying the appropriate equipment and facility needs for operating transit services over the plan period, specifically as pertains to recommended service changes. In particular, the capital alternatives will evaluate the:

- Acquisition of vehicles, specific to service recommendations and with consideration for alternative fuels, capacity considerations, ADA considerations, and passenger amenity improvements.
- Replacement of vehicles as needed to maintain a safe and efficient fleet.
- Transit passenger facilities, including bus stop amenities, potential central transfer point and bicycle amenities. This will include the development of a list of recommended bus stop locations and amenities based on available boarding and alighting counts.
- Transit operations facility plan defining where specific functions (vehicle storage, vehicle fueling, maintenance and driver reporting) will occur.

Potential funding sources for capital acquisitions will be identified in the Financial Plan section.

## Financial Plan

To effectively develop a reliable transit plan, it is necessary to identify future funding sources for the planned service and capital alternatives developed as part of the Short Range Transit Plan. In coordination with City staff, the consultant will prepare a list of funding source assumptions such as Transportation Development Act and Federal Transit Administration (FTA) grant programs for potential City of Morro Bay transit revenues over the short-term. Next, both the operating and capital alternatives will be used to forecast future potential financial requirements of the Short Range Transit Plan. Through an iterative process, differing capital and service improvement plans can be evaluated to ensure that an adequate funding balance is maintained through the life of the plan. This task will result in a fiscally constrained financial plan that includes analyses of revenue and expenditures through 2029. It will include evaluation of aligning fares with other existing RTA fares.

At the end of this task, LSC will put together and **Technical Memorandum 3: Administrative Draft Report** which will include the results of Tasks 1 – 3 including a recommended Service Plan, Capital Plan, Financial Plan and Performance Goals and Standards (Task 1). The document will be provided to City staff in both Microsoft Word and Adobe Acrobat format for easy review and comment.

<b>Task 3 Deliverable</b>	<p><i>Administrative Draft Report</i></p> <ul style="list-style-type: none"> <li>• Results of Tasks 1 – 3</li> <li>• Service Plan</li> <li>• Capital Plan</li> <li>• Financial Plan</li> </ul>
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**TASK 4 – Five Year Transit Plan**

**Public Draft Short Range Transit Plan**

After sufficient time for review and comment on the Administrative Draft Report by RTA and City Staff, LSC will incorporate comments and prepare a Public Draft version of the report which will include an Executive Summary. The Public Draft Short Range Transit Plan will be available on the internet, distributed to interested stakeholders, as well as presented virtually to City decisionmakers and the RTA Board.

For public review, the report will be posted on the Morro Bay Transit website and the RTA website. The web postings will include links to a [www.surveymonkey.com](http://www.surveymonkey.com) survey questionnaire and comment box, where the public can confidentially provide direct feedback on the Public Draft Plan.

**Final Short Range Transit Plan**

Once the *Draft Short Range Transit Plan* has been reviewed by the RTA and City staff, Public Works Advisory Board, interested stakeholders, City Council, and the public, comments will be addressed and the document will be revised as necessary. This will become the **Final Short Range Transit Plan**. As part of this process, LSC will hold a conference call with RTA and City staff to ensure that the Final Plan fully addresses all input.

<b>Task 4 Deliverables</b>	<p><i>Public Draft Five Year Short Range Transit Plan</i></p> <p><i>Draft Plan PowerPoint Presentation</i></p> <p><i>Final Short Range Transit Plan</i></p>
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## **ATASCADERO SRTP SCOPE OF WORK**

### **TASK 1 – Existing Transit Conditions, Evaluation of Current Services & Past Recommendations**

#### **Conduct Initial “Kickoff” Virtual Meeting**

After a review of prior studies and documents available on-line, the Consultant Team will develop and provide to City staff a list of desired data items. In an effort to keep project costs at a minimum, LSC proposes to hold an initial “kick-off” meeting via teleconference between the Consultant Team, City staff, RTA staff and other stakeholders (at the City’s discretion) early in the process.

The kick-off meeting will have a number of goals, including the following:

- A detailed discussion about expectations regarding communications between LSC and City staff during the course of the study including monthly progress reports.
- Identification of the key issues at stake in the study, as well as local interest groups and stakeholders.
- A frank discussion of the current status of transit services in the area, including both existing strengths and shortcomings.
- Identification of external factors (such as planning processes in other jurisdictions, or relationships with private partners) that will impact the transit “environment” over the coming five-to-ten years.
- A review of the proposed work tasks, budgets, and schedule, which will culminate on a final and agreed upon work program with a project timeline, detailed steps, and associated allocated costs.

The Consultant Team will provide a summary of the meeting discussion to ensure accurate interpretation of study concerns and issues.

#### **Existing Transit Conditions**

In an effort to gain a clear understanding of the community and setting in which transportation services may be provided, the Study Team will prepare a profile of demographic and economic conditions in the City of Atascadero and the surrounding area:

Population Characteristics Review – The first step in the transit planning process is to identify concentrations of population which are typically transit dependent. This includes youth, elderly, financially disadvantaged, disabled, and households with no vehicle available. Graphics will be prepared displaying the demographic information with overlying routes and services in order to



display areas of concentrated transit-dependent populations and level of transit services provided. As a basis to estimate future transit demand, LSC will evaluate projected population change by age group, which can be gathered from the California Department of Finance as well as potential new development in the area.

Travel Behavior and Patterns – A review of current travel patterns and characteristics will provide insight into the travel needs of residents and visitors in Atascadero. A primary part of this analysis includes reviewing commuter modes of travel and origin-destination patterns, as commuters serve as an important segment of the transit rider population. As such, the US Census Longitudinal Employer Household Dynamics survey and other commuter databases will be reviewed.

### Changes in Transit Generators

LSC will review land use plans that have the potential to change transit needs and service areas over the coming five years. In addition, and planned changes in schools or social service programs will be identified and considered.

### **Current Services Evaluation**

LSC will prepare a summary of existing on-demand services serving the City of Atascadero. To the degree that available existing data allows, the summary will include existing schedules, number of vehicles in operation by hour and day of week, historical and current ridership, ridership by time of day and weekday, ridership by zone, ridership by specific location, vehicle fleet, vehicle maintenance/operations facility and arrangements, passenger amenities, and fare structure.

### System Performance Analysis

An important part of a transit planning study is to review the productivity and efficiency of existing transit services so as to identify routes/services with high/low demand as well as provide direction for the alternatives analysis later in the study. First, a cost allocation model will be developed for Atascadero Dial-A-Ride. This model will assign all existing operating costs to the appropriate service variable (annual vehicle miles and hours), so that operating costs for each route/service can be estimated. Next, the Consultant Team will review the following performance measures:

- Passenger-trips per vehicle hour
- Passenger-trips per vehicle mile
- Operating cost per passenger-trip
- Operating cost per vehicle hour
- Operating subsidy per passenger-trip
- Farebox recovery ratio

Next, LSC will review any adopted performance standards or goals found in previous transit plans, regional transportation plans, and the operations contract. LSC will develop a set of draft

performance goals and standards for Atascadero Dial-A-Ride services based on existing standards for Atascadero and actual performance of similar transit systems in Central and Northern California. These standards can be both quantitative and qualitative in nature and include but not be limited to: passengers per hour, farebox ratio, subsidy per trip, and on-time performance. LSC will compare actual performance of Atascadero Dial-A-Ride services to the proposed draft standards.

**Past Recommendations**

The Study Team will review pertinent recent planning documents in order to gain an understanding of the regulatory and institutional context of the study effort. In particular, the most recent SRTP, the *Regional Transportation Plan/Sustainable Communities Strategy for San Luis Obispo County*, the *City of Atascadero General Plan*, the most recent two *Triennial Performance Audits*, *Unmet Transit Needs Minutes*, and any other documentation of transit needs.

After the completion of Task 1, **Technical Memorandum One** will be prepared and will include the results of the existing conditions and current services analysis. The document will be produced in Word and Excel and PDF format, with GIS Arcinfo graphics, as appropriate and provided electronically to RTA staff. After sufficient time to review the document, LSC will schedule a conference call to discuss the document with RTA and City staff.

<b>Task 1 Deliverable</b>	<p style="text-align: center;"><i>Technical Memorandum Number One: Existing Conditions</i></p> <ul style="list-style-type: none"> <li>• Socio-Economic Profile</li> <li>• Existing Transit Conditions Report with Service Map</li> <li>• Current Services Evaluation Summary</li> <li>• Past Recommendations</li> </ul>
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**Task 2 – Service Alternatives and/or Improvements**

As part of this task, a wide variety of service alternatives or potential improvements will be analyzed based on work performed thus far, including input from discussion with stakeholders, staff, community members and surveys. Alternatives will be designed to meet the projected needs of the transit system over the next five years. The following information will be provided for each alternative:

- Type of service to be offered.
- Operating characteristics, including service areas, hours of operation, vehicle mileage, ridership, etc.

- Ridership impacts, disaggregated by type of rider. In particular, LSC will compare the potential for additional new riders versus the impact of any service modifications on existing ridership.
- Financial characteristics including operating, capital and administrative costs as well as fares, advertising, tax, and other revenues.
- Provisions for meeting elderly and disabled needs in general and the requirements of the ADA in particular.

The first alternative will consider provision of existing services by the RTA. This will use RTA cost models and driver scheduling parameters to define costs of the existing services. We will assume that existing City of Atascadero Dial-A-Ride vehicle assets would be provided to RTA. We will also review the potential viability and advantages/disadvantages of use of City facilities for vehicle storage, driver check in / check out and vehicle fueling.

Beyond the alternative of RTA operating existing Atascadero Dial-A-Ride services, LSC will evaluate potential service alternatives as follows:

- Conversion to an app-based microtransit service
- Changes to the service area
- Changes in hours of service and provision of Saturday and Sunday service.
- Review opportunities for increased coordination with regional transit providers (such as the implementation of more transfer opportunities with RTA).

The alternatives performance analysis will reveal which alternatives are the most cost effective and provide the most mobility for city residents. The qualitative benefits of each alternative will also be considered, such as the benefit of serving a disadvantaged neighborhood even if it does not meet performance standards. This comprehensive analysis will culminate in **Technical Memorandum 2: Service Alternatives Analysis**.

Next, the Study Team will schedule a virtual meeting to discuss Tech Memo 2 with RTA and City staff and choose preferred alternatives. The presentation will summarize all work performed to this point and make preliminary service plan recommendations.

<p><b>Task 2 Deliverable</b></p>	<p><i>Technical Memorandum Number 2: Service Alternatives Evaluation</i></p> <ul style="list-style-type: none"> <li>• <i>Alternatives Analysis</i></li> <li>• <i>PowerPoint Presentation</i></li> </ul>
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### **Task 3 – Service Plan, Capital Plan, Financial Plan, Marketing Strategies**

#### **Service Plan**

Based on input, LSC will finalize the preferred service plan elements to be included as part of the Five-Year Short Range Transit Plan.

#### **Capital Plan**

This task will coincide with and support the findings and recommendations of Task 2 and the recommended Service Plan by identifying the appropriate equipment and facility needs for operating transit services over the plan period, specifically as pertains to recommended service changes. In particular, the capital alternatives will evaluate the:

- Acquisition of vehicles, specific to service recommendations and with consideration for alternative fuels, capacity considerations, ADA considerations, and passenger amenity improvements.
- Replacement of vehicles as needed to maintain a safe and efficient fleet.
- Transit operations facility plan defining where specific functions (vehicle storage, vehicle fueling, maintenance and driver reporting) will occur.

Potential funding sources for capital acquisitions will be identified in the Financial Plan section.

#### **Financial Plan**

To effectively develop a reliable transit plan, it is necessary to identify future funding sources for the planned service and capital alternatives developed as part of the Short Range Transit Plan. In coordination with City staff, the consultant will prepare a list of funding source assumptions such as Transportation Development Act and Federal Transit Administration (FTA) grant programs for potential City of Atascadero Dial-A-Ride revenues over the short-term. Next, both the operating and capital alternatives will be used to forecast future potential financial requirements of the Short Range Transit Plan. Through an iterative process, differing capital and service improvement plans can be evaluated to ensure that an adequate funding balance is maintained through the life of the plan. This task will result in a fiscally constrained financial plan that includes analyses of revenue and expenditures through 2029. It will include evaluation of aligning fares with other existing RTA fares.

At the end of this task, LSC will put together and **Technical Memorandum 3: Administrative Draft Report** which will include the results of Tasks 1 – 3 including a recommended Service Plan, Capital Plan, Financial Plan and Performance Goals and Standards (Task 1). The document will be provided to City staff in both Microsoft Word and Adobe Acrobat format for easy review and comment.

<b>Task 3 Deliverable</b>	<p><i>Administrative Draft Report</i></p> <ul style="list-style-type: none"> <li>• Results of Tasks 1 – 3</li> <li>• Service Plan</li> <li>• Capital Plan</li> <li>• Financial Plan</li> </ul>
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#### **TASK 4 – Five Year Transit Plan**

##### **Public Draft Short Range Transit Plan**

After sufficient time for review and comment on the Administrative Draft Report by RTA and City Staff, LSC will incorporate comments and prepare a Public Draft version of the report which will include an Executive Summary. The Public Draft Short Range Transit Plan will be available on the internet, distributed to interested stakeholders, as well as presented virtually to City decisionmakers and the RTA Board.

For public review, the report will be posted on the Atascadero website and the RTA website. The web postings will include links to a [www.surveymonkey.com](http://www.surveymonkey.com) survey questionnaire and comment box, where the public can confidentially provide direct feedback on the Public Draft Plan.

##### **Final Short Range Transit Plan**

Once the *Draft Short Range Transit Plan* has been reviewed by the RTA and City staff, Public Works Advisory Board, interested stakeholders, City Council, and the public, comments will be addressed and the document will be revised as necessary. This will become the **Final Short Range Transit Plan**. As part of this process, LSC will hold a conference call with RTA and City staff to ensure that the Final Plan fully addresses all input.

<b>Task 4 Deliverables</b>	<p><i>Public Draft Five Year Short Range Transit Plan</i></p> <p><i>Draft Plan PowerPoint Presentation</i></p> <p><i>Final Short Range Transit Plan</i></p>
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## **COST SUMMARY**

Labor requirements and detailed cost estimates have been developed for the study Scope of Work. We have estimated the cost of the scope of services at \$60,550 for Morro Bay Transit Services as shown in Table 1 and \$58,790 for Atascadero Dial-A-Ride as shown in Table 2.

## **SCHEDULE**

Proposed schedules to complete the work plans for the Morro Bay Short-Range Transit Plan and Atascadero Dial-A-Ride Short Range Transit Plan are presented in Tables 3 and 4, respectively.

We are eager to begin work on this important study and look forward to your response to this proposal. We would be happy to provide additional information regarding our past work and qualifications, or to make a formal presentation to your selection committee, at your discretion. Thank you for the opportunity to present our proposal.

Respectfully Submitted,


LSC Transportation Consultants, Inc.




by \_\_\_\_\_

Genevieve Evans, AICP, Principal

**TABLE 1: Fee Schedule**  
**Morro Bay Short Range Transit Plan**

Task	Description	Personnel and Hourly Rates						Totals	
		Principal-In Charge \$265	Senior Advisor \$250	Senior Planner \$145	Planner \$125	Graphics Support \$95	Clerical Support \$85	Total Hours	Total Cost
<b>1</b>	<b>Existing Conditions</b>								
	Conduct Virtual Kickoff Meeting	2	2	2	2	0	2	10	\$1,740
	Existing Transit Conditions	1	1	8	24	8	0	42	\$5,435
	Current Services Evaluation	2	2	8	32	8	0	52	\$6,950
	Past Recommendations	2	0	4	4	0	0	10	\$1,610
	<i>Subtotal</i>	7	5	22	62	16	2	114	\$15,735
<b>2</b>	<b>Service Alternatives and/or Improvements</b>								
	Service Alternatives Analysis	24	8	8	40	12	0	92	\$15,660
	<i>Subtotal</i>	24	8	8	40	12	0	92	\$15,660
<b>3</b>	<b>Service Plan, Capital Plan, Financial Plan</b>								
	Service Plan	8	4	4	4	12	8	40	\$6,020
	Capital Plan	4	2	5	0	0	0	11	\$2,285
	Financial Plan	12	4	0	8	0	0	24	\$5,180
	<i>Subtotal</i>	24	10	9	12	12	8	75	\$13,485
<b>4</b>	<b>Transit Plan</b>								
	Public Draft Short Range Transit Plan	16	4	24	0	8	8	60	\$10,160
	Final Short Range Transit Plan	12	1	8	0	4	4	29	\$5,310
	<i>Subtotal</i>	28	5	32	0	12	12	89	\$15,470
<b>Total Hours</b>		<b>83</b>	<b>28</b>	<b>71</b>	<b>114</b>	<b>52</b>	<b>22</b>	<b>370</b>	
<b>Total Personnel Cost</b>		<b>\$21,995</b>	<b>\$7,000</b>	<b>\$10,295</b>	<b>\$14,250</b>	<b>\$4,940</b>	<b>\$1,870</b>	<b>\$60,350</b>	
		<b>LSC Additional Expenses</b>							
		Travel (Mileage)							\$0
		Travel Lodging and Meals							\$0
		Printing/Copying							\$100
		Phone/Postage/Delivery							\$100
Subtotal: Other Expenses							\$200		
		<b>Total Study Costs</b>						<b>\$60,550</b>	


**TABLE 2: Fee Schedule**  
**Atascadero Short Range Transit Plan**

Task	Description	Personnel and Hourly Rates						Totals	
		Principal-In Charge \$265	Senior Advisor \$250	Senior Planner \$145	Planner \$125	Graphics Support \$95	Clerical Support \$85	Total Hours	Total Cost
<b>1</b>	<b>Existing Conditions</b>								
	Conduct Virtual Kickoff Meeting	2	2	2	2	0	2	10	\$1,740
	Existing Transit Conditions	1	1	8	24	8	0	42	\$5,435
	Current Services Evaluation	2	2	8	24	8	0	44	\$5,950
	Past Recommendations	2	0	4	4	0	0	10	\$1,610
	<i>Subtotal</i>	7	5	22	54	16	2	106	\$14,735
<b>2</b>	<b>Service Alternatives and/or Improvements</b>								
	Service Alternatives Analysis	24	8	8	40	8	0	88	\$15,280
	<i>Subtotal</i>	24	8	8	40	8	0	88	\$15,280
<b>3</b>	<b>Service Plan, Capital Plan, Financial Plan</b>								
	Service Plan	8	4	4	4	8	8	36	\$5,640
	Capital Plan	4	2	5	0	0	0	11	\$2,285
	Financial Plan	12	4	0	8	0	0	24	\$5,180
	<i>Subtotal</i>	24	10	9	12	8	8	71	\$13,105
<b>4</b>	<b>Transit Plan</b>								
	Public Draft Short Range Transit Plan	16	4	24	0	8	8	60	\$10,160
	Final Short Range Transit Plan	12	1	8	0	4	4	29	\$5,310
	<i>Subtotal</i>	28	5	32	0	12	12	89	\$15,470
<b>Total Hours</b>		<b>83</b>	<b>28</b>	<b>71</b>	<b>106</b>	<b>44</b>	<b>22</b>	<b>354</b>	
<b>Total Personnel Cost</b>		<b>\$21,995</b>	<b>\$7,000</b>	<b>\$10,295</b>	<b>\$13,250</b>	<b>\$4,180</b>	<b>\$1,870</b>	<b>\$58,590</b>	
		<b>LSC Additional Expenses</b>							
		Travel (Mileage)							\$0
		Travel Lodging and Meals							\$0
		Printing/Copying							\$100
		Phone/Postage/Delivery							\$100
		Subtotal: Other Expenses							\$200
		<b>Total Study Costs</b>						<b>\$58,790</b>	




**Table 3: Morro Bay Short Range Transit Plan Schedule**

Task	Description	2025									
		Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov
<b>TASK 1</b>	Existing Conditions	█	█	█							
<b>TASK 2</b>	Service Alternatives and/or Improvements			█	█	█	█				
<b>TASK 3</b>	Service Plan, Capital Plan, Financial Plan						█	█	█		
<b>TASK 4</b>	Transit Plan								█	█	█
	Meetings	KO				VM				VM	
	Deliverables			TM1		TM2		TM3		DR	FR


 Meetings/Outreach = **KO** = Kick Off; **VM** = Virtual Meetings;  
 Deliverables = **TM** (Technical Memorandum); **AD** = Admin Draft; **DR** = Draft Report; **FR** = Final Report

**Table 4: Atascadero Short-Range Transit Plan Schedule**

Task	Description	2025									
		Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov
<b>TASK 1</b>	Existing Conditions	■	■								
<b>TASK 2</b>	Service Alternatives and/or Improvements			■	■						
<b>TASK 3</b>	Service Plan, Capital Plan, Financial Plan					■	■	■			
<b>TASK 4</b>	Transit Plan							■	■	■	
	Meetings	KO				VM			VM		
	Deliverables		TM1		TM2			TM3	DR	FR	


 Meetings/Outreach = **KO** = Kick Off; **VM** = Virtual Meetings;  
 Deliverables = **TM** (Technical Memorandum); **AD** = Admin Draft; **DR** = Draft Report; **FR** = Final Report

**AGREEMENT FOR  
CONSOLIDATION OF MORRO BAY TRANSIT SERVICES INTO SAN LUIS OBISPO  
REGIONAL TRANSIT AUTHORITY**

**THIS AGREEMENT** is entered into this \_\_\_\_\_ day of \_\_\_\_\_, by and between the CITY OF MORRO BAY, (hereinafter referred to as "CITY"), the San Luis Obispo Council of Governments, (hereinafter referred to as "SLOCOG"), and the SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY, (hereinafter referred to as "RTA").

**WITNESSETH:**

**WHEREAS**, CITY has been responsible for local transit and other local transportation services within and immediately adjacent to the incorporated areas of the City not considered part of the regional transportation system; and

**WHEREAS**, CITY is the direct recipient of Transportation Development Act (TDA) funds, which is comprised of Local Transportation Funds (LTF) and State Transit Assistance (STA) funds; and

**WHEREAS**, CITY is projected to receive a total of \$618,244 in LTF funds in fiscal year 2024-25; and

**WHEREAS**, CITY is projected to receive a total of \$60,988 in STA funds in fiscal year 2024-25; and

**WHEREAS**, in fiscal year 2024-25, CITY budgeted \$346,089 of its LTF allocation for local public transit services and \$237,363 of its LTF allocation for regional RTA transit services. The remaining TDA funds are available to meet local bicycle, pedestrian and streets/roads needs; and

**WHEREAS**, CITY desires consolidation of its local public transit services into RTA to take advantage of efficiencies and cost-savings that result from such consolidation; and

**WHEREAS**, SLOCOG is responsible for planning and administering all TDA and Rural Transit Funds in San Luis Obispo County; and

**WHEREAS**, RTA is responsible for regional transit and other regional transportation services, and is deemed trained, experienced, expert and competent to perform such services on behalf of CITY; and

**WHEREAS**, RTA is presently providing similar coordinated/consolidated services to South County Transit, to the City of Paso Robles, and to the County of San Luis Obispo; and

**WHEREAS**, said agreements have been beneficial to RTA, South County Transit, the City of Paso Robles, and the County of San Luis Obispo; and

**WHEREAS**, CITY desires to cease direct management of local public transit services in CITY limits.

**NOW THEREFORE**, the parties do mutually agree as follows:

1. Transfer of All Future Transit Obligations. CITY hereby transfers all obligations to provide local public transit services to RTA. RTA will operate all local public transit services in CITY as specified in Section 2 based on recommendations in the July 2019 Morro Bay Transit Short Range Transit Plan 2019-2023 and subsequent service level changes that resulted from the COVID-19 pandemic.
2. Scope of Services. Pursuant to this Agreement, RTA shall provide to CITY the services identified in Attachment "A" attached hereto as if entirely set forth herein.
3. Compensation. CITY shall permit RTA to directly submit an annual TDA claim to SLOCOG for local public transit services, a sum not to exceed RTA's actual cost of operating said services. Said compensation will be developed in the following manner: RTA shall annually submit to the City Public Works Director by March 1 a detailed proposal to provide the services identified in Attachment "A" and an associated amount of compensation for providing those services for the subsequent fiscal year. The City Public Works Director shall annually provide written consent to the proposal, including the service level and amount of compensation by April 1 unless the proposal is determined to be unreasonable. Any annual proposal the Public Works Director determines to be unreasonable will be placed on a City Council agenda and an RTA Board of Directors agenda so that it may be considered and mutually agreed upon by these respective boards prior to May 1. CITY shall provide written direction to SLOCOG that the agreed upon amount of compensation should be allocated to the RTA directly from the share of TDA monies allocated to the CITY through the SLOCOG allocation process. RTA will be responsible for submitting a claim for these monies to SLOCOG during the subsequent fiscal year for deposit directly into RTA's account. RTA shall account for CITY monies separately from all other monies received.
4. Transfer of Funds. Any fully-funded but not yet completed CITY transit projects that remain as of June 1, 2025 will be completed by CITY using transit funds. RTA will provide technical assistance as appropriate. CITY shall transfer all non-committed monies remaining in its transit fund to RTA by the effective date of this Agreement. SLOCOG shall transfer all Rural Transit Funds previously allocated to CITY to RTA upon ratification of this agreement by the SLOCOG Board of Directors. RTA will use these monies to fund CITY transportation services and will account for these monies separately. This is a one-time transfer.

5. Transfer of Vehicles and Equipment. CITY shall transfer ownership of and responsibility for all vehicles and transit vehicle-specific equipment by the effective date of this Agreement to RTA. A list of these vehicles and equipment is included in Attachment "B". Both CITY and RTA agree that the fair market value of the vehicles and equipment is \$464,357 amount (the "Vehicle Transfer Value").
6. Term of Agreement. This Agreement shall commence effective June 1, 2025 and shall continue, until and unless terminated earlier as provided herein. RTA will furnish sufficient personnel to complete all phases of the tasks.
7. Termination of Agreement for Convenience of Either Party. Either party may terminate this Agreement at any time by giving to the other party One Hundred Eighty (180) days written notice of such termination. Termination shall have no effect upon the rights and obligations of the parties arising out of the transaction occurring prior to the effective date of such termination. RTA shall use budgeted funds to pay for all work satisfactorily completed prior to the effective date of such termination.

In the event that this Agreement is terminated for convenience pursuant to this Section 7, RTA and CITY shall jointly cause to have the vehicles and equipment that were transferred to RTA pursuant to Section 5 above appraised (the "Updated Appraisal"). In the event any vehicles or equipment have been replaced or used, then any replacement vehicle or equipment shall be substituted for the equipment identified in Attachment "B" for such appraisal. If any of the vehicles in Attachment B have been "surplused" and RTA does not replace that vehicle with a new vehicle, then no vehicle will be included in the updated appraisal. Once the Updated Appraisal is complete, the Updated Appraisal shall be compared with the Vehicle Transfer Value to determine whether an equalizing payment is needed by either RTA to CITY or from CITY to RTA. By way of example, if the Vehicle Transfer Value is \$150,000 and the Updated Appraisal equals \$100,000, then a payment of \$50,000 shall be made from RTA to CITY. RTA and CITY may agree on other arrangements in lieu of an equalizing payment.

8. Termination of Agreement for Cause. If, through any cause within its control, either party fails to fulfill in a timely and professional manner its obligations under this Agreement, or if either party violates any of the terms or provisions of this Agreement, either party shall have the right to terminate this Agreement effective immediately upon giving written notice thereof to the party provided that the terminating party provides the breaching party notice of breach and a reasonable opportunity to cure the breach. Termination shall have no effect upon the rights and obligations of the parties arising out of any transaction occurring prior to the effective date of such termination. RTA shall use budgeted funds to satisfactorily complete all work commenced prior to the effective date of such termination.

9. Modification. This Agreement, together with Attachment "A," (Scope of Work) and Attachment "B" (Vehicles and Equipment) constitutes the entire understanding of the parties hereto and no changes, amendments, or alterations shall be effective unless in writing and signed by both parties.
10. Non-Assignment of Agreement. Inasmuch as this Agreement is intended to transfer all local public transit services to RTA, RTA shall not assign, transfer, delegate, or sublet this Agreement or any interest herein without the prior written consent of the CITY Public Works Director, and any such assignment, transfer, delegation, or sublet without CITY's prior written consent shall be considered null and void.
11. Covenant. The validity, enforceability and interpretation of any of the clauses of this Agreement shall be determined and governed by the laws of the State of California.
12. Enforceability. The invalidity and unenforceability of any terms or provisions hereof shall in no way affect the validity or enforceability of any other terms or provisions.
13. Employment Status. RTA shall, during the entire term of the Agreement, be construed to be an independent agency, and shall in no event be construed to be an employee of CITY. RTA understands and agrees that its employees are not, and will not, be eligible for membership in or any benefits from any CITY group plan for hospital, surgical or medical insurance, or for membership in any CITY retirement program, or for paid vacation, paid sick leave, or other leave, with or without pay, or for any other benefit which accrues to a CITY employee.
14. Warranty of RTA. RTA warrants that it is properly certified and licensed under the laws and regulations of the State of California to provide the services herein agreed to.
15. Conflicts of Interest. No officer, employee, director or agent of CITY shall participate in any decision relating to this Agreement which affects his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested; nor shall any such person have any interest, direct or indirect, in this Agreement or the provisions thereof.
16. Indemnification. RTA shall defend, indemnify and hold harmless CITY, its officers and employees from all claims, demands, damages, costs, expenses, judgments, attorney fees, or other losses that may be asserted by any person or entity, including RTA, either alleged or that arise out of, or are related to any act or omission of RTA relating to and in the performance under this Agreement. The obligation to indemnify shall be effective and shall extend to all such claims or losses in their entirety. However, this indemnity will not extend to any claims or losses arising out of the sole negligence or willful misconduct of the CITY, its officers and employees.

17. Insurance Requirements. RTA, at its sole cost, shall purchase and maintain the insurance policies set forth below on all of its operations under this Agreement. All of the insurance companies providing insurance for RTA shall have, and provide evidence of, an A.M. Best & Co. rating of A:VII or above, unless exception is granted by CITY's Public Works Director. Further, all policies shall be maintained for the full term of this Agreement and related warranty period if applicable.

A. Scope and Limits of Required Insurance Policies

1) Commercial General Liability

Policy shall include coverage at least as broad as set forth in Insurance Services Office Commercial General Liability Coverage (CG 00 01) with policy limits of not less than \$5 (five) million dollars combined single limit per occurrence, \$5 (five) million general aggregate, and \$5 (five) million products and completed operations aggregate. Policy shall be endorsed with the following specific language or contain equivalent language in the policy:

- a) The CITY, its officers, employees, agents and volunteers, are named as an additional insured for all liability arising out of the operations by or on behalf of the named insured in the performance of this Agreement.
- b) The insurance provided herein shall be considered and endorsed as primary coverage to the CITY with respect to any insurance or self-insured retention maintained by the CITY. Further, the CITY's insurance shall be considered excess insurance only and shall not be called upon to contribute to this insurance.
- c) The policy shall allow and be endorsed to include waiver of subrogation in favor of the CITY, its officers, officials, employees and agents.
- d) The policy shall not be cancelled or materially changed without first giving thirty days prior written notice to the CITY Public Works Director. If a carrier will not provide the required notice of cancellation, the RTA shall provide written notice to the CITY of a cancellation no later than ten (10) business days before cancellation.

2) Business Automobile Policy

Policy shall include coverage at least as broad as set forth in the liability section of Insurance Services Office Business Auto Coverage (CA 00 01) with policy limits of no less than \$5 (five) million dollars combined single limit for each occurrence. Said insurance shall include coverage for owned, non-owned, and hired vehicles. Policy shall be endorsed with the following specific language or contain equivalent language in the policy:

- a) The CITY, its officers, employees, agents and volunteers, are named as an additional insured for all liability arising out of the operations by or on behalf of the named insured in the performance of this Agreement
- b) The policy shall not be cancelled or materially changed without first giving thirty days prior written notice to the CITY Public Works Director. If a carrier will not provide the required notice of cancellation, the RTA shall provide written notice to the City of a cancellation no later than ten (10) business days before cancellation.
- c) The policy shall allow and be endorsed to include a waiver of subrogation in favor of the City, its officers, officials, employees, and agents.

3) Worker's Compensation / Employer's Liability Insurance

- a) Worker's Compensation: policy shall provide statutory limits as required by State of California. Policy shall allow and be endorsed with the following specific language:
  - i. RTA and its insurer shall waive all rights of subrogation against the CITY, its officers, employees, volunteers and agents for workers' compensation losses arising out of this Agreement.
  - ii. The policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the CITY Public Works Director. If a carrier will not provide the required notice of cancellation, the RTA shall provide written notice to the City of a cancellation no later than ten (10) business days before cancellation.



- b) Employer's Liability: policy shall provide \$1 million dollars per accident for bodily injury or disease.

B. Deductibles and Self-Insurance Retentions

All deductibles and/or self-insured retentions which apply to the insurance policies required herein will be declared in writing and approved by CITY prior to commencement of this Agreement.

C. Documentation

Prior to commencement of work and annually thereafter, upon renewal or change, for the term of this Agreement, RTA will provide the CITY Public Works Director properly executed certificates of insurance clearly evidencing the coverage, limits, and endorsements specified in this Agreement. Further, at the CITY's request, the RTA shall provide certified copies of the insurance policies within thirty days of request.

D. Absence of Insurance Coverage

CITY may direct RTA to immediately cease all activities with respect to this Agreement if it determines that RTA fails to carry, in full force and effect, all insurance policies with coverage levels at or above the limits specified in this Agreement. Any delays or expense caused due to stopping of work and change of insurance shall be considered RTA's delay and expense.

18. Notices. Any notice required to be given pursuant to the terms and provisions hereof shall be in writing, and shall be sent by certified or registered mail to:

CITY:

City of Morro Bay  
Public Works Department  
595 Harbor Street  
Morro Bay, CA 93442

RTA:

SLO Regional Transit Authority  
253 Elks Lane  
San Luis Obispo, California 93401

19. Progress Reports. RTA shall submit brief progress reports the CITY, progress reports accompanied by invoices shall describe the work performed, plus any problems anticipated in performing said work in future. Said reports shall be optional upon written approval by the CITY Public Works Director.

- 20. Copyright. Any reports, maps, documents or other materials produced in whole or part under this Agreement shall be the property of CITY, and shall not be subject to any application for copyright by or on behalf of the RTA.
- 21. Findings Confidential. No reports, maps, information, documents, or any other materials given to or prepared by RTA under this Agreement which CITY requests, in writing, to be kept confidential, shall be made available to any individual or organizations by RTA without the prior written approval of CITY Public Works Director. However, RTA shall be free to disclose such data as is publicly available, already in its possession, or independently developed.

**IN WITNESS WHEREOF, this AGREEMENT has been executed by the parties hereto, upon the date first above written.**

CITY	RTA and SLOCOG
ATTEST:	ATTEST:
_____ City Clerk of The City of Morro Bay [SEAL]	_____ Executive Director RTA
	_____ Executive Director SLOCOG
APPROVED AS TO FORM AND LEGAL EFFECT: ROBERT W. SCHULTZ City of Morro Bay Counsel	APPROVED AS TO FORM AND LEGAL EFFECT: RITA NEAL County Counsel
By: _____ Interim City Attorney	By: _____ Assistant County Counsel
Date: _____	Date: _____
CITY	RTA & SLOCOG

\_\_\_\_\_  
Mayor  
City of Morro Bay

\_\_\_\_\_  
President  
RTA Board of Directors

Date: \_\_\_\_\_

Date: \_\_\_\_\_

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## **ATTACHMENT "A"** **SCOPE OF WORK**

Transit services administered and operated by RTA and part of this agreement include local public transit services in the incorporated and adjacent areas of the City of Morro Bay and not considered part of the RTA regional transportation system.

The intent of the agreement is for RTA to consolidate local public transit services into RTA. RTA will serve as the direct recipient of all transit-specific Transportation Development Act (TDA) funds apportioned to CITY, and will seek available Federal Transit Administration (FTA) funds to partially fund local public transit services. CITY will retain local control relating to levels of service and fare structure. The following list is not meant to be all inclusive:

### **RTA-PROVIDED TRANSIT VEHICLE, MANAGEMENT, ADMINISTRATIVE, FINANCIAL SERVICES**

1. Operate local public transit services as recommended in the July 2019 Morro Bay Transit Short Range Transit Plan 2019-2023 and subsequent service level changes that resulted from the COVID-19 pandemic outlined in the 2024 Transit and Trolley route flyers in Attachment C.
2. Provide data collection, reconciling and monitoring of local public transit services to appropriate transportation monitoring agencies including, but not limited to the San Luis Obispo Council of Governments (SLOCOG), the FTA, and the State of California.
3. Provide route analysis for effectiveness and efficiency and report to CITY on an as-needed basis, including making recommendations regarding potential changes in service levels or fare structure for CITY consideration of approving for implementation.
4. Monitor system-wide on-time performance
5. Assist SLOCOG in the development and implementation of future Short Range Transit Plans.
6. Attend meetings with CITY as needed to address local public transit issues as they arise.
7. Prepare annual budget for local public transit services.
8. Prepare and administer annual TDA claim, for local public transit services.
9. Prepare and submit annual State Controller's Report.

10. Coordinate and conduct all audits/reviews, including the annual TDA fiscal and compliance audit, the FTA Triennial Review, and the TDA Triennial Audit.
11. Develop and submit grant applications to fund local public transit services, including the purchase of vehicles and equipment that will be owned by RTA and used to provide local public transit services in the CITY.
12. Develop and implement marketing plans to promote local public transit services.
13. All financial and budgetary reports outlined herein shall provide sufficient detail so as to report CITY transportation services separately from all other RTA regional transportation services.
14. Provide bus stop maintenance for local and regional transit bus stops in CITY.
15. Provide a trolley with driver for up to 7 CITY events each fiscal year. The CITY would submit a request to RTA with sufficient notice before the event and include details about day, time, location, and/or routing.

The CITY is agreeing to provide to RTA the following services for the CITY's actual cost of providing these services plus administrative overhead. The following list is not meant to be all inclusive:

#### CITY-PROVIDED ASSETS AND SERVICES

1. CITY shall provide use of the existing passenger transfer area located on Harbor Street adjacent to Morro Bay Park. CITY shall be responsible for emptying trash cans and maintaining the decorative lighting located at the passenger transfer area. RTA shall be responsible for maintenance of the transit shelter.

**ATTACHMENT “B”  
VEHICLES AND EQUIPMENT**

The following list of CITY-owned vehicles and equipment will be transferred on an as-is, where-is basis on the effective date of this Agreement.

**Vehicles**

City ID	Type of Service	Seating Capacity <sup>1</sup>	Year	Make	Model	Asset Value	Vehicle License #	VIN
B3	Deviated Fixed Route	14	2024	Ford E-450	Starcraft Allstar	\$ 95,222	1697140	1FDFE4FN8SDD04898
T6	Trolley Fixed Route	22	2019	Ford F-53	Hometown Villager	\$ 108,957	1277949	1F66F5DYXK0A04214
T1	Trolley Fixed Route	30	2024	Ford F-53	Hometown	\$ 239,938	1577203	1F66F5DN8N0A03332

<sup>1</sup>Total ambulatory capacity; each vehicle has 2 wheelchair spaces

Non-Vehicle Equipment	Date Acquired	Asset Value	Life Yrs.
City Park Transit Shelter*	5/1/2023	\$ 20,239	20

\*Does not include decorative light poles near shelter

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**ATTACHMENT “C”  
2024 TRANSIT AND TROLLEY  
ROUTING AND SERVICE DAYS/TIMES**

The CITY’s most current Short Range Transit Plan was adopted by its City Council on February 25, 2020 a few weeks before the COVID-19 pandemic emergency response began in March 2024 resulting in service days and hours of operation for the deviated fixed route and seasonal trolley service changing from that outlined in the adopted Short Range Transit Plan. The route flyers in this Attachment reflect the current service levels for the deviated fixed route and seasonal trolley services.

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# MORRO BAY TRANSIT



\*Bus stop times shown in minutes past the hour.

### Days and Hours

Monday through Friday  
6:10 a.m. - 6:45 p.m.

Last full loop leaves the Community Center on weekdays at 6:20 PM.

### Holidays

Fixed Route and Call-A-Ride service is not available on City observed holidays.

### Fixed Route Stops

1. Main at Bonita
2. Main at Spencer's Market
3. Main at Sequoia
4. Main at Jamaica
5. Main at Tahiti
6. Beachcomber at Mindoro (stairs to campground)
7. Sandalwood at San Jacinto (beach access)
8. Atascadero at 200 Block (Teen Center; High School)
9. Atascadero at Morro Dunes
10. Atascadero at 300 Block (Motel 6)
11. 490 Quintana Road near FitnessWorks
12. 730 Quintana Road at Albertsons
13. City Park at Harbor
14. Piney Way at Anchor
15. Market at Morro Bay Blvd. (Centennial Stairway)
16. Community Center/Senior Center
17. Main at Errol

### Call-A-Ride ~ 1-805-772-2744

Call-A-Ride curb-to-curb service is available to everyone. The fixed route bus will deviate off route up to 3/4 of a mile to pick up/drop off rider, then return on route before the next scheduled stop.

Be ready when the bus arrives by being out at the curb at your scheduled pick up time.

Call between 8-10 AM., Monday through Friday, to schedule a ride for the next day. Monday trips need to be scheduled on the Friday before.

No pets are allowed on bus.

### Fare Information

Fare is on a per ride basis and to be paid at time of ride (cash or pass). No cash on delivery will be accepted.

**PLEASE CARRY EXACT FARE. DRIVERS DO NOT MAKE CHANGE.**

- Fixed Route - \$1.50
- Discount Fixed Route\* - 0.75
- Call-A-Ride - \$2.50

Free Fare: Children under 5 years old with a fare paying adult (limit 2).

### Pass Information

- Day Pass:
  - Fixed Route - \$4
  - Discount Fixed Route\* - \$2

- Punch Pass: 11 rides
  - Fixed Route - \$15.00
  - Discount Fixed Route\* - \$7.50
  - Call-A-Ride - \$25

Morro Bay Transit passes can be purchased from the driver.

The Fixed Route accepts validated Regional 31 Day and Day Passes. An RTA driver can validate your pass.

\*Discount Fare: Seniors (65 & over) and disabled.

[www.morrobayca.gov/mbt](http://www.morrobayca.gov/mbt)  
1-805-772-2744  
Effective 7/1/23



# Morro Bay Trolley



## ROUTES

- North Route - Approximate 15 minute loop**
  1. Main Street at Elena Street (near Spencer's Mkt.)
  2. Morro Strand State Park Campground
  3. Market at Morro Bay Blvd. (transfer point to Downtown route)
  4. Embarcadero at Giant Chessboard
  5. Main Street at Errol Street
- Downtown Route - Approximate 15 minute loop**
  1. Morro Bay State Park Campground
  2. Market at Morro Bay Blvd. (transfer point to North route)
  3. Embarcadero at Giant Chessboard
  4. Morro Bay Blvd. at Main (south side of street)
  5. Morro Bay Blvd. at Napa (south side of street)
  6. Kennedy Way at Shasta Ave.
  7. Morro Bay Blvd. at Napa (north side of street)
  8. Morro Bay Blvd. at Monterey (north side of street)

When boarding, let the driver know if you need to go to City Park (transfer point to Regional Transit Service Routes 12 and 15)

**Last pick up of the day to go back to the campgrounds:**  
**4:30 PM at Route stop #2 (Market at Morro Bay Blvd.)**  
 Trolleys will not return to this stop after the last pick up.

**DAYS AND HOURS**  
**June 1, 2024 - October 6, 2024**

**Saturday and Sunday**  
**10 AM - 5 PM**

**FARE - \$1.00**  
 Children under 5 ride free  
 (limit 2 per fare paying rider)

**Please have exact fare, drivers do not carry change.**  
**No pets allowed on trolleys.**

For more information  
 call 1-805-772-2744 or visit  
[www.morrobayca.gov/trolley](http://www.morrobayca.gov/trolley)

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**SAN LUIS OBISPO REGIONAL TRANSIT AUTHORITY**  
**JANUARY 8, 2025**  
**STAFF REPORT**

**AGENDA ITEM:** C-2

**TOPIC:** Procurement of Four Battery-Electric Buses

**PRESENTED BY:** Geoff Straw, Executive Director

**STAFF RECOMMENDATION:**

- 1) **Authorize Executive Director to enter into a Cooperative Purchasing Agreement with the State of Washington through the Master Contract No. 06719 and Issue a Purchase Order to GILLIG, LLC Not to Exceed \$6,747,450 to Procure Four (4) 40-foot Battery-Electric Buses (BEB), BEB chargers and related infrastructure and workforce development.**
- 2) **Direct the Executive Director to Seek Alternative Non-Local Grant Funds/Credits.**
- 3) **Declare Vehicle Surplus, and Authorize the Executive Director to Transfer or Dispose of Vehicle Remains.**

**BACKGROUND/DISCUSSION:**

The RTA was awarded Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula funds and Section 5339(b) Bus and Bus Facilities discretionary grant funds to purchase four Battery Electric Buses (BEBs) to replace existing diesel buses that have surpassed their economically useful lives. These four BEBs will provide intercity transit services throughout San Luis Obispo County and will replace four 2013 GILLIG low-floor diesel-powered heavy-duty buses (fleet numbers 1305, 1308, 1309 and 1310). It is estimated that it will take 24 months from the time the purchase order is issued until the replacement vehicles are delivered to us.

Based on budget numbers provided by GILLIG, the BEBs, chargers and workforce development efforts will cost on the order of \$6,747,450. The RTA has secured the following funds for this project so far:

1. FTA Section 5307 funds – \$2,280,400,
2. FTA Section 5339(b) funds – \$2,615,206, and
3. State of Good Repair (SGR) – \$514,406.

This leaves a projected funding shortfall of \$1,337,438. Over the next several weeks, staff will actively seek:

1. Up to \$491,000 in FY26 SGR funds,

2. Up to \$299,000 in FY26 Rural Transit Funds (RTF), and
3. Up to \$552,000 in Hybrid and Zero-Emission Truck and Bus Voucher Incentive Program (HVIP) credits necessary to support this purchase.

Other non-local funds that we will pursue include SLOCOG TIRCP/ZETCP funds, SLO County Air Pollution Control District Clean Air Grant funds, Low Carbon Transit Operations Program (LCTOP) grant funds, and PG&E / Central Coast Community Energy recharging infrastructure grant funds. Staff is also continuing to negotiate with the California Energy Commission to partially fund the wireless charging equipment that will allow us to “top-up” the batteries during layovers; \$1.7M has been preliminarily identified for our project.

The procurement of these BEBs is in alignment with the RTA Board-adopted *Zero Emission Vehicle Purchasing Policy*, which was developed to guide the implementation of new technologies necessary to meet California’s *Innovative Clean Transit (ICT)* fleet rule requirements. The ICT regulation requires new buses purchased by the RTA to be zero-emission beginning in 2026 (and an all zero-emission fleet by 2040). These four BEBs will meet help us meet this requirement.

Staff is recommending the Board authorize the Executive Director to enter into a Cooperative Purchasing Agreement with the State of Washington through the Master Contract No. 06719 for the procurement of four GILLIG Battery Electric Buses. The above-referenced Master Contract was competitively bid, evaluated, and awarded pursuant to the State of Washington’s procurement laws for goods/services and meets FTA requirements for a State Cooperative Purchasing Contract under the FAST Act Section 3019 (pub.L.114-94). Staff recommends issuing a purchase order with GILLIG to lock-in pricing prior the scheduled Master Contract price increase anticipated in April 2025.

The replacement BEBs will include inductive charging options, digital on-board surveillance systems, GPS-based passenger information systems, multiplex wiring systems, electronic fareboxes, LED front/side/rear destination signs, and bike racks, and possibly mirrorless system technology,

### **Declaration of Surplus**

Staff has determined that the RTA currently would have no practical, efficient or appropriate use for the vehicles presented in the table below, nor will it have such a use for it in the near future. The FTA useful life for heavy-duty buses is 500,000 miles or 12 years. The vehicles listed below will have met or exceeded the FTA useful life requirements in both years and mileage at time of replacement, are starting to experience mechanical failures and higher-cost repairs making it not economically prudent to keep them as a part of the active fleet. The mileage presented below is current as of December 1, 2024; the mileage will continue to increase as the buses are still operating in revenue service.

ID	Mileage	Mfr.	Model	Year	Fuel	VIN	License
1305	540,887	GILLIG	Low Floor 40-ft	2013	Diesel	15GGD2711D1182295	1328745
1308	512,107	GILLIG	Low Floor 35-ft	2013	Diesel	15GGB271XD1182298	1328743
1309	502,729	GILLIG	Low Floor 35-ft	2013	Diesel	15GGB2711D1182299	1328744
1310	504,280	GILLIG	Low Floor 35-ft	2013	Diesel	15GGB2714D1182300	1328746

The RTA Purchasing Policy requires staff to determine if surplus vehicles or equipment have a per-unit fair market value greater than \$5,000. Should a vehicle or equipment have a value greater than \$5,000 at time of disposal and was originally purchased using FTA funds, staff is required to return any remaining federal interest back to the FTA. Staff does not anticipate the value of these vehicles to exceed the \$5,000 threshold at time of disposal. Staff recommends that these vehicles be disposed of through an existing contract with Ken Porter Auctions or be transferred to another transportation agency or educational institution should there be a need.

### **Staff Recommendation**

- 1) Authorize Executive Director to enter into a Cooperative Purchasing Agreement with the State of Washington through the Master Contract No. 06719 and Issue a Purchase Order to GILLIG, LLC Not to Exceed \$6,747,450 to Procure Four 40-foot Battery-Electric Buses (BEB), BEB chargers and related infrastructure and workforce development.
- 2) Direct the Executive Director to Seek Alternative Non-Local Grant Funds/Credits.
- 3) Declare Vehicle Surplus Authorizing the Executive Director to Transfer or Dispose of Vehicle Remains.

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