



Board of Directors Agenda

Friday, April 25, 2025

9 a.m. to 12:30 p.m.

Welcome to SANDAG. The Board of Directors meeting scheduled for Friday, April 25, 2025, will be held in person in the SANDAG Board Room. While Board of Directors members will attend in person, members of the public will have the option of participating either in person or virtually.

For public participation via Zoom webinar, click the link to join the meeting: <https://us02web.zoom.us/j/82540353457>

Webinar ID: 825 4035 3457

To participate via phone, dial a number based on your current location in the US:

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Public Comments: Members of the public may speak to the Board of Directors on any item at the time the Board of Directors is considering the item. Public speakers are generally limited to three minutes or less per person.

Persons who wish to address the members on an item to be considered at this meeting, or on non-agendized issues, may email comments to the Clerk at clerkoftheboard@sandag.org (please reference Board of Directors meeting in your subject line and identify the item number(s) to which your comments pertain). Comments received by 4 p.m. the business day before the meeting will be provided to members prior to the meeting. All comments received prior to the close of the meeting will be made part of the meeting record.

If you desire to provide in-person verbal comment during the meeting, please fill out a speaker slip, which can be found in the lobby. If you have joined the Zoom meeting by computer or phone, please use the "Raise Hand" function to request to provide public comment. On a computer, the "Raise Hand" feature is on the Zoom toolbar. By phone, enter *9 to "Raise Hand" and *6 to unmute. Requests to provide live public comment must be made at the beginning of the relevant item, and no later than the end of any staff presentation on the item. The Clerk will call on members of the public who have timely requested to provide comment by name for those in person and joining via a computer, and by the last three digits of the phone number of those joining via telephone. Should you wish to display media in conjunction with your comments, please inform the Clerk when called upon. The Clerk will be prepared to have you promoted to a position where you will be able to share your media yourself during your allotted comment time. In-person media sharing must be conducted by joining the Zoom meeting on the personal device where the content resides. Please note that any available chat feature on the Zoom meeting platform should be used by panelists and attendees solely for procedural or other "housekeeping" matters as comments provided via the chat feature will not be retained as part of the meeting record. All comments to be provided for the record must be made in writing via email or speaker slip, or verbally per the instructions above.

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Los materiales de la agenda de SANDAG están disponibles en otros idiomas. Para hacer una solicitud, llame al (619) 699-1900 al menos 72 horas antes de la reunión.

Message from the Clerk: In compliance with Government Code §54952.3, the Clerk hereby announces that the compensation for legislative body members attending the following simultaneous or serial meetings is: Executive Committee (EC) \$100, Borders Committee (BC) \$100, Board of Directors (BOD) \$150, and Regional Transportation Commission (RTC) \$100. Compensation rates for the EC, BC, and BOD are set pursuant to the SANDAG Bylaws, and the compensation rate for the RTC is set pursuant to state law.

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SANDAG operates its programs without regard to race, color, and national origin in compliance with Title VI of the Civil Rights Act. SANDAG has developed procedures for investigating and tracking Title VI complaints, and the procedures for filing a complaint are available to the public upon request. Questions concerning SANDAG nondiscrimination obligations or complaint procedures should be directed to the SANDAG Director of Diversity and Equity at (619) 699-1900. Any person who believes they or any specific class of persons to be subjected to discrimination prohibited by Title VI also may file a written complaint with the Federal Transit Administration.

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Vision Statement: *Pursuing a brighter future for all*

Mission Statement: *We are the regional agency that connects people, places, and innovative ideas by implementing solutions with our unique and diverse communities.*

Our Commitment to Equity: *We hold ourselves accountable to the communities we serve. We acknowledge we have much to learn and much to change; and we firmly uphold equity and inclusion for every person in the San Diego region. This includes historically underserved, systemically marginalized groups impacted by actions and inactions at all levels of our government and society.*

We have an obligation to eliminate disparities and ensure that safe, healthy, accessible, and inclusive opportunities are available to everyone. The SANDAG equity action plan will inform how we plan, prioritize, fund, and build projects and programs; frame how we work with our communities; define how we recruit and develop our employees; guide our efforts to conduct unbiased research and interpret data; and set expectations for companies and stakeholders that work with us.

We are committed to creating a San Diego region where every person who visits, works, and lives can thrive.



SANDAG Board of Directors

The Board of Directors serves as the governing body of SANDAG and is made up of elected mayors, councilmembers, and county supervisors that are appointed from each of the region's 19 local governments. The Board of Directors serves as the forum for bringing together our local governments and public agencies to plan, program, and implement cooperative comprehensive planning across the San Diego region.

Chair	Vice Chair	Second Vice Chair	Chief Executive Officer
Hon. Lesa Heebner	Hon. Joe LaCava	Hon. John Minto	Mario Orso
City of Carlsbad Hon. Kevin Shin, Councilmember (A) Hon. Priya Bhat-Patel, Mayor Pro Tem (A) Hon. Keith Blackburn, Mayor		City of Santee Hon. John Minto, Mayor (A) Hon. Laura Koval, Councilmember (A) Hon. Ronn Hall, Councilmember	
City of Chula Vista Hon. Carolina Chavez, Deputy Mayor (A) Hon. Cesar Fernandez, Councilmember (A) Hon. Michael Inzunza, Councilmember		City of Solana Beach Hon. Lesa Heebner, Mayor (A) Hon. David A. Zito, Councilmember (A) Hon. Jewel Edson, Councilmember	
City of Coronado Hon. John Duncan, Mayor (A) Hon. Carrie Downey, Councilmember (A) Hon. Mark Fleming, Councilmember (A) Hon. Amy Steward, Councilmember		City of Vista Hon. Katie Melendez, Deputy Mayor (A) Hon. Dan O'Donnell, Councilmember (A) Hon. John Franklin, Mayor	
City of Del Mar Hon. Terry Gaasterland, Mayor (A) Hon. Tracy Martinez, Deputy Mayor (A) Hon. John Spelich, Councilmember		County of San Diego Vacant Hon. Joel Anderson, Supervisor (A) Hon. Terra Lawson-Remer Supervisor (A) Hon. Monica Montgomery Steppe, Supervisor	
City of El Cajon Hon. Bill Wells, Mayor (A) Hon. Steve Goble, Councilmember		Advisory Members	
City of Encinitas Hon. Bruce Ehlers, Mayor (A) Hon. Marco San Antonio, Councilmember (A) Hon. Joy Lyndes, Deputy Mayor		Imperial County Jesus Eduardo Escobar, Supervisor Imperial County (A) Vacant	
City of Escondido Hon. Dane White, Mayor (A) Hon. Judy Fitzgerald, Councilmember (A) Hon. Joe Garcia, Councilmember		California Department of Transportation Ann Fox, Executive District 11 Director (A) Everett Townsend, Deputy District Director (A) Roy Abboud, Supervising Transportation Planner	
City of Imperial Beach Hon. Jack Fisher, Councilmember (A) Hon. Mitch McKay, Councilmember (A) Hon. Matthew Leyba-Gonzalez, Councilmember		Metropolitan Transit System Hon. Matthew Leyba-Gonzalez (A) Hon. Patricia Dillard (A) Hon. Ronn Hall	
City of La Mesa Hon. Mark Arapostathis, Mayor (A) Hon. Lauren Cazares, Councilmember (A) Hon. Laura Lothian, Councilmember		North County Transit District Hon. Jewel Edson (A) Hon. Priya Bhat-Patel (A) Hon. Mike Sannella	
City of Lemon Grove Hon. Alysson Snow, Mayor (A) Hon. Jennifer Mendoza, Mayor Pro Tem (A) Hon. Jessyka Heredia, Councilmember		U.S. Department of Defense Dennis Keck, Navy Region Southwest Executive Director (A) Anna Shepherd, Navy Region Southwest (A) Muska Laiq, Navy Region Southwest	
City of National City Hon. Luz Molina, Councilmember (A) Hon. Ron Morrison, Mayor (A) Hon. Ditas Yamane, Councilmember		Port of San Diego Dan Malcolm, Commissioner (A) Job Nelson	
City of Oceanside Hon. Esther Sanchez, Mayor (A) Hon. Eric Joyce, Deputy Mayor (A) Hon. Jimmy Figueroa, Councilmember		San Diego County Water Authority Hon. Joy Lyndes (A) Joel Scalzitti (A) Valentine Macedo, Jr.	
City of Poway Hon. Steve Vaus, Mayor (A) Hon. Peter De Hoff, Councilmember (A) Hon. Christopher Pikus, Councilmember		San Diego County Regional Airport Authority Gil Cabrera, Chair (A) James Sly, Board member	
City of San Diego Hon. Joe LaCava, Council President (A) Hon. Vivian Moreno, Councilmember (A) Hon. Sean Elo-Rivera, Councilmember Hon. Todd Gloria, Mayor (A) Hon. Kent Lee, Councilmember (A) Hon. Marni Von Wilpert, Councilmember		Southern California Tribal Chairmen's Association Hon. Raymond Welch, Chairman, Barona Band of Mission Indians Hon. Cody Martinez, Chairman, Sycuan Band of the Kumeyaay Nation	
City of San Marcos Hon. Rebecca Jones, Mayor (A) Hon. Ed Musgrove, Councilmember (A) Hon. Mike Sannella, Councilmember		Mexico Hon. Alicia Kerber-Palma Cónsul General of Mexico (A) Hon. Gilberto Luna Deputy Cónsul General of Mexico Association of Planning Groups Hon. Robin Joy Maxson (A) Hon. Eileen Delaney	

Board of Directors

Friday, April 25, 2025

Comments and Communications

1. Non-Agenda Public Comments/Member Comments

Members of the public shall have the opportunity to address the Board of Directors on any issue within the jurisdiction of SANDAG that is not on this agenda. Public speakers are limited to three minutes or less per person. Public comments under this agenda item will be limited to eight public speakers. If the number of public comments under this agenda item exceeds eight, additional public comments will be taken at the end of the agenda. Board members and SANDAG staff also may present brief updates and announcements under this agenda item.

Consent

+2. Approval of Meeting Minutes

Approve

Francesca Webb, SANDAG

The Board of Directors is asked to approve the minutes from its April 11, 2025, meeting.

[Meeting Minutes](#)

+3. Chief Executive Officer Delegated Actions*

Information

Jennie Sharp, SANDAG

In accordance with various board policies, this report summarizes delegated actions taken by the Chief Executive Officer.

[Chief Executive Officer Delegated Actions](#)

[Att. 1 - Budget Transfers and Amendments - March 2025](#)

+4. Policy Advisory Committee Actions

Approve

Francesca Webb, SANDAG

The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees as noted in the report.

[Policy Advisory Committee Actions](#)

[Att. 1 - Executive Committee Report: Legislative Status Report](#)

[Att. 2 - Transportation Committee Report: 2025 Regional Transportation Improvement Program: Amendment No. 5](#)

+5. Approval of Proposed Solicitation for Construction Management Services for the San Dieguito Lagoon Double Track and Special Events Platform Project

Approve

Kelly Mikhail, SANDAG

The Board of Directors is asked to authorize the Chief Executive Officer to conduct a solicitation for Construction Management Services for the San Dieguito Lagoon Double Track Project as detailed in this report.

[Approval of Proposed Solicitation for Construction Management Services for the San Dieguito Lagoon Double Track and Special Events Platform Project](#)

+6. FY 2024 TransNet Extension Ordinance Funding Eligibility Request*

Approve

Dawn Vettese, Marcus Pascual, SANDAG

The Transportation Committee and Independent Taxpayer Oversight Committee recommend that the Board of Directors, acting as the San Diego County Regional Transportation Commission, approve the TransNet funding eligibility requests of the cities of Coronado and Poway, Metropolitan Transit System, and North County Transit District.

[FY 2024 TransNet Extension Ordinance Funding Eligibility Requests](#)

[Att. 1 - Discussion Memo](#)

[Att. 2 - Letter of Request from the City of Coronado](#)

[Att. 3 - Letter of Request from the City of Poway](#)

[Att. 4 - Letter of Request from Metropolitan Transit System](#)

[Att. 5 - Letter of Request from North County Transit District](#)

+7. FY 2026 Transit Capital Improvement Program*

Approve

Wylenea McCambridge, Richard Radcliff, SANDAG

The Transportation Committee recommends that the Board of Directors:

1. Approve the submittal of Federal Transit Administration grant applications for the San Diego region; and
2. Adopt Regional Transportation Commission Resolution No. RTC-2025-04, in substantially the same form, approving Amendment No. 04 to the 2025 Regional Transportation Improvement Program.

[FY 2026 Transit Capital Improvement Program Report](#)

[Att. 1 - FTA Formula Grant Programs](#)

[Att. 2 - MTS and NCTD Proposed Transit Capital Improvement Program Funding Summaries for FY 2026 to FY 2030](#)

[Att. 3 - MTS and NCTD Proposed FY 2026 Transit Capital Improvement Projects - Fiscally Constrained](#)

[Att. 4 - Table 1 - Summary of Changes Report - Amendment No. 4](#)

[Att. 5 - Table 2 - 2025 Regional Transportation Improvement Program - Amendment No. 4](#)

[Att. 6A - Changes During Public Comment Period](#)

[Att. 6B - Public Comments and Responses](#)

[Att. 7 - Amendment No. 4 Federal Requirements Analysis](#)

[Att. 8 - RTC Resolution No. RTC-2025-04 Approving Amendment No. 4 to the 2025 Regional Transportation Improvement Program](#)

[Att. 9 - Tables 3A-3C - 2025 RTIP Amendment No. 4 Financial Summary](#)

Reports

+8. Proposed Board Policy Changes to Address Previous OIPA and TransNet Findings and Related Recommendations*

Approve

Julie Wiley, SANDAG

The Executive Committee recommends that the Board of Directors approve the proposed amendments to SANDAG board policies to address findings and recommendations from OIPA audits and investigation outcomes from 2024.

[Proposed Board Policy Changes to Address Previous OIPA and TransNet Findings and Related Recommendations](#)

[Att. 1 - Proposed Board Policy No. 011 with Redline Changes](#)

[Att. 2A - Proposed Board Policy No. 016 with Redline Changes](#)

[Att. 2B - Proposed Board Policy No. 023 with Redline Changes](#)

[Att. 2C - Proposed Board Policy No. 024 with Redline Changes](#)

[Att. 3 - Proposed Board Policy No. 017 with Redline Changes Presentation](#)

Adjournment

9. Adjournment

The next Board of Directors meeting is a Board Retreat scheduled for Thursday, May 1, 2025 - Friday, May 2, 2025, to be held at Hilton Garden Inn Carlsbad Beach, 6450 Carlsbad Blvd, Carlsbad, CA 92011 .

+ next to an agenda item indicates an attachment

* next to an agenda item indicates that the Board of Directors also is acting as the San Diego County Regional Transportation Commission for that item

April 11, 2025, Board of Directors Meeting Minutes

[View Meeting Video](#)

Chair Lesa Heebner (Solana Beach) called the meeting of the Board of Directors to order at 10:33 a.m.

1. Non-Agenda Public Comments / Member Comments

Public Comments: Purita Javier, Cesar Javier, Allegedly Audra, Truth, Paul the Bold, Consuelo, Blair Beekman.

Member Comments: Vice Chair Joe LaCava (City of San Diego), Mayor John Duncan (Coronado), Chair Heebner, Chief Executive Officer Mario Orso, Ann Fox (Caltrans District 11).

Consent

2. Approval of Meeting Minutes

The Board of Directors was asked to approve the minutes from its March 28, 2025, meeting.

3. Meetings and Events Attended on Behalf of SANDAG

This report provided an update on meetings and events attended by Board members.

4. Policy Advisory Committee Actions

The Board of Directors was asked to ratify the actions taken by the Policy Advisory Committees as noted in the report.

Public Comments: Allegedly Audra, Truth, Gambler, Paul the Bold, Blair Beekman, Consuelo.

Action: Upon a motion by Mayor Esther Sanchez (Oceanside) and a second by Second Vice Chair John Minto (Santee), the Board voted to approve the Consent Agenda.

The motion passed.

Yes: Chair Heebner, Vice Chair LaCava, Second Vice Chair Minto, Councilmember Kevin Shin (Carlsbad), Deputy Mayor Carolina Chavez (Chula Vista), Mayor Duncan, Mayor Terry Gaasterland (Del Mar), Mayor Bill Wells (El Cajon), Mayor Bruce Ehlers (Encinitas), Councilmember Judy Fitzgerald (Escondido), Councilmember Jack Fisher (Imperial Beach), Councilmember Lauren Cazares (La Mesa), Mayor Alysson Snow (Lemon Grove), Councilmember Luz Molina (National City), Mayor Sanchez, Mayor Rebecca Jones (San Marcos), Deputy Mayor Katie Melendez (Vista), and Supervisor Joel Anderson (County of San Diego).

No: None.

Abstain: None.

Absent: Poway.

Reports

5. Proposed Amendments to Board Policy No. 008 and General Counsel Hiring Options

The Board of Directors was asked to:

1. Approve the changes to Board Policy No. 008; and

2. Direct staff to prepare a recruitment and/or Request for Proposals for the General Counsel role.

Public Comments: Truth, Allegedly Audra, Cesar Javier, Paul the Bold, Consuelo, Gambler, Blair Beekman.

Action: Upon a motion by Vice Chair LaCava and a second by Mayor Sanchez, the Board of Directors voted to extend the meeting to 12:45 p.m.

The motion passed.

Yes: Chair Heebner, Vice Chair LaCava, Second Vice Chair Minto, Councilmember Shin, Deputy Mayor Chavez, Mayor Duncan, Mayor Gaasterland, Mayor Wells, Mayor Ehlers, Councilmember Fitzgerald, Councilmember Fisher, Councilmember Cazares, Mayor Snow, Councilmember Molina, Mayor Sanchez, and Supervisor Anderson.

No: None.

Abstain: None.

Absent: Poway, San Marcos, Vista.

Action: Upon a motion by Vice Chair LaCava and a second by Mayor Gaasterland, the Board of Directors voted to direct staff to initiate a Request for Proposals for contracted counsel reporting to the Board and initiate a recruitment for an In-House General Counsel to report to the Board.

The motion passed.

Yes: Chair Heebner, Vice Chair LaCava, Councilmember Shin, Deputy Mayor Chavez, Mayor Duncan, Mayor Gaasterland, Mayor Wells, Councilmember Fitzgerald, Councilmember Fisher, Councilmember Cazares, and Mayor Sanchez.

No: Second Vice Chair Minto, Mayor Ehlers, Mayor Snow, Councilmember Molina, and Supervisor Anderson.

Abstain: None.

Absent: Poway, San Marcos, Vista.

6. Adjournment

The next Board of Directors meeting is scheduled for Friday, April 25, 2025, at 9 a.m.

Chair Heebner adjourned the meeting at 12:39 p.m.

Confirmed Attendance at SANDAG Board of Directors Meeting

Board of Directors	Title	Name	Attend
City of Carlsbad	Councilmember	Kevin Shin (Primary)	Yes
City of Chula Vista	Deputy Mayor	Carolina Chavez (Primary)	Yes
City of Coronado	Mayor	John Duncan (Primary)	Yes
County of San Diego	Supervisor	Vacant (Primary)	--
County of San Diego	Supervisor	Joel Anderson (Primary)	Yes
City of Del Mar	Mayor	Terry Gaasterland (Primary)	Yes
City of El Cajon	Mayor	Bill Wells (Primary)	Yes
City of Encinitas	Mayor	Bruce Ehlers (Primary)	Yes
City of Escondido	Councilmember	Judy Fitzgerald (Alternate)	Yes
City of Imperial Beach	Councilmember	Jack Fisher (Primary)	Yes
City of La Mesa	Councilmember	Lauren Cazares (Alternate)	Yes
City of Lemon Grove	Mayor	Alysson Snow (Primary)	Yes
City of National City	Councilmember	Luz Molina (Primary)	Yes
City of Oceanside	Mayor	Esther Sanchez (Primary)	Yes
City of Poway	Mayor	Steve Vaus (Primary)	No
City of San Diego	Councilmember	Kent Lee (Alternate)	Yes
City of San Diego	Vice Chair	Joe LaCava (Primary)	Yes
City of San Marcos	Mayor	Rebecca Jones (Primary)	Yes
City of Santee	Second Vice Chair	John Minto (Primary)	Yes
City of Solana Beach	Mayor	Lesa Heebner (Primary)	Yes
City of Vista	Deputy Mayor	Katie Melendez (Primary)	Yes
Caltrans	Executive Director	Ann Fox (Primary)	Yes
Metropolitan Transit System	Vice Mayor	Patricia Dillard (Alternate)	Yes
North County Transit District	Councilmember	Jewel Edson (Primary)	No
Imperial County	Supervisor	Jesus Eduardo Escobar (Primary)	Yes
U.S. Department of Defense	Executive Director	Dennis Keck (Primary)	Yes
Port of San Diego	Commissioner	Dan Malcolm (Primary)	Yes
San Diego County Water Authority	Deputy Mayor	Joy Lyndes (Primary)	No
SDCRAA	Director	Gil Cabrera (Primary)	Yes
Mexico	Consul General	Alicia Kerber (Primary)	No
SCTCA	Chairman	Raymond Welch (Primary)	Yes
Association of Planning Groups	Chairwoman	Robin Joy Maxson (Primary)	Yes

Chief Executive Officer Delegated Actions

Overview

Various board policies require the Chief Executive Officer (CEO) to report certain actions to the Board of Directors monthly or upon taking specified actions.

Action: Information

In accordance with various board policies, this report summarizes delegated actions taken by the Chief Executive Officer.

Delegated Actions

Investment Transactions: [Board Policy No. 003](#), Section 11.2, states that a monthly report of all investment transactions shall be submitted to the Board. There were no reportable transactions for March 2025.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

Legal Matters: [Board Policy No. 008](#), Section 6.2, authorizes the Office of the General Counsel or outside counsel to file documents and make appearances on behalf of the agency in court proceedings.

In the matter of Montoya et al v. City of San Diego (Superior Ct. Case No. 2024-00021327), the following actions were taken by Nossaman on behalf of SANDAG:

- On March 27, 2025, attended a Case Management Conference

In the matter of Osmon v. City of San Diego (Superior Ct. Case No. 2020-00018911), the following actions were taken by BDG Law Group on behalf of SANDAG:

- On March 6, 2025, filed a Case Management Statement
- On March 11, 2025, attended an Ex Parte Hearing re Plaintiff's Objection to the Timeliness of MCTC's Peremptory Challenge
- On March 21, 2025, attended a Motion Hearing re 5-Year Rule

[Board Policy No. 017](#), Section 4.9, authorizes the CEO to settle all lawsuits that SANDAG must defend when the settlement amount does not exceed \$100,000.

On March 20, 2025, SANDAG settled the lawsuit in the matter of Jacoby v. Metropolitan Transit System, (Superior Ct Case No. 2022-00008212). SANDAG agreed to pay plaintiffs a total of \$100,000.00.

On-Call Task Order Awards: [Board Policy No. 017](#), Section 1, authorizes the CEO to enter into any agreements or take any other actions necessary to implement the budget items or other actions approved by the Board. No on-call task orders valued at \$5 million or more were executed in March 2025.

Budget Modifications: [Board Policy No. 017](#), Section 4.1, authorizes the CEO to enter into agreements not currently incorporated in the budget and make other modifications to the budget in an amount up to \$300,000 per project per fiscal year so long as the overall annual budget remains in balance. Actions taken since the last regular meeting of the Board are shown in Attachment 1.

Right-of-Way Certification: [Board Policy No. 017](#), Section 4.15, authorizes the CEO to execute right-of-way certifications for submittal to the California Department of Transportation, and take all other actions necessary to facilitate the timely filing of such certifications for SANDAG projects that are either on the State Highway System or for those off-system projects with federal funding. The following Caltrans 13-B right-of-way certification was approved.

- Central Avenue Bikeway, Transit Capital Improvement Program 1223054, Federal ID No. ATPL-6066 (199), Cert. No. 2, approved on March 24, 2025.

Mario Orso, Chief Executive Officer

Attachment: 1. Budget Transfers and Amendments - March 2025

FY 2025 BUDGET TRANSFERS AND AMENDMENTS

in '000s

PROJECT NUMBER	PROJECT NAME	CURRENT BUDGET	NEW BUDGET	CHANGE	EXPLANATION
3100405	Regional Plan Outreach FY23	\$0.0	\$18.7	\$18.7	Unexpended SBI carryover funding from prior years available for expenditure.
3100406	Regional Plan Outreach FY24	\$0.0	\$61.8	\$61.8	Unexpended SBI carryover funding from prior years available for expenditure.
3100407	Regional Plan Outreach FY25	\$1,682.3	\$1,707.3	\$25.0	Additional SB 1 available compared to projections at FY25 Final Budget Adoption.
8000100	Admin - Overhead - Meeting	\$69.0	\$19.0	(\$50.0)	Transferring Admin Overhead Meeting funds to Admin Overhead Legal budget to cover settlement costs of a lawsuit that was not originally budgeted.
8000100	Admin - Overhead - Contingency	\$92.0	\$42.0	(\$50.0)	Transferring Contingency funds to Admin Overhead Legal budget to cover settlement costs of a lawsuit that was not originally budgeted.
8000100	Admin - Overhead - Legal	\$1,689.0	\$1,789.0	\$100.0	Transferring Admin Overhead Meeting and Contingency funds to Admin Overhead Legal budget to cover settlement costs of a lawsuit that was not originally budgeted.

Policy Advisory Committee Actions

Overview

[SANDAG Board Policy No. 001](#) delegates certain responsibilities to the Policy Advisory Committees to allow SANDAG to effectively address key public policy and funding responsibilities. All items delegated to the policy advisory committees are subject to ratification by the Board of Directors. Below are the delegated actions taken by the policy advisory committees that are subject to ratification.

The links provided below will navigate to the SANDAG web page where the meeting agenda and minutes (when available) will be posted. Any changes to these actions will be reported to the Board at the April 25 meeting.

Action: **Approve**

The Board of Directors is asked to ratify the actions taken by the Policy Advisory Committees as noted in the report.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

[Executive Committee – April 11, 2025](#)

Voted to take “support” positions on Senate Bill 233 (Seyarto) and Assembly Bill 334 (Pietre-Norris).

[Transportation Committee – April 18, 2025](#)

Adopted Resolution No. 2025-14: Approving Amendment No. 5 to the 2025 Regional Transportation Improvement Program.

Victoria Stackwick, Chief of Staff

Attachments: 1. Executive Committee Report: Legislative Status Report
2. Transportation Committee Report: 2025 Regional Transportation Improvement Program: Amendment No. 5

April 11, 2025

Legislative Status Report

Overview

The San Diego Association of Governments (SANDAG) legislative team brings forward bills that advance SANDAG priorities and projects and align with SANDAG's Legislative Program.

Action: **Approve**

The Executive Committee is asked to take "support" positions on Senate Bill 233 (Seyarto) and Assembly Bill 334 (Pietre-Norris).

Key Considerations

SANDAG staff is recommending a "support" position on Senate Bill 233 (Seyarto) and Assembly Bill 334 (Pietre-Norris). Support of a bill means that SANDAG and its advocates will work to pursue passage of the legislation through letters of support, participation in hearings, and related activities. Staff will also present legislative updates on key legislation of interest to the agency.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

Senate Bill 233 (Seyarto): [Regional housing need: determination: consultation with councils of governments](#)

This bill, by Senator Kelly Seyarto from Temecula, would require the California Department of Housing and Community Development (HCD) to meet and consult with councils of governments (COGs) at least 38 months ahead of the next scheduled revision of the housing element, beginning with Cycle 7, and subsequent cycles. While existing law requires HCD to consult with COGs at least 26 months prior to the housing element revision due date, HCD often meets with COGs earlier in the process. For example, for the 6th cycle timelines associated with the Regional Housing Needs Determination (RHND) process, HCD met with the Association of Bay Area Governments (ABAG) and SANDAG 38 months before the housing element review due date. Similarly, HCD consulted with the Southern California Association of Governments (SCAG) 36 months ahead of the housing element revision for the 6th cycle.

SANDAG staff is recommending a "support" position as this bill would codify a 38-month lead time for COG consultation into state law and ensure all future HCD consultation processes provide sufficient time for coordination with COGs ahead of housing element revisions. This action acknowledges that the increasing mandates on regional governments to plan for housing and on local jurisdictions to comply with housing element law requires a thorough consultation process.

This bill aligns with SANDAG's Legislative Program Goal 23 to lead efforts to pursue legislative and/or administrative reform of the Regional Housing Needs Assessment (RHNA) process and state housing element law. It also supports SANDAG Board of Directors' RHNA principle of calling for greater transparency in the RHNA/RHND process, as well as our request for prompt guidance and increased transparency on upcoming changes to the RHNA process, as outlined by SANDAG's letter to the California Legislature and the HCD from October 25th, 2024.

Assembly Bill 334 (Pietre-Norris): [Operators of toll facilities: interoperability programs: vehicle information](#)

This bill, by Assemblywoman Pietre-Norris of Irvine, would authorize operators of toll facilities on federal-aid highways participating in an interstate interoperability program to share only the data necessary to facilitate such interoperability. Under current in-state interoperability practices, California tolling agencies exchange information limited to: license plate numbers, transponder identification numbers, transaction date and time, and the identity of the operating agency. This framework enables motorists to use FasTrak transponders across multiple toll facilities while maintaining a single home account, and it allows for accurate revenue collection and distribution among participating agencies. However, existing state law restricts the sharing of certain toll data that may be essential for enabling nationwide interoperability, rendering such interoperability impractical within California.

Staff is recommending a “support” position as this bill addresses the aforementioned limitations in state law by allowing toll facility operators to share only the essential data required for interstate interoperability without compromising the privacy and security of customers. This legislation would also enable a more efficient travel experience for drivers while improving operational efficiencies for toll operators.

Additionally, AB 334 would ensure compliance with the federal Moving Ahead for Progress in the 21st Century Act (MAP-21), which included a provision that requires all tolling agencies throughout the U.S. to be nationally interoperable.

The bill is consistent with SANDAG Legislative Program Goal 14 to support efforts to pursue resources to improve regional public safety voice and data communications, as well as intelligent transportation system interoperability with state, federal, and binational systems.

Additional Legislative Status Updates

Senate Bill 10 (Padilla)

Introduced by Senator Steve Padilla on December 2, 2024, this bill would allow toll revenues from the future Otay Mesa East Port of Entry to be used for maintenance of the International Boundary and Water Commission sewage treatment facility and the development of additional sanitation infrastructure projects related to the Tijuana River.

SANDAG staff is communicating with the author about language to help mitigate potential impacts of the bill on the development of the Otay Mesa East Port of Entry Project. The bill recently passed the Senate Transportation Committee with an 11-3 vote and will now head to the Senate Appropriations Committee for an April 7th hearing.

SANDAG staff will continue monitoring the bill's progress and will bring it to the Executive Committee for discussion at a future date.

Assembly Bill 24 (DeMaio)

This bill, by Assemblymember Carl DeMaio, proposes modifying the SANDAG Board by removing one of the two County Board of Supervisors seats and replacing it with a representative from the San Diego County Association of Planning Groups. It would also require the remaining County Board representative to be from an unincorporated area of the county. The bill has been double-referred to the Assembly Local Government Committee and the Assembly Transportation Committee. It currently does not have a scheduled hearing date.

SANDAG staff will continue monitoring the bill's progress and will bring it to the Executive Committee for discussion at a future date.

Senate Bill 240 (Jones)

Senate Bill 240, authored by Senate Minority Leader Brian Jones, proposes to replace the secondary representative from the County Board of Supervisors with a resident from an unincorporated area of the County, as selected by a majority of the county's community planning groups, to serve a 1-year term. The bill also eliminates the requirement that one Board of Supervisors member be from a substantially incorporated district and the other from an unincorporated district. This bill was amended on March 24th and has not yet been referred to a policy committee in the Senate.

SANDAG staff will continue monitoring the bill's progress and will bring it to the Executive Committee for discussion at a future date.

Next Steps

Pending approval by the Executive Committee, SANDAG will notify the authors of SB 233 and AB 334 of its position and advocate on behalf of the passage of those bills.

Hannah Stern, Acting Director of Public Affairs

- Attachments:
1. State Report from Ellison Wilson Advocacy, LLC
 2. Federal Report from Peter Peyser Associates, LLC
 3. Senate Bill 233 (Seyarto)
 4. Assembly Bill 334 (Pietre-Norris)
 5. March Border Report



Transportation Committee

Item: **3**

April 18, 2025

2025 Regional Transportation Improvement Program: Amendment No. 5

Overview

The Regional Transportation Improvement Program (RTIP) is a five-year document that reflects funding sources, project phases, and fiscal years of implementation for all transportation-related projects in the San Diego region that: (1) use federal, state, or TransNet funds; (2) increase capacity of the transportation system; or (3) are regionally significant. SANDAG develops the RTIP based on projects included in the 2021 Regional Plan, as submitted by member agencies (local jurisdictions, transit agencies, Caltrans).

The [2025 RTIP](#) covers FY 2025 – FY 2029 and is fiscally constrained, meaning that enough revenue is committed or reasonably assumed to be available from local, state, and/or federal sources for each phase of the project that is included in the RTIP. Amendments are made to the RTIP on a quarterly (or as-needed) basis to reflect funding or scope changes.

Action: **Adopt**

The Transportation Committee is asked to adopt Resolution No. 2025-14: Approving Amendment No. 5 to the 2025 Regional Transportation Improvement Program.

Fiscal Impact:

Amendment No. 5 reflects an increase of \$75 million to the total amount programmed in the 2025 Regional Transportation Improvement Program.

Schedule/Scope Impact:

Amendment No. 5 reflects the addition of five new projects to the Highway Safety Improvement Program grouped listing.

Key Considerations

The changes in Amendment No. 5 are summarized in Attachment 2 with details on the proposed amendments provided in Attachment 3.

Key changes in Amendment No. 5 include:

- The programming of an additional \$32.8 million of TransNet - Major Corridor funds and \$10.5 million of SB1 – Local Partnership Program (LPP) funds on SAN183 - Batiquitos Lagoon Double Track (Part of SAN114), to align with the FY 2025 SANDAG Budget approved by the Board of Directors on [May 24, 2024](#) to increase the budget by \$43.3 million due to inflation, permitting, additional requests from the California Coastal Commission and additional flagging costs.
- The addition of 5 new projects to the Highway Safety Improvement Program (HSIP) grouped listing (CAL105).
- Programming updates requested by Local Agencies.

Tables 3A through 3C (Attachment 4) provide updated program financial summaries. Attachment 5 summarizes the federal requirements analysis for projects contained in Amendment No. 5. The 2025 RTIP can be found in its entirety at sandag.org/RTIP.

The Independent Taxpayer Oversight Committee reviewed the TransNet projects included in this amendment at its meeting on April 9, 2025. Any significant comments received will be brought to the Transportation Committee.

Next Steps

Pending Transportation Committee adoption of Resolution 2025-14 (Attachment 1), the Board will be asked to ratify the Transportation Committee's action at its meeting on April 25, 2025. TransNet funds will be made available following Board ratification.

Susan Huntington, Director of Financial Planning, Budgets, and Grants

Attachments: 1. Resolution 2025-14 Approving Amendment No. 5 to the 2025 Regional Transportation Improvement Program
 2. Table 1 - Summary of Changes Report - Amendment No. 5
 3. Table 2 - Amendment No. 5
 4. Tables 3A-3C - Financial Summary - Amendment No. 5
 5. Federal Requirements Analysis

Approval of Proposed Solicitation for Construction Management Services for the San Dieguito Lagoon Double Track and Special Events Platform Project

Overview

Solicitations valued at \$5 million or more are brought to the Board of Directors for approval prior to advertisement and again prior to contract award. This meeting there is one pending action for the Board's consideration.

Key Considerations

Construction Management Services (CM Services) for the San Dieguito Lagoon Double Track & Special Events Platform Project (SDDT Project)

This solicitation will seek statements of qualifications from experienced firms in the Construction Management industry to provide construction management services for the SDDT Project.

The Project is located in the San Diego County segment of the LOSSAN Corridor and consists of approximately 2.1 miles of double track improvements, a new double track bridge structure over the San Dieguito Lagoon and special events platform at the Del Mar Fairgrounds. Related improvements include new turnouts, signals and communications, track appurtenances, retained embankments, utility relocations, and drainage facilities. The project area generally can be considered in three segments, the Solana Beach Trench from Lomas Santa Fe Drive to Via De La Valle, the San Dieguito River and Lagoon segment from Via De La Valle to the southern river edge, and the segment south of the San Dieguito River to existing Control Point (CP) Del Mar.

CM Services are needed to provide SANDAG with additional support during construction to ensure the contractor is compliant with the construction contract, and all construction standards, regulations and requirements.

CM Services are considered Architecture & Engineering (A&E) Services and per federal regulation are required to be procured using a qualification-based procurement which does not allow cost to be considered during evaluation and vendor selection. Therefore, estimated costs for the Project will not be an evaluation factor in the solicitation. The contract amount will be negotiated with the most qualified firm and an analysis will be conducted by staff to establish that the negotiated costs are fair and reasonable.

Action: Approve

The Board of Directors is asked to authorize the Chief Executive Officer to conduct a solicitation for Construction Management Services for the San Dieguito Lagoon Double Track Project as detailed in this report.

Fiscal Impact:

Funding for the contract will be derived from Capital Improvement Project No. 1239822.

Schedule/Scope Impact:

The selected vendor will provide services from FY 2026 through FY 2031 with option to extend up to FY 2033. The selected vendor will provide services from FY 2026 through FY 2031 with the option to extend up to FY 2033.

SANDAG intends to award one (1) agreement as a result of this solicitation. The agreement duration will be five (5) years with two (2) one (1) year options for a total of up to seven (7) years. This length of time aligns with the anticipated duration of the project. Contract execution will only be granted based on funding availability and upon receiving approval by the Board.

Next Steps

Pending approval by the Board, this solicitation will be advertised within the next few months. The contract award resulting from this solicitation will return to the Board for approval to award.

Kelly Mikhail, Director of Contracts and Procurement Services

FY 2024 TransNet Extension Ordinance Funding Eligibility Requests

Overview

The TransNet Extension Ordinance (Ordinance) includes annual eligibility requirements for the transit operators and local jurisdictions to continue receiving their annually apportioned TransNet revenues. If a requirement is not met, the Ordinance provides guidance on additional steps.

For FY 2024, the cities of Coronado and Poway, the Metropolitan Transit System (MTS), and the North County Transit District (NCTD) had requirements that were not met and are requesting to cure the eligibility requirements.

Key Considerations

Responsibility for making the final decision on these eligibility requests rests with the Board of Directors:

- Approval of these requests enables compliance and requesting agencies would be eligible to receive all apportioned FY 2025 TransNet revenues consistent with TransNet Ordinance provisions.
- Without Board Approval of the City of Coronado's request, the city would remain noncompliant with the Ordinance and would have to transfer those uncommitted or unexpended portions of the Regional Transit Capital Improvement Program funds to SANDAG to be spent on qualified projects within the same subregion.
- Without Board Approval of the City of Poway's request, the city would remain noncompliant and receive FY 2025 revenues less the shortfall of the Maintenance of Effort (MOE) requirement.
- Without Board approval of MTS' request, the operator would remain noncompliant with the Ordinance and may not receive any additional funding under Section 4(C) in FY 2025 above the amount received in FY 2024, adjusted for Consumer Price Index (CPI).
- Without Board approval of NCTD's request, the operator would remain noncompliant with the Ordinance and may not receive any additional funding under Section 4(C) in FY 2025 above the amount received in FY 2024, adjusted for CPI.

Action: Approve

The Transportation Committee and Independent Taxpayer Oversight Committee recommend that the Board of Directors, acting as the San Diego County Regional Transportation Commission, approve the TransNet funding eligibility requests of the cities of Coronado and Poway, Metropolitan Transit System, and North County Transit District .

Fiscal Impact:

Approval of the requests will allow the requesting agencies to receive their full FY 2025 TransNet revenue apportionments.

Schedule/Scope Impact:

Upon approval of the requests by the Board of Directors, the findings will be removed from the FY 2024 TransNet fiscal and compliance audits for final adoption by the TransNet Independent Taxpayer Oversight Committee as its July 9, 2025, meeting.

Next Steps

Pending approval by the Board, adjustments would be incorporated in the FY 2024 TransNet fiscal and compliance audits and the updated draft would be presented to the Independent Taxpayer Oversight Committee for final adoption in July.

Dawn Vettese, Chief Financial Officer

Attachments: 1. Discussion Memo
2. Letter of Request from the City of Coronado
3. Letter of Request from the City of Poway
4. Letter of Request from Metropolitan Transit System
5. Letter of Request from North County Transit District

Discussion Memo

TransNet Extension Ordinance Eligibility Requirements

Regional Transportation Congestion Improvement Program (RTCIP) Requirements

Section G(4) states that cities must have RTCIP funds committed or expended on Regional Arterial Systems projects within 7 years before requiring an eligibility request for presentation before the Independent Taxpayer Oversight Committee (ITOC) to recommend approval by the Board of Directors, and within 10 years before returning the funds to the developer.

Maintenance of Effort (MOE) Requirements

Section 8 states that to maintain fund eligibility, each local agency receiving revenues pursuant to Section 4(D) shall annually maintain as a minimum the same level of local discretionary funds expended for street and road purposes on average over the last three fiscal years completed prior to the operative date of this Ordinance, with the level adjusted every three years. This is referred to as the Maintenance of Effort (MOE).

Section 8 of the Ordinance also includes the following language:

“Any local agency which does not meet its maintenance of effort requirement in any given year shall have its funding under Section 4(D)(1) reduced in the following year by the amount by which the agency did not meet its required maintenance of effort level.

“In the event that special circumstances prevent a local agency from meeting its maintenance of effort requirement, the local agency may request up to three additional fiscal years to fulfill its requirement.”

Transit Operators Requirements

Section 4(C)(5) states that a transit operator must limit the increase in its total operating cost per revenue vehicle hour for bus services or the increase in its total operating cost per revenue vehicle mile for rail services from one fiscal year to the next to no more than the increase in the Consumer Price Index for San Diego County over the same period.

City of Coronado

The draft FY 2024 TransNet fiscal and compliance audit report for the City of Coronado includes the following finding:

The City did not expend or commit \$19,519 of RTCIP funding within the seven year requirement:

<u>Project Year</u>	<u>Last Date to Commit Funds (7-year)</u>	<u>Last Date to Commit Funds (10-year)</u>	<u>Funds Received</u>	<u>Funds Expended</u>	<u>Funds Committed</u>	<u>Funds not Committed or Expended</u>
FY 2017	June 30, 2024	June 30, 2027	21,213			19,519

The ordinance allows Cities to request until the 10th anniversary date to commit or expend the unexpended or uncommitted funds. The City will work with staff to commit funds in FY 2025.

Next Steps

Should the Board not allow the City's request, the unexpended or uncommitted portion of the Funding Program revenues shall be transferred to the Regional Transportation Commission (SANDAG) to be expended within three years on qualified projects within the same subregion, per section G(4) of the ordinance.

City of Poway

The draft FY 2024 TransNet fiscal and compliance audit report for the City of Poway includes the following finding:

The City did not meet its Maintenance of Effort (MOE) requirement for Streets and Roads as follows:

Current year local discretionary expenditures	\$743,442
Less MOE base year requirement	<u>836,358</u>
Deficit MOE for the year ended June 30, 2024	<u>\$(92,916)</u>

City Request

Section 8 of the Ordinance states, in part:

"Each local agency receiving revenues pursuant to Section 4(D) shall annually maintain as a minimum the same level of local discretionary funds expended for street and road purposes on average over the last three fiscal years completed prior to the operative date of this Ordinance..."

In accordance with Section 8 of the Ordinance, the City of Poway is requesting until June 30, 2027, to make up the deficits due to special circumstances.

Next Steps

Approval of this request by the Board would enable compliance with Section 8 of the Ordinance, and the City of Poway would be eligible to receive all apportioned FY 2025 TransNet revenues.

Should the Board choose to not approve the request, then the City of Poway would remain in noncompliance for FY 2024 and would be eligible to receive FY 2025 TransNet revenues less the shortfall of \$92,916.

Metropolitan Transit System (MTS)

The draft FY 2024 TransNet fiscal and compliance audit report for the Metropolitan Transit System (MTS) includes the following finding:

The transit operator was not in compliance with the rail operator eligibility requirements such that the increase in operating cost per revenue vehicle mile exceeded the increase in Consumer Price Index (CPI).

Operating Cost per Revenue Vehicle Mile for Rail Services

	<u>2024</u>	<u>2023</u>	<u>Growth Rate</u>
Operating cost for rail	\$136,226,744	\$128,237,421	
Revenue vehicle miles	12,156,157	12,700,555	
Total operating cost per revenue vehicle mile	\$11.21	\$10.10	10.99%
Consumer Price Index	295.089	286.586	2.97%

Transit Operator Request

Section 4(C) of the TransNet Ordinance states, in part:

“...To maintain eligibility for the receipt of funds under Section 4(C), a transit operator must limit the increase in its total operating cost per revenue vehicle hour for bus services or the increase in its total operating cost per revenue vehicle mile for rail services from one fiscal year to the next to no more than the increase in the Consumer Price Index for San Diego County over the same period...”

Additionally, Section 4(C)(5) of the TransNet Extension Ordinance and Expenditure Plan states, in part:

“...If there were unusual circumstances in a given year, the operator may request the approval of the Commission to calculate the requirement as an average over the previous three years...”

In accordance with Section 4(C)(5), MTS is requesting to utilize the three-year average calculations for the eligibility requirements as follows:

Rail Services	FY24	FY23	FY22	FY21	3 Year Avg
CPI	295.089	286.586	291.916	247.860	
Operating Costs	136,226,744	128,237,421	104,704,575	98,061,336	
Revenue Vehicle Miles	12,156,157	12,700,555	11,626,878	10,077,479	
Operating Costs per Revenue Vehicle Hour	11.21	10.10	9.01	9.73	
Increase (Decrease) in CPI	2.97%	-1.83%	17.77%		6.31%
Increase (Decrease) in Ratio	10.99%	12.12%	-7.45%		5.22%

Next Steps

Approval of this request by the Board would enable compliance with Section 4(C) of the Ordinance by allowing MTS to calculate the eligibility requirement using the three-year average calculations while excluding applicable cost increases as provided in Section 4(C)(5) of the TransNet Extension and Ordinance, which will then bring them into compliance.

Should the Board choose to not approve the request, then MTS would remain in non-compliance for FY 2024 and the operator may not receive any additional funding under Section 4(C) in the following year above the amount received in FY 2024 adjusted for any increase in the CPI for San Diego County. In FY 2024, MTS received a total of \$46,317,490; adjusting for CPI growth of 3.11%, the operator would not be eligible to receive additional funding exceeding \$47,757,964.

North County Transit District (NCTD)

The draft FY 2024 TransNet fiscal and compliance audit report for the North County Transit District (NCTD) includes the following finding:

The transit operator was not in compliance with the rail operator eligibility requirements such that the increase in operating cost per revenue vehicle mile exceeded the increase in Consumer Price Index (CPI).

Operating Cost per Revenue Vehicle Mile for Rail Services

	<u>2024</u>	<u>2023</u>	<u>Growth Rate</u>
Operating cost for rail	\$71,253,669	\$66,964,770	
Revenue vehicle miles	912,513	917,029	
Total operating cost per revenue vehicle mile	\$78.09	\$73.02	6.94%
Consumer Price Index	295.089	286.586	2.97%

Transit Operator Request

Section 4(C) of the TransNet Ordinance states, in part:

“...To maintain eligibility for the receipt of funds under Section 4(C), a transit operator must limit the increase in its total operating cost per revenue vehicle hour for bus services or the increase in its total operating cost per revenue vehicle mile for rail services from one fiscal year to the next to no more than the increase in the Consumer Price Index for San Diego County over the same period...”

Additionally, Section 4(C)(5) of the TransNet Extension Ordinance and Expenditure Plan states, in part:

“...If there were unusual circumstances in a given year, the operator may request the approval of the Commission to calculate the requirement as an average over the previous three years...”

In accordance with Section 4(C)(5), NCTD is requesting to utilize the three-year average calculations for the eligibility requirements as follows:

	FY 2024	FY 2023	FY 2022	FY 2021	3-Year Average
Transportation CPI	295.089	286.586	291.916	247.856	
Change in CPI	2.97%	-1.83%	17.78%		6.31%

Rail Services

Operating costs	\$72,022,138	\$66,569,053	\$60,070,772	\$46,404,889	
Revenue vehicle miles	912,513	917,029	877,589	662,745	
Ratio	\$ 78.93	\$ 72.59	\$ 68.45	\$ 70.02	
Change in ratio	8.73%	6.05%	-2.24%		4.18%

Next Steps

Approval of this request by the Board would enable compliance with Section 4(C) of the Ordinance by allowing NCTD to calculate the eligibility requirement using the three-year average calculations as provided in Section 4(C)(5) of the TransNet Extension and Ordinance, which will then bring them into compliance.

Should the Board choose to not approve the request, then NCTD would remain in non-compliance for FY 2024 and the operator may not receive any additional funding under Section 4(C) in the following year above the amount received in FY 2024 adjusted for any increase in the CPI for San Diego County. In FY 2024, NCTD received a total of \$18,949,850; adjusting for CPI growth of 3.11%, the operator would not be eligible to receive additional funding exceeding \$19,539,190.



February 28, 2025

Susan Huntington
TransNet Program Director
San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Ms. Susan Huntington,

The draft TransNet Audit Report (agreed-upon procedures) for fiscal year ending June 30, 2024, indicates that the City did not expend or commit its RTCIP funding within the seven-year requirement.

The City has committed RTCIP funds to a project in Fiscal Year 2025 and it was discovered that the commitment was not reported in ProjectTrak. During Fiscal Year 2025, Finance will work with City staff to ensure that commitments are entered into ProjectTrak to properly record the commitments with SANDAG. Additionally, there is a purchase order in progress that will expend the City's remaining RTCIP funds.

In accordance with Section G (4) of the TransNet extension Ordinance, the City of Coronado requests that the commission review and approve our request to allow the City until June 30, 2025, to expend the necessary amount to make up the shortfall.

<u>Project</u> <u>Year</u>	<u>Last Date to</u> <u>Commit Funds</u> <u>(7-year)</u>	<u>Last Date to</u> <u>Commit Funds</u> <u>(10-year)</u>	<u>Funds</u> <u>Received</u>	<u>Funds</u> <u>Expended</u>	<u>Funds</u> <u>Committed</u>	<u>Funds not</u> <u>Committed or</u> <u>Expended</u>
FY 2017	June 30, 2024	June 30, 2027	21,213			19,519

If you have any questions regarding this matter, please feel free to call me directly at (619) 522-7306.

Sincerely,

Madeline Smith

Madeline Smith
Finance Manager

CITY OF POWAY

STEVE VAUS, Mayor
 PETER DE HOFF, Deputy Mayor
 TONY BLAIN, Councilmember
 JENNY MAEDA, Councilmember
 CHRISTOPHER J. PIKUS, Councilmember



March 3, 2025

Susan Huntington
 TransNet Program Director
 San Diego Association of Governments
 401 B Street, Suite 800
 San Diego, CA 92101

Dear Ms. Susan Huntington,

The TransNet Audit Report (agreed-upon procedures) for fiscal year ended June 30, 2024, indicates that the City did not meet the Maintenance of Effort (MOE) requirement, as required by Section 8 of the TransNet Extension Ordinance.

The deficit occurred due to issues with our cost allocation model, which did not fully align with MOE criteria, as well as turnover of key staff during the budget process. The cost allocation model has been adjusted for FY2024-25 to accurately capture the correct amount required to meet the MOE. We will also provide additional training and oversight to ensure compliance in future budgets.

In accordance with Section 8 of the TransNet extension Ordinance, the City of Poway requests that the commission review and approve our request to allow the City an additional three years, until June 30, 2027, to expend aforementioned amount over and above our regular MOE threshold to make up the shortfall, due to special circumstances. The additional time requested to fulfill the FY2023-24 MOE shortfall provides the City with the opportunity to use its finite amount discretionary funds to meet the requirements of the TransNet extension ordinance.

<u>Fiscal Year</u> <u>Ending</u>	<u>Street and Road</u> <u>MOE Requirement</u>	<u>Specialized</u> <u>Transportation</u> <u>on Services</u>	<u>Total Street &</u> <u>Road MOE</u>	<u>FY24 Street &</u> <u>Road Deficit</u>
				\$ 92,916
6/30/2025	\$ 836,358	-	\$ 836,358	(30,972)
6/30/2026	836,358	-	836,358	(30,972)
6/30/2027	1,120,720	-	1,120,720	(30,972)

If you have any questions regarding this matter, please feel free to call me directly at 858-668-4411.

Sincerely,

Craig Schmollinger

Director of Finance

City Hall Located at 13325 Civic Center Drive
 Mailing Address: P.O. Box 789, Poway, California 92074-0789
www.poway.org

December 10, 2024

Ms. Susan Huntington
Director, Financial Planning and Budgets
San Diego Association of Governments
401 B. Street, Suite 800
San Diego, CA 92101-4231

Dear Ms. Huntington,

On January 22, 2024, the San Diego region sustained unprecedented rainfall, causing major flooding within the region. As a result, there was significant damage along our Orange Line, and subsequently there were major service disruptions over the following several months as our construction teams restored our Rail infrastructure. The number of Revenue Vehicle Miles within our Rail Services decreased as MTS Bus Services provided bus bridging services around the effected Orange Line rail. These relative reductions in Revenue Vehicle Miles affected the fiscal year 2024 operating cost per revenue vehicle hour ratio.

Although the fiscal year 2024 findings reflect that MTS is not compliant with the annual Consumer Price Index (CPI) requirement (that the increase in operating cost per revenue hour or revenue mile not exceed the increase in CPI) for Rail Services, MTS is compliant with the three-year average calculation. MTS requests that that ITOC Board (Board) approve our request to calculate the eligibility requirement based on a three-year average.

The Transportation Index in the San Diego County CPI Table increased by an average of 6.31% over the last three years. Rail Service operating cost per revenue mile increased by an average of 5.22% over the same three-year period. The table below provides the three-year averaging calculation for Rail Services:

Rail Services	FY24	FY23	FY22	FY21	3 Year Avg
CPI	295.089	286.586	291.916	247.860	
Operating Costs	136,226,744	128,237,421	104,704,575	98,061,336	
Revenue Vehicle Miles	12,156,157	12,700,555	11,626,878	10,077,479	
Operating Cost per Revenue Vehicle Hour	11.21	10.10	9.01	9.73	
Increase (Decrease) in CPI	2.97%	-1.83%	17.77%		6.31%
Increase (Decrease) in Ratio	10.99%	12.12%	-7.45%		5.22%

By using the three-year average calculation MTS Rail Services complies with eligibility requirements of the TransNet Ordinance. We appreciate the Board's recognition of our continued and concerted efforts to increase the efficiency of our operations and responsibly manage our costs and we request the Board's consideration to employ the three-year average calculation.

Sincerely,



Larry Marinesi
Chief Financial Officer



810 Mission Avenue
 Oceanside, CA 92054
 (760) 966-6500
 (760) 967-2001 (fax)
 GoNCTD.com

February 12, 2025

Susan Huntington
 Director, Financial Planning and Budgets
 San Diego Association of Governments
 401 B. Street, Suite 800
 San Diego, CA 92101-4231
 Sent Via Electronic Mail: susan.huntington@sandag.org

Re: Fiscal Year 2024 (FY2023) *TransNet* Operator Eligibility Ratios

Dear Susan Huntington:

The North County Transit District (NCTD), by way of this letter, respectfully requests that the Independent Taxpayer Oversight Committee (ITOC) and San Diego Association of Governments (SANDAG) provide statutory and administrative regulatory relief to NCTD as it relates to the *TransNet* requirements for the reasons stated herein.

Under Section 4(C)(5) of the *TransNet* Extension and Ordinance (Ordinance), to maintain eligibility for the receipt of *TransNet* funds under Section 4(C), a transit operator must limit the increase in its total operating cost per revenue vehicle hour for bus services or the increase in its total operating cost per revenue vehicle mile for rail services from one fiscal year to the next to no more than the increase in the Consumer Price Index for San Diego County over the same period. If there were unusual circumstances in a given fiscal year, the operator may request the approval of the Commission to calculate the requirement as an average over the previous three fiscal years. The operator may also request the approval of the Commission to exclude from the calculation certain cost increases that were due to external events entirely beyond the operator's control, including, but not limited to, increases in the costs for fuel, insurance premiums, or new state or federal mandates.

Following the reopening of the economy in 2021, supply chain disruptions and greater consumer demand for goods caused higher inflation. The Transportation CPI utilized by the Ordinance measures the change in prices for transportation costs, which includes new and used motor vehicles, motor fuel, vehicle maintenance and insurance, and airfares. The Transportation CPI has experienced significant volatility in the last three years, with a high of 17.78% in FY2022, negative of 1.83% in FY2023, and ending at 2.97% in FY2024. Furthermore, the Transportation CPI does not reflect the majority of NCTD's

operating costs, which is largely driven by labor costs and include wages and benefits, professional services, and purchased transportation (together, these costs accounted for 84% of NCTD’s operating costs in FY2024). These costs are subject to wage increases (particularly in a tight labor market), collective bargaining agreements, and contractual adjustments and the increases are not aligned with the Transportation CPI.

Request for Three-Year Average for Rail Services

As permitted by the Ordinance, NCTD is requesting the approval of the Commission to utilize a three-year average for the purpose of calculating the increase in operating cost per revenue vehicle mile for rail services, which will allow NCTD to be in compliance with the Ordinance as illustrated in the calculation below:

	<u>FY 2024</u>	<u>FY 2023</u>	<u>FY 2022</u>	<u>FY 2021</u>	<u>3-Year Average</u>
Transportation CPI	295.089	286.586	291.916	247.856	
Change in CPI	2.97%	-1.83%	17.78%		6.31%
<u>Rail Services</u>					
Operating costs	\$72,022,138	\$66,569,053	\$60,070,772	\$46,404,889	
Revenue vehicle miles	912,513	917,029	877,589	662,745	
Ratio	\$ 78.93	\$ 72.59	\$ 68.45	\$ 70.02	
Change in ratio	8.73%	6.05%	-2.24%		4.18%

If you have any questions, please feel free to contact me at eparklynch@nctd.org or at (760) 967-2858.

Sincerely,

Eun Park-Lynch
Chief Financial Officer

cc: Shawn M. Donaghy, Chief Executive Officer, NCTD
 Lori A. Winfree, Deputy Chief Executive Officer/Chief General Counsel, NCTD
 Mary Dover, Chief of Staff, NCTD
 Lilia Montoya, Chief Operations Officer – Bus Operations, NCTD
 Thomas Tulley, Chief Operations Officer – Rail Operations, NCTD

FY 2026 Transit Capital Improvement Program

Overview

The regional transit Capital Improvement Program (CIP) is a rolling five-year plan, which outlines current transit needs and planned investments in transit capital, rehabilitation, and replacement projects. The program is updated annually in partnership with the Metropolitan Transit System (MTS) and North County Transit District (NCTD) and is designed to meet ongoing transit operational and infrastructure needs in a responsive and efficient manner. These CIPs are the basis for the Federal Transit Administration (FTA) Section 5307 Urbanized Area, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities formula grant applications and for updating the 2025 Regional Transportation Improvement Program (RTIP). As the Metropolitan Planning Organization (MPO) for the San Diego region, SANDAG is the designated recipient for the FTA formula grant funds and is responsible for approving the grant applications for the San Diego region and programming the FTA funds in the RTIP.

Key Considerations

Three FTA formula programs: Section 5307 Urbanized Area Formula Program, Section 5337 State of Good Repair Program, and Section 5339 Bus and Bus Facilities Program are the primary source of funding for the transit agency CIPs and generally provide 80% of the cost of eligible activities (Attachment 1). Additional state and local funding sources supplement the FTA programs. The combined funding for the regional CIP is \$468.7 million for Fiscal Year (FY) 2026 and \$1.9 billion for the five-year program from FY 2026 to FY 2030. The individual transit agency CIP summaries are in Attachment 2.

After allocating funds to SANDAG for planning¹, the balance of the Section 5307 funds are allocated to the operators on a 70%/30% basis, with the more populous MTS area receiving 70% and the 30% share going to NCTD². The same 70/30 formula is used to allocate the Sections 5337 and 5339 funds between MTS and NCTD. Funding assumptions used for development of the FY 2026 transit CIP are based on Federal Fiscal Year (FFY) 2025 apportionments. The estimate for FTA formula programs will remain flat for the four final years of the estimate, FFY 2027 through FFY 2030, as approved by the Board on February 14, 2025.

¹ An equal amount of 5307 spent on planning is spent to fund the vanpool program with Congestion Mitigation and Air Quality (CMAQ) funds.

² This methodology was approved by the Board of Directors at its February 23, 2007, meeting.

Action: Approve

The Transportation Committee recommends that the Board of Directors:

1. Approve the submittal of Federal Transit Administration grant applications for the San Diego region; and
2. Adopt Regional Transportation Commission Resolution No. RTC-2025-04, in substantially the same form, approving Amendment No. 04 to the 2025 Regional Transportation Improvement Program.

Fiscal Impact:

Pending approval by the Board of Directors the Transit Capital Improvement Programs will provide approximately \$468.7 million for capital projects, preventive maintenance, American with Disabilities Act compliance, and planning activities in FY 2026.

Amendment No. 04 reflects an increase of approximately \$72 million to the 2025 Regional Transportation Improvement Program.

Schedule/Scope Impact:

Federal Transit Administration grant applications would be executed in fall 2025.

MTS and NCTD reviewed and prioritized capital project submittals to ensure that operationally critical projects were funded. The NCTD Board approved its CIP on January 23, 2025, and the MTS Board approved its CIP on March 13, 2025. NCTD will seek approval of an amended CIP budget based on updated flattened FFY 2027 through FFY 2030 estimates in June 2025. The FY 2026 Transit Capital Program Fiscally Constrained CIPs can be seen in Attachment 3.

Regional Transportation Improvement Program

As the MPO for the San Diego region, SANDAG is the designated recipient for FTA formula funds and is responsible for programming the FTA funds in the RTIP. The RTIP is the multiyear funding program for major transportation projects in the San Diego region. Projects included in the CIP, and subsequently in the FTA grant application, also must be programmed in the RTIP.

Changes in funding are highlighted in Attachment 4 while the proposed amendments are included in Attachment 5. Changes and comments received during the public comment period are included in attachments 6a and 6b. The TransNet Independent Taxpayer Oversight Committee reviewed Amendment No. 4 to the 2025 RTIP at its April 9, 2025, meeting, focusing its review on the TransNet-funded projects. No comments were received.

It has been determined that the 2025 RTIP will remain in compliance with federal regulations upon approval of Amendment No. 4 (Attachment 7). And finally, Tables 3a through 3c (Attachment 9) provide updated program financial summaries, including a comparison to the previous amendment to the 2025 RTIP. Changes are highlighted in yellow.

Next Steps

Pending approval by the SANDAG Board, SANDAG, MTS, and NCTD will submit the FTA grant applications for the San Diego region and the 2025 RTIP Amendment No. 4 will be transmitted to Caltrans for review and approval and then forwarded to the Federal Highway Administration and FTA. Upon the approval of both federal agencies, the amendment will be incorporated into the 2025 Federal Statewide Transportation Improvement Program.

Dawn Vettese, Chief Financial Officer

- Attachments:
1. FTA Formula Grant Programs
 2. MTS and NCTD Proposed Transit Capital Improvement Program Funding Summaries for FY 2026 to FY 2030
 3. MTS and NCTD Proposed FY 2026 Transit Capital Improvement Projects - Fiscally Constrained
 4. Table 1 - Summary of Changes Report - Amendment No. 4
 5. Table 2 - 2025 Regional Transportation Improvement Program - Amendment No. 4
 - 6A. Changes During Public Comment Period
 - 6B. Public Comments and Responses
 7. Amendment No. 4 Federal Requirements Analysis
 8. RTC Resolution No. RTC-2025-04: Approving Amendment No. 4 to the 2025 Regional Transportation Improvement Program
 9. Tables 3A-3C - 2025 RTIP Amendment No. 4 Financial Summary

Federal Transit Administration Formula Grant Programs

Section 5307

Section 5307 Urbanized Area Program provides funding for transit capital and operating assistance in urbanized areas and for transportation-related planning. Eligible activities under this program include planning, engineering design, and evaluation of transit projects and other technical transportation-related studies; capital investments in bus and bus-related activities such as replacement of buses; overhaul and rebuilding of buses; crime prevention and security equipment; construction of maintenance and passenger facilities; and capital investments in new and existing fixed guideway systems, including rolling stock, overhaul and rebuilding of vehicles, track, signals, communications, and computer hardware and software. In addition, associated transit improvements and certain expenses associated with mobility management programs are eligible under the program. All preventive maintenance and some American with Disabilities Act complementary paratransit service, while recorded as operating expenditures, are considered capital costs for purposes of eligibility. The Federal Transit Administration defines preventive maintenance as all maintenance costs related to vehicles and non-vehicles. Specifically, it is all the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost-effective manner, up to and including the current state-of-the-art for maintaining such an asset.

Section 5337

This State of Good Repair program provides capital assistance for maintenance, replacement, and rehabilitation projects of high-intensity, fixed guideway and bus systems to help transit agencies maintain assets in a state of good repair. Additionally, State of Good Repair grants are eligible for developing and implementing Transit Asset Management plans. This program reflects a commitment to ensuring that public transit operates safely, efficiently, reliably, and sustainably so that communities can offer balanced transportation choices that help to improve mobility, reduce congestion, and encourage economic development. Eligible activities include projects that maintain, rehabilitate, and replace capital assets as well as projects that implement transit asset management plans

Section 5339

The Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act, continues the Grants for Buses and Bus Facilities program, which makes funding available to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities including technological changes or innovations to modify low- or no-emission vehicles or facilities. Funding is provided through formula allocations and competitive grants. Two sub-programs provide competitive grants for buses and bus facility projects, including one that supports low and zero-emission vehicles.

**METROPOLITAN TRANSIT SYSTEM
TRANSIT CAPITAL PROGRAM SUMMARY
FY 2026 to FY 2030
In \$000's**

	FY 26	FY 27	FY 28	FY 29	FY 30	Five Year Total
Federal Formula Program 5307	65,182	65,182	65,182	65,182	65,182	325,912
Federal Formula Program 5337	47,439	47,439	47,439	47,439	47,439	237,196
Federal Formula Program 5339	4,272	4,272	4,272	4,272	4,272	21,358
Federal FFY24 EPA Community Change Grant	3,906	0	0	0	0	3,906
Federal Compressed Natural Gas (CNG) Rebate	3,601	4,000	0	0	0	7,601
State Transit Assistance (STA)	22,200	22,700	22,700	22,700	22,700	113,000
State STA/ State of Good Repair (SGR) Program	5,816	6,000	6,000	6,000	6,000	29,816
State Cap and Trade: Low Carbon Transit Operations Program (LCTOP)	8,658	8,000	8,000	8,000	8,000	40,658
State Cap and Trade: Transit and Intercity Rail Capital Program (TIRCP) Discretionary	42,000	6,315	0	0	0	48,315
State Zero-Emission Transit Capital Program (ZETCP)	0	9,685	9,685	9,685	0	29,056
Local Transportation Development Act (TDA)	27,726	17,218	5,710	57,202	58,693	166,550
Local Transportation Development Act (TDA) FY25 Pending Transfer	7,126	0	0	0	0	7,126
Local Land Sales Proceeds	3,298	0	0	0	0	3,298
Total Federal Funding (including local match)	241,223	190,812	168,989	220,481	212,287	1,033,791
Less: Preventive Maintenance /ADA/Planning	76,696	78,700	80,704	82,708	84,712	403,519
Less: SANDAG Planning	1,186	1,211	1,236	1,262	1,289	6,185
Total Funding Available For Capital Projects	163,341	110,900	87,049	136,511	126,286	624,088

**NORTH COUNTY TRANSIT DISTRICT
TRANSIT CAPITAL PROGRAM SUMMARY
FY 2025 to FY 2029
In \$000's**

	FY 26	FY 27	FY 28	FY 29	FY 30	Five Year Total
Federal Formula Program 5307	27,935	27,935	27,935	27,935	27,935	139,677
Federal Formula Program 5337	20,331	20,331	20,331	20,331	20,331	101,656
Federal Formula Program 5337 - High Intensity Motorbus	10	10	10	10	10	48
Federal Formula Program 5339	1,831	1,831	1,831	1,831	1,831	9,154
Federal Forumula Program 5311	642	642	642	642	642	3,208
State Transit Assistance (STA)	13,960	13,960	13,960	13,960	13,960	69,802
State STA/ State of Good Repair (SGR) Program	2,089	2,089	2,089	2,089	2,089	10,443
State Cap and Trade: Low Carbon Transit Operations Program (LCTOP)	2,901	2,901	2,901	2,901	2,901	14,506
State Cap and Trade: Transit and Intercity Rail Capital Program (TIRCP) Formula	43,578	4,756	0	0	0	48,334
State Zero-Emission Transit Capital Program (ZETCP)	3,467	3,467	3,467	0	0	10,402
State Rebuilding American Infrastructure with Sustainability and Equity (RAISE)	10,209	0	0	0	0	10,209
State Affordable Housing and Sustainable Communities (AHSC)	12,900	0	0	0	0	12,900
State Rail Assistance (SRA)	3,800	3,800	3,800	3,800	3,800	19,000
Local Transportation Development Act (TDA)	55,990	56,476	57,804	58,937	60,705	289,912
Local TransNet	19,016	19,256	19,806	20,312	20,921	99,311
Local TransNet Senior	504	511	525	539	555	2,634
Local TransNet 8.1%	8,343	8,593	8,851	9,117	9,390	44,294
Total Federal Funding (including local match)	\$227,506	\$166,558	\$163,952	\$162,403	\$165,070	\$885,490
Less: Preventive Maintenance /ADA/Planning	147,060	150,768	162,200	165,253	168,907	794,188
Total Funding Available For Capital Projects	\$80,445	\$15,790	\$1,753	(\$2,850) *	(\$3,836) *	\$91,302

* NCTD will seek approval of an amended CIP budget based on updated flattened FFY 2027 - FFY 2030 estimates in June 2025.

METROPOLITAN TRANSIT SYSTEM
FY 2026 TRANSIT CAPITAL PROGRAM
FISCALLY CONSTRAINED
In \$000's

Implementing Agency		PROJECT	FY 26	FY 27	FY 28	FY 29	FY 30	Five Year Total
1	MTS	Bus Procurement - FY26	53,906	22,054	16,958	62,000	29,076	\$183,993
2	MTS	OL Improvement Project Phase 2	42,000	0	0	0	0	\$42,000
3	MTS	Substation Replacement	13,000	0	0	333	0	\$13,333
4	MTS	OL Improvement Project Phase 1	12,000	0	0	0	0	\$12,000
5	MTS	Southbay Maintenance Facility Backup Power Charging Infrastructure	6,068	0	0	0	0	\$6,068
6	MTS	Grade Crossing Replacement	3,850	4,243	4,055	4,028	4,710	\$20,886
7	MTS	Special Trackwork Replacement	3,835	3,300	0	1,750	1,200	\$10,085
8	MTS	Elevator Modernization	2,500	1,500	350	2,500	0	\$6,850
9	MTS	Imperial Avenue Division BEB Charging Infrastructure	2,110	0	0	0	0	\$2,110
10	MTS	Station Trackway Replacement	1,975	1,500	100	1,200	1,300	\$6,075
11	SANDAG	Beyer Blvd Track and Slope	1,850	0	0	0	0	\$1,850
12	MTS	Copley Park Division New Admin Building	1,824	0	0	0	0	\$1,824
13	MTS	East County Division BEB Charging Phase I - Design	1,609	0	0	0	0	\$1,609
14	MTS	65th Street Retaining Wall	1,600	0	0	0	0	\$1,600
15	MTS	Substation Siemens 1st Gen Monitoring Devices	1,500	5,000	0	0	0	\$6,500
16	MTS	Washington Pedestrian Enhancements	1,250	0	0	0	0	\$1,250
17	MTS	PRONTO Mobile App Enhancement	1,100	0	0	0	0	\$1,100
18	MTS	Miscellaneous Capital	1,064	0	2,000	0	2,000	\$5,064
19	MTS	Transit Amenity Improvement	1,000	1,000	1,000	1,000	1,000	\$5,000
20	MTS	ERP System Upgrade	1,000	1,000	0	0	0	\$2,000
21	MTS	Downtown Parallel Feeder Cable - Phase 1&2	800	5,000	5,000	5,000	5,000	\$20,800
22	MTS	Drainage Improvements	800	3,750	5,350	4,500	1,000	\$15,400
23	MTS	On-Track Equipment Replacement	625	0	0	0	650	\$1,275
24	MTS	C Building Crane Upgrade	500	5,000	0	0	0	\$5,500
25	MTS	Signal Replacement	500	1,500	2,000	0	685	\$4,685
26	MTS	Network Communication Equipment Replacement	500	600	600	800	950	\$3,450
27	MTS	AC Switchgear Replacement	500	0	0	0	0	\$500
28	MTS	Yard Switch Automation	500	0	0	0	0	\$500
29	MTS	Kearney Mesa & Imperial Avenue Division Roof Hatch Replacement	452	0	0	0	0	\$452
30	MTS	Security Records Management System & Computer Aided Dispatch	402	604	0	0	0	\$1,006
31	MTS	Trolley Station Network Communication Equipment	400	600	800	950	950	\$3,700
32	MTS	Fence Replacement	400	350	350	350	350	\$1,800
33	MTS	MTS Data Storage Replacement	300	540	170	155	45	\$1,210
34	SANDAG	Overhead Catenary System (OCS)	300	0	0	1,500	10,000	\$11,800
35	MTS	Kearney Mesa & Imperial Avenue Division Vacuum Equipment Replacement	284	0	0	0	0	\$284
36	MTS	Signal & Track Inspection Solution Implementation	275	0	0	0	0	\$275
37	MTS	All Division ZEB Rolling Scaffold	212	0	0	0	0	\$212

Implementing								Five Year
Agency	PROJECT		FY 26	FY 27	FY 28	FY 29	FY 30	Total
38	MTS	HVAC Replacement	200	100	100	100	100	\$600
39	MTS	Operation Control Center UPS Replacement	200	0	0	0	0	\$200
40	MTS	Station Cleaning Equipment	150	100	100	100	100	\$550
41	MTS	SD7 LRV Replacement	0	10,566	10,566	10,566	10,566	\$42,264
42	MTS	Copley Park Division Upgrades	0	8,030	250	0	0	\$8,280
43	MTS	Sicas S7 System Wide Replacement	0	6,000	6,000	6,000	6,000	\$24,000
44	MTS	System Sign Upgrades	0	3,500	3,500	3,500	3,500	\$14,000
45	MTS	Sicas S7 System Wide Replacement - BL	0	3,500	2,000	2,000	2,000	\$9,500
46	MTS	Street Trackage Pavement Replacement	0	3,000	1,500	3,000	6,000	\$13,500
47	MTS	Rio Vista Platform Construction	0	3,000	0	0	0	\$3,000
48	MTS	Trolley Onboard Monitors - Systemwide	0	2,000	2,000	0	0	\$4,000
49	MTS	Yard Tower & Paint Booth Upgrade	0	1,600	400	0	0	\$2,000
50	MTS	Imperial Avenue Division Upgrades	0	1,400	7,500	5,450	0	\$14,350
51	MTS	Bus Stop Shelters	0	1,200	1,200	1,300	1,300	\$5,000
52	MTS	Yard Tower Roof Replacement	0	1,200	0	0	0	\$1,200
53	MTS	Building A Roof Replacement	0	1,200	0	0	0	\$1,200
54	MTS	A-yard Catenary Replacement	0	1,000	2,000	0	0	\$3,000
55	MTS	MTS Server Refresh	0	800	800	800	800	\$3,200
56	MTS	RTMS & Hastus Upgrades	0	750	2,100	0	300	\$3,150
57	MTS	Kearney Mesa Division Upgrades	0	650	750	0	0	\$1,400
58	MTS	ADA Bus Stop Improvements	0	500	600	700	0	\$1,800
59	MTS	El Cajon Transit Center Bus Improvements	0	500	500	12,000	0	\$13,000
60	MTS	Substation Replacement Design	0	500	0	0	0	\$500
61	MTS	Bus Yard Wireless Network Equipment	0	400	400	400	400	\$1,600
62	MTS	Yard Tower interior upgrades	0	400	0	0	0	\$400
63	MTS	Building A Rollup Door Replacement	0	350	350	0	0	\$700
64	MTS	BRT Station Network Replacement	0	300	0	0	300	\$600
65	MTS	Southbay Maintenance Facility Upgrades	0	300	0	0	0	\$300
66	MTS	Rail Yard Management System	0	290	0	0	0	\$290
67	MTS	Bus Operations Paperless Shop Implementation	0	225	0	0	0	\$225
68	MTS	Building C Roof Replacement	0	0	2,000	0	0	\$2,000
69	MTS	Social Equity Listening Tour	0	0	2,000	0	0	\$2,000
70	MTS	Davra System Enhancements	0	0	600	0	600	\$1,200
71	MTS	Paint Booth Roof Replacement	0	0	400	0	0	\$400
72	MTS	Fashion Valley Elevator Replacement	0	0	350	2,500	0	\$2,850
73	MTS	Copier Replacement	0	0	200	340	140	\$680
74	MTS	East County Division Upgrades	0	0	150	0	0	\$150
75	MTS	Fare System Analysis: Refresh vs Replace	0	0	0	763	0	\$763
76	MTS	Grade Crossing Warning System	0	0	0	300	2,300	\$2,600
77	MTS	Rail Replacement	0	0	0	250	800	\$1,050
78	MTS	System Wide UPS and Batteries Replacement	0	0	0	200	0	\$200
79	MTS	Paint Booth Blowers	0	0	0	175	0	\$39,000
80	MTS	SD8 LRV Replacement	0	0	0	0	26,000	\$26,000

Implementing								Five Year
Agency	PROJECT		FY 26	FY 27	FY 28	FY 29	FY 30	Total
81	MTS	Variable Message System Modernization Project	0	0	0	0	2,214	\$2,214
82	MTS	SDSU Underground Station	0	0	0	0	2,200	\$2,200
83	MTS	Morena Linda Vista Shelter Replacement	0	0	0	0	650	\$650
84	MTS	Southbay and East County Garage Genfare Lane Refresh	0	0	0	0	600	\$600
85	MTS	Boardroom and Executive Room Upgrade	0	0	0	0	500	\$500
FIVE YEAR CIP - CONSTRAINED			\$163,341	\$110,901	\$87,049	\$136,511	\$126,286	\$624,088

**NORTH COUNTY TRANSIT DISTRICT
FY 2026 TRANSIT CAPITAL PROGRAM
FISCALLY CONSTRAINED**

In \$000's

Implementing Agency		PROJECT	FY 26	FY 27	FY 28	FY 29	FY 30	Five Year Total
1	SANDAG	San Dieguito Lagoon Double-Track and Fairgrounds Station	36,397	0	0	0	0	\$36,397
2	NCTD	SPRINTER Corridor Service Improvement (Environmental and Design)	12,761	0	0	0	0	\$12,761
3	NCTD	Escondido Signal Modernization - Phase 8	5,675	0	0	0	0	\$5,675
4	NCTD	Escondido Signal Modernization - Phase 9	4,900	0	0	0	0	\$4,900
5	NCTD	Miramar Rail Replacement	2,610	0	0	0	0	\$2,610
6	SANDAG	Bridge 257.2 (Construction)	2,157	1,005	0	0	0	\$3,162
7	NCTD	Non-Revenue Vehicles	1,775	0	0	0	0	\$1,775
8	NCTD	Bridge 209.9 (Construction)	900	0	0	0	0	\$900
9	NCTD	HVAC Various Replacements	885	0	0	0	0	\$885
10	NCTD	Bus Stops Improvements Phase II (Construction)	850	0	0	0	0	\$850
11	NCTD	Wayfinding Master Plan	800	0	0	0	0	\$800
12	NCTD	Oceanside Transit Center Pedestrian Crossing	795	0	0	0	0	\$795
13	NCTD	COASTER Image Recorders (Construction)	750	2,250	0	0	0	\$3,000
14	NCTD	Carlsbad Grade Crossing Safety Improvements	750	0	0	0	0	\$750
15	NCTD	Trapeze Enterprise Asset Management	685	685	0	0	0	\$1,370
16	NCTD	Bus Stop Improvement Phase III (Construction)	625	0	0	0	0	\$625
17	NCTD	HASTUS Scheduling Software	600	150	0	0	0	\$750
18	NCTD	Fire Alarm System (Construction)	550	0	0	0	0	\$550
19	NCTD	Battery Electric and Fuel Cell Electric Buses On-Board Equipment	540	0	0	0	0	\$540
20	NCTD	Maintenance-of-Way Building Improvements (Construction)	540	0	0	0	0	\$540
21	NCTD	COASTER Train Wash (Construction)	500	1,800	0	0	0	\$2,300
22	NCTD	PRONTO Fare Collection Equipment (Convention Center)	500	0	0	0	0	\$500
23	NCTD	Platform Improvements	500	0	0	0	0	\$500
24	NCTD	SPRINTER WiTronix System	380	889	902	0	0	\$2,170
25	NCTD	COASTER Wheelset Refurbishment	280	0	0	0	0	\$280
26	NCTD	BREEZE Operations West Unleaded Dispensers	275	125	0	0	0	\$400
27	NCTD	BREEZE Operations East Conference Room	250	0	0	0	0	\$250
28	NCTD	SPRINTER Fuel Dispenser	205	0	0	0	0	\$205
29	NCTD	Drought Tolerant Landscaping	200	0	0	0	0	\$200
30	NCTD	Oceanside Transit Center Platform Stormwater Improvements	200	0	0	0	0	\$200
31	NCTD	Network Upgrades	175	0	0	0	0	\$175
32	NCTD	BREEZE Operations West Employee Parking (Design)	150	0	0	0	0	\$150
33	NCTD	COASTER Fuel Dispensing System (Design)	150	0	0	0	0	\$150
34	NCTD	Positive Train Control Disaster Recovery	130	20	0	0	0	\$150
35	NCTD	BREEZE Hydrogen Sensors (Construction)	120	0	0	0	0	\$120
36	NCTD	Sorrento Valley Bus Parking (Design)	110	0	0	0	0	\$110
37	NCTD	PRONTO Enhancements	100	400	150	0	0	\$650
38	NCTD	BREEZE Operations East Offices Remodel	100	0	0	0	0	\$100
39	NCTD	COASTER Turntables (Design)	100	0	0	0	0	\$100
40	NCTD	BREEZE Operations West Hydrogen Fueling Station (Design)	85	0	0	0	0	\$85
41	NCTD	Server Upgrades	72	0	0	0	0	\$72

In \$000's

Implementing Agency PROJECT			FY 26	FY 27	FY 28	FY 29	FY 30	Five Year Total
42	NCTD	BREEZE Operations East and West Gate System	70	0	0	0	0	\$70
43	NCTD	COASTER Waste Rigs Carts	61	0	0	0	0	\$61
44	NCTD	BREEZE Operations East and West Signage	52	0	0	0	0	\$52
45	NCTD	Hydro Enhance Elevator Upgrade	51	0	0	0	0	\$51
46	NCTD	RTMS Battery Replacement	45	0	0	0	0	\$45
47	NCTD	Waste Pumping Carts	41	0	0	0	0	\$41
48	NCTD	BREEZE Six (6) Battery Electric Buses	0	4,900	0	0	0	\$4,900
49	NCTD	SPRINTER Engine Overhauls	0	2,200	0	0	0	\$2,200
50	NCTD	Twenty-three (23) Hydrogen Fuel Buses	0	978	2,583	0	0	\$3,561
51	NCTD	Non-Revenue Vehicles	0	710	0	0	0	\$710
52	NCTD	SPRINTER Wheelset Overhauls	0	320	0	0	0	\$320
53	NCTD	SPRINTER Axle Gearbox Overhauls	0	290	0	0	0	\$290
FIVE YEAR CIP - CONSTRAINED			\$80,445	\$16,722	\$3,634	\$0	\$0	\$100,802

Table 1 - Summary of Changes Report (\$000)
2025 RTIP Amendment No. 4

Project ID	Lead Agency	Project Title	Total Programmed Before	Total Programmed Revised	Cost Difference	Percent Change	Change Description
MTS23A	San Diego Metropolitan Transit System	Transit Service Operations	\$35,398	\$74,451	\$39,053	110%	↑ FTA 5307; ↑ FTA 5311; + STA; ↑ TDA
MTS28	San Diego Metropolitan Transit System	Bus & Rail Rolling Stock purchases and Rehabilitations	\$365,427	\$275,719	-\$89,708	-25%	+ CMAQ; ↓ FTA 5307; ↑ FTA 5337; ↑ FTA 5339; ↑ Other State - LCTOP; ↑ SB1 - SGR; ↓ STA; ↓ Local Funds; ↓ TDA
MTS29	San Diego Metropolitan Transit System	Bus and Fixed Guideways Station Stops and Terminals	\$110,932	\$115,032	\$4,100	4%	↑ TDA
MTS30	San Diego Metropolitan Transit System	Bus & Rail Support Facilities and Equipment	\$149,574	\$88,137	-\$61,437	-41%	+ FTA 5307; ↓ STA; ↓ TDA
MTS31	San Diego Metropolitan Transit System	Bus & Rail Electrification and Power	\$206,429	\$173,001	-\$33,429	-16%	↑ FTA 5307; ↓ FTA 5337; ↓ SB1 - TIRCP; ↑ STA; + Local Funds; ↑ TDA
MTS32A	San Diego Metropolitan Transit System	Preventive Maintenance	\$314,472	\$408,472	\$94,000	30%	↑ FTA 5307; ↑ FTA 5337
MTS33A	San Diego Metropolitan Transit System	Senior Disabled Program	\$13,185	\$19,555	\$6,370	48%	↑ TransNet - ADA
MTS34	San Diego Metropolitan Transit System	Bus & Rail Signal and Communications Equipment	\$77,358	\$117,343	\$39,985	52%	↑ FTA 5307; + FTA 5337; + SB1 - SGR; ↑ STA; ↑ TDA
MTS35	San Diego Metropolitan Transit System	Fixed Guideway Transitways/Lines	\$189,595	\$290,504	\$100,909	53%	↑ FTA 5307; ↓ FTA 5337; ↑ SB1 - TIRCP; ↑ STA; ↑ Local Funds; ↓ TDA
NCTD02	North County Transit District	Preventive Maintenance	\$226,248	\$291,001	\$64,753	29%	↑ FTA 5307; ↑ FTA 5337; + FTA 5339; ↓ SB1 - SGR; SB1 - SRA Commuter; ↓ TDA
NCTD03	North County Transit District	ADA Paratransit Services	\$85,108	\$73,108	-\$12,000	-14%	↓ TDA
NCTD05	North County Transit District	Bus Revenue Vehicle Purchases & Related Equipment	\$154,383	\$157,974	\$3,591	2%	↑ FTA 5307; ↓ FTA 5309 (FG); ↑ FTA 5339; ↑ STA
NCTD06	North County Transit District	Bus/Rail Support Equipment & Facilities	\$111,290	\$116,276	\$4,986	4%	↑ FTA 5307; ↓ FTA 5337; ↓ FTA 5339; + Other State - AHSC; ↑ STA
NCTD18	North County Transit District	Rail-Right-of-Way State of Good Repair & Improvements	\$79,014	\$92,226	\$13,212	17%	↑ FTA 5337; + Other State - AHSC; ↑ STA
NCTD20	North County Transit District	Rail Vehicles & Related Equipment	\$38,558	\$9,262	-\$29,296	-76%	↓ FTA 5337; ↓ STA; ↓ FTA 5307
NCTD34	North County Transit District	Transit Service Operating Support	\$455,025	\$473,170	\$18,145	4%	↑ TransNet - BRT/Rail Ops; ↑ FTA 5311; + SB1 - SRA Commuter; ↑ STA; ↑ TDA
SAN40	San Diego Association of Governments	Metropolitan Planning	\$86,863	\$87,300	\$437	1%	↑ FTA 5307; ↑ TDA

LEGEND:
 ↑ Increase
 ↓ Reduce
 ↔ Revise
 + Add new

Table 1 - Summary of Changes Report (\$000)
2025 RTIP Amendment No. 4

Project ID	Lead Agency	Project Title	Total Programmed Before	Total Programmed Revised	Cost Difference	Percent Change	Change Description
SAN290	San Diego Association of Governments	Beyer Track and Slope	\$5,379	\$7,229	\$1,850	34%	↑ TDA

LEGEND:
 ↑ Increase
 ↓ Reduce
 ↔ Revise
 + Add new

Abbreviation

AHSC	Affordable Housing and Sustainable Communities Program
FTA 5307	Federal Transit Administration Urbanized Area Formula Program
FTA 5311	Federal Transit Administration Rural Area Formula Program
FTA 5337	Federal Transit Administration State of Good Repair Grant Program
FTA 5339	Federal Transit Administration Bus and Bus Facilities Grant Program
LCTOP	State Low Carbon Transit Operations Program
Local Funds	Funds available from other sources such as developer fees, fare revenue or general fund
SB1 - SGR	Senate Bill 1 - State Transit Assistance State of Good Repair
SB1 - TIRCP	Senate Bill 1 - Transit and Intercity Rail Capital Program
SRA - Commuter	State Rail Assistance - Commuter
STA	State Transit Assistance
TDA	Transportation Development Act
TransNet - ADA	Prop A Extension - Americans with Disabilities Act
TransNet - BRT/Rail Ops	Prop A Extension - Bus Rapid Transit and Rail Operations

Fund Type

Affordable Housing and Sustainable Communities Program
Federal Transit Administration Urbanized Area Formula Program
Federal Transit Administration Rural Area Formula Program
Federal Transit Administration State of Good Repair Grant Program
Federal Transit Administration Bus and Bus Facilities Grant Program
State Low Carbon Transit Operations Program
Funds available from other sources such as developer fees, fare revenue or general fund
Senate Bill 1 - State Transit Assistance State of Good Repair
Senate Bill 1 - Transit and Intercity Rail Capital Program
State Rail Assistance - Commuter
State Transit Assistance
Transportation Development Act
Prop A Extension - Americans with Disabilities Act
Prop A Extension - Bus Rapid Transit and Rail Operations

Table 2
2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)

North County Transit District

MPO ID: NCTD02									RTIP #:25-04		
Project Title: Preventive Maintenance											
Project Description: NCTD service area - This project funds preventive maintenance for the District bus fixed route, paratransit, rail, facilities, maintenance of way and signals.											
Change Reason: Increase funding, Revise funding between fiscal years											
Capacity Status:NCI			Exempt Category:Other - Non construction related activities								
Est Total Cost: \$291,001											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$138,995		\$25,018	\$24,793	\$29,115	\$29,724	\$30,345		\$138,995		
FTA 5337	\$88,629		\$11,662	\$13,651	\$20,283	\$21,344	\$21,689		\$88,629		
FTA 5339	\$5,546				\$1,749	\$1,889	\$1,908		\$5,546		
SB1 - SGR	\$8,240		\$1,974	\$2,089	\$2,089		\$2,089		\$8,240		
SB1 - SRA Commuter	\$9,364		\$2,798		\$2,767		\$3,800		\$9,364		
SB1 - TIRCP	\$883		\$883						\$883		
SB125 - TIRCP	\$25,095		\$13,258	\$7,081	\$4,756				\$25,095		
TDA	\$14,249					\$6,898	\$7,351		\$14,249		
TOTAL	\$291,001		\$55,593	\$47,614	\$60,759	\$59,855	\$67,182		\$291,001		
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$113,012		\$27,547	\$28,435	\$27,306	\$29,724			\$113,012		
FTA 5337	\$44,793		\$2,580	\$10,545	\$12,753	\$18,914			\$44,793		
SB1 - SGR	\$9,870		\$1,974	\$1,974	\$1,974	\$1,974	\$1,974		\$9,870		
SB1 - SRA Commuter	\$17,998		\$2,798	\$3,800	\$3,800	\$3,800	\$3,800		\$17,998		
SB1 - TIRCP	\$883		\$883						\$883		
SB125 - TIRCP	\$25,095		\$13,258	\$11,837					\$25,095		
TDA	\$14,597				\$3,971	\$4,241	\$6,386		\$14,597		
TOTAL	\$226,248		\$49,040	\$56,591	\$49,804	\$58,653	\$12,160		\$226,248		

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

North County Transit District

MPO ID: NCTD03

RTIP #:25-04

Project Title: ADA Paratransit Services

Project Description: NCTD service area - This project supports the operations of the District ADA/paratransit services.

Change Reason: Reduce funding, Revise funding between fiscal years

Capacity Status:NCI Exempt Category:Other - Non construction related activities

Est Total Cost: \$73,108

	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
TransNet - ADA	\$7,485	\$4,908	\$498	\$504	\$511	\$525	\$539		\$7,485		
TransNet - ADA Carryover	\$50	\$50							\$50		
FTA 5307	\$2,000	\$2,000							\$2,000		
Local Funds	\$7,981	\$7,981							\$7,981		
TDA	\$55,592	\$38,393	\$5,774	\$2,791	\$2,815	\$2,881	\$2,938		\$55,592		
TOTAL	\$73,108	\$53,332	\$6,272	\$3,295	\$3,326	\$3,406	\$3,477		\$73,108		

PROJECT LAST AMENDED 25-00

	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
TransNet - ADA	\$7,485	\$4,908	\$498	\$504	\$511	\$525	\$539		\$7,485		
TransNet - ADA Carryover	\$50	\$50							\$50		
FTA 5307	\$2,000	\$2,000							\$2,000		
Local Funds	\$7,981	\$7,981							\$7,981		
TDA	\$67,592	\$38,393	\$5,774	\$5,791	\$5,815	\$5,881	\$5,938		\$67,592		
TOTAL	\$85,108	\$53,332	\$6,272	\$6,295	\$6,326	\$6,406	\$6,477		\$85,108		

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

North County Transit District

MPO ID: NCTD05		RTIP #:25-04
Project Title:	Bus Revenue Vehicle Purchases & Related Equipment	
Project Description:	NCTD service area - This project funds the programmatic replacement of fixed route buses that have reached the end of their service life, and the programmatic rebuild of fixed route buses engines and transmissions. The twenty-two (22) non-revenue vehicle purchase includes: Five (5) standard cab trucks with service body, One (1) stake bed standard cab truck, One (1) shop truck with combination body and lift gate, One (1) crew cab four-wheel drive truck, Two (2) extended cab, service body, four-wheel drive trucks, Six (6) standard SUVs, Six (6) four-wheel drive, small SUVs. The eight (8) Hydrogen Fuel Cell Electric Bus purchase includes: Eight (8) New Flyer Xcelsior CHARGE H2 40 foot, 37 passenger, hydrogen fuel cell electric buses.	
Change Reason:	Increase funding, Revise funding between fiscal years	
Capacity Status:	NCI	Exempt Category:Mass Transit - Purchase new buses and rail cars to replace existing vehicles or minor expansions of fleet

Est Total Cost: **\$157,974**

	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
<i>TransNet</i> - MC	\$1,509	\$1,509									\$1,509
<i>TransNet</i> - Transit (Cash)	\$1,155	\$1,155									\$1,155
FTA 5307	\$52,262	\$49,104		\$3,158							\$52,262
FTA 5309 (Bus)	\$4,622	\$4,622									\$4,622
FTA 5309 (FG)	\$0										
FTA 5311	\$2,036	\$2,036									\$2,036
FTA 5339	\$14,509	\$13,747		\$762							\$14,509
FTA 5339(c)	\$27,093	\$27,093									\$27,093
FTA Funds - AR-5311	\$578	\$578									\$578
FedDisc.-CPF-TransInfra	\$500	\$500									\$500
Other State - LCTOP	\$9,321	\$9,321									\$9,321
SB1 - SGR	\$1,604	\$1,604									\$1,604
SB125 - TIRCP	\$6,450		\$6,450								\$6,450
SB125 - ZETCP	\$4,201		\$100	\$540	\$978	\$2,583					\$4,201
STA	\$3,865	\$2,885		\$980							\$3,865
TCRP	\$7,700	\$7,700									\$7,700
Local Funds	\$13,060	\$13,060									\$13,060
TDA	\$7,509	\$7,509									\$7,509
TOTAL	\$157,974	\$142,423	\$6,550	\$4,460	\$1,958	\$2,583					\$157,974

PROJECT LAST AMENDED 25-02

	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
<i>TransNet</i> - MC	\$1,509	\$1,509									\$1,509
<i>TransNet</i> - Transit (Cash)	\$1,155	\$1,155									\$1,155
FTA 5307	\$49,104	\$49,104									\$49,104
FTA 5309 (Bus)	\$4,622	\$4,622									\$4,622
FTA 5309 (FG)	\$479		\$479								\$479
FTA 5311	\$2,036	\$2,036									\$2,036
FTA 5339	\$14,316	\$13,747		\$569							\$14,316
FTA 5339(c)	\$27,093	\$27,093									\$27,093
FTA Funds - AR-5311	\$578	\$578									\$578
FedDisc.-CPF-TransInfra	\$500	\$500									\$500
Other State - LCTOP	\$9,321	\$9,321									\$9,321
SB1 - SGR	\$1,604	\$1,604									\$1,604
SB125 - TIRCP	\$6,450		\$6,450								\$6,450
SB125 - ZETCP	\$4,201		\$100	\$540	\$978	\$2,583					\$4,201
STA	\$3,146	\$2,885		\$120	\$142						\$3,146
TCRP	\$7,700	\$7,700									\$7,700
Local Funds	\$13,060	\$13,060									\$13,060
TDA	\$7,509	\$7,509									\$7,509
TOTAL	\$154,383	\$142,423	\$7,029	\$1,229	\$1,120	\$2,583					\$154,383

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

North County Transit District

MPO ID: NCTD06									RTIP #:25-04			
Project Title:			Bus/Rail Support Equipment & Facilities									
Project Description:			NCTD service area - This project funds District state of good repair projects, including the repair, replacement and upgrade of fixed route and rail operations facilities and equipment, including information technology and fare revenue equipment									
Change Reason:			Add new funding source, Increase funding, Revise funding between fiscal years									
Capacity Status:			NCI		Exempt Category:			Mass Transit - Reconstruction or renovation of transit structures				
Est Total Cost: \$116,276												
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON	
FTA 5307	\$40,653	\$37,168	\$2,917	\$568							\$40,653	
FTA 5309 (Bus)	\$332	\$332									\$332	
FTA 5337	\$21,604	\$17,851	\$2,313	\$1,440							\$21,604	
FTA 5339	\$10,596	\$5,691	\$3,698	\$1,088	\$120						\$10,596	
FedDisc.-CPF-TransInfra	\$1,718	\$1,718									\$1,718	
Transit Security (TSGP)	\$1,538	\$1,538									\$1,538	
Other State - AHSC	\$2,325			\$2,325							\$2,325	
SB1 - TIRCP	\$130	\$130									\$130	
SB125 - TIRCP	\$5,505		\$5,405	\$100							\$5,505	
SB125 - ZETCP	\$3,060		\$3,060								\$3,060	
STA	\$12,742	\$7,543	\$1,666	\$2,730	\$774	\$30					\$12,742	
Local Funds	\$10,049	\$10,049									\$10,049	
TDA	\$6,024	\$6,024									\$6,024	
TOTAL	\$116,276	\$88,044	\$19,059	\$8,251	\$894	\$30					\$116,276	
PROJECT LAST AMENDED 25-03												
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON	
FTA 5307	\$37,640	\$37,168	\$388	\$84							\$37,640	
FTA 5309 (Bus)	\$332	\$332									\$332	
FTA 5337	\$22,179	\$17,851	\$3,592	\$736							\$22,179	
FTA 5339	\$11,663	\$5,691	\$3,148	\$1,281	\$1,230	\$314					\$11,663	
FedDisc.-CPF-TransInfra	\$1,718	\$1,718									\$1,718	
Transit Security (TSGP)	\$1,538	\$1,538									\$1,538	
SB1 - TIRCP	\$130	\$130									\$130	
SB125 - TIRCP	\$5,505		\$5,405	\$100							\$5,505	
SB125 - ZETCP	\$3,060		\$3,060								\$3,060	
STA	\$11,452	\$7,543	\$1,666	\$1,333	\$525	\$307	\$78				\$11,452	
Local Funds	\$10,049	\$10,049									\$10,049	
TDA	\$6,024	\$6,024									\$6,024	
TOTAL	\$111,290	\$88,044	\$17,259	\$3,534	\$1,755	\$621	\$78				\$111,290	

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

North County Transit District

MPO ID: NCTD18									RTIP #:25-04		
Project Title:			Rail-Right-of-Way State of Good Repair & Improvements								
Project Description:			NCTD service area - This project funds various District state of good repair projects and programs for the rail right of way, grade crossing replacement, right-of-way (ROW) drainage improvement, and programmatic replacement of rail ties and rail grinding. This project also funds the bridge replacement projects for BR.257.2, BR 207.6, BR 207.8 and BR 209.9								
Change Reason:			Add new funding source, Increase funding, Revise funding between fiscal years								
Capacity Status:			NCI		Exempt Category:Mass Transit - Track rehabilitation in existing right of way						
Est Total Cost: \$92,226											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA5337	\$6,058		\$5,238	\$820							\$6,058
Federal Disc.-CPF-TransInfra	\$10,209		\$10,209								\$10,209
Other State - AHSC	\$10,575			\$10,575							\$10,575
SB1 - TIRCP	\$1,758		\$1,758								\$1,758
SB125 - TIRCP	\$59,497		\$23,100	\$36,397							\$59,497
STA	\$4,129		\$63	\$3,862	\$205						\$4,129
TOTAL	\$92,226		\$40,368	\$51,654	\$205						\$92,226
PROJECT LAST AMENDED 25-02											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA5337	\$5,990		\$4,786	\$1,204							\$5,990
Federal Disc.-CPF-TransInfra	\$10,209		\$10,209								\$10,209
SB1 - TIRCP	\$1,758		\$1,758								\$1,758
SB125 - TIRCP	\$59,497		\$23,100	\$36,397							\$59,497
STA	\$1,560		\$63	\$1,196	\$301						\$1,560
TOTAL	\$79,014		\$39,916	\$38,797	\$301						\$79,014

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

North County Transit District

MPO ID: NCTD20										RTIP #:25-04	
Project Title:			Rail Vehicles & Related Equipment								
Project Description:			NCTD service area - This project funds the District state of good repair projects and programs replacing, repairing and rehabilitating the District COASTER and SPRINTER rail fleets, which includes the purchase of replacement locomotives, and Diesel Multiple Unit (DMU) rehabilitation and component overhauls.								
Change Reason:			Reduce funding, Revise funding between fiscal years								
Capacity Status:			NCI		Exempt Category:Mass Transit - Rehabilitation of transit vehicles						
Est Total Cost: \$9,262											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5337	\$6,608		\$1,128	\$4,759	\$721						\$6,608
SB1 - SRA Commuter	\$1,002		\$1,002								\$1,002
STA	\$1,652			\$282	\$1,190	\$180					\$1,652
TOTAL	\$9,262		\$2,130	\$5,041	\$1,911	\$180					\$9,262
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$1,809				\$1,809						\$1,809
FTA 5337	\$28,236		\$9,380	\$8,182	\$8,248	\$2,427					\$28,236
SB1 - SRA Commuter	\$1,002		\$1,002								\$1,002
STA	\$7,511			\$2,345	\$2,045	\$2,514	\$607				\$7,511
TOTAL	\$38,558		\$10,382	\$10,527	\$12,102	\$4,941	\$607				\$38,558

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

North County Transit District

MPO ID: NCTD34								RTIP #:25-04			
Project Title:			Transit Service Operating Support								
Project Description:			NCTD service area - This project funds operating costs for existing fixed route and rail transit service, including rural services.								
Change Reason:			Increase funding, Revise funding between fiscal years								
Capacity Status:			NCI		Exempt Category:Mass Transit - Transit operating assistance						
Est Total Cost: \$473,170											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
TransNet - BRT/Rail Ops	\$42,996		\$8,092	\$8,343	\$8,593	\$8,851	\$9,117		\$42,996		
TransNet - TSI	\$87,931		\$16,941	\$17,166	\$17,406	\$17,956	\$18,462		\$87,931		
FTA 5311	\$3,208		\$642	\$642	\$642	\$642	\$642		\$3,208		
Other State - LCTOP	\$14,506		\$2,901	\$2,901	\$2,901	\$2,901	\$2,901		\$14,506		
SB1 - SRA Commuter	\$4,833			\$3,800	\$1,033				\$4,833		
SB125 - ZETCP	\$8,191		\$1,890	\$2,927	\$2,489	\$885			\$8,191		
STA	\$58,090		\$12,481	\$7,087	\$10,812	\$13,750	\$13,960		\$58,090		
TDA	\$253,415		\$49,882	\$53,199	\$53,661	\$48,025	\$48,648		\$253,415		
TOTAL	\$473,170		\$92,829	\$96,065	\$97,537	\$93,010	\$93,730		\$473,170		
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
TransNet - BRT/Rail Ops	\$42,963		\$8,092	\$8,335	\$8,585	\$8,843	\$9,108		\$42,963		
TransNet - TSI	\$87,931		\$16,941	\$17,166	\$17,406	\$17,956	\$18,462		\$87,931		
FTA 5311	\$2,566		\$642	\$642	\$642	\$642			\$2,566		
Other State - LCTOP	\$14,506		\$2,901	\$2,901	\$2,901	\$2,901	\$2,901		\$14,506		
SB125 - ZETCP	\$8,191		\$1,890	\$2,927	\$2,489	\$885			\$8,191		
STA	\$57,801		\$12,481	\$9,215	\$11,195	\$11,387	\$13,524		\$57,801		
TDA	\$241,067		\$49,882	\$50,199	\$46,690	\$47,682	\$46,613		\$241,067		
TOTAL	\$455,025		\$92,829	\$91,385	\$89,908	\$90,296	\$90,608		\$455,025		

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Association of Governments

MPO ID: SAN40									RTIP #:25-04		
Project Title: Metropolitan Planning									SANDAG ID:		
Project Description: Countywide - ongoing regional transportation planning as well as administrative oversight for various <i>TransNet</i> and FTA-funded programs. Toll Credits will be used to match federal funds for the PE phase									31020,33201,33203,23000,31007,35040,33107		
Change Reason: Increase funding											
Capacity Status:NCI Exempt Category:Other - Non construction related activities											
Est Total Cost: \$87,300											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
<i>TransNet</i> - BPNS	\$1,007	\$933	\$73						\$1,007		
<i>TransNet</i> - MC	\$395	\$395							\$395		
<i>TransNet</i> - SGIP	\$1,085	\$908	\$178						\$1,085		
<i>TransNet</i> - SS	\$1,080	\$909	\$171						\$1,080		
CBI	\$250	\$250							\$250		
FTA 5307	\$66,162	\$59,240	\$6,922						\$66,162		
FTA 5309TOD	\$239	\$239							\$239		
FTA 5310	\$442	\$442							\$442		
ITS	\$231	\$231							\$231		
RSTP	\$991	\$991							\$991		
Local Funds	\$14,133	\$12,891	\$1,242						\$14,133		
TDA	\$1,285	\$492	\$497	\$297					\$1,285		
TOTAL	\$87,300	\$77,921	\$9,083	\$297					\$87,300		
PROJECT LAST AMENDED 25-01											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
<i>TransNet</i> - BPNS	\$1,007	\$933	\$73						\$1,007		
<i>TransNet</i> - MC	\$395	\$395							\$395		
<i>TransNet</i> - SGIP	\$1,085	\$908	\$178						\$1,085		
<i>TransNet</i> - SS	\$1,080	\$909	\$171						\$1,080		
CBI	\$250	\$250							\$250		
FTA 5307	\$66,021	\$59,240	\$6,781						\$66,021		
FTA 5309TOD	\$239	\$239							\$239		
FTA 5310	\$442	\$442							\$442		
ITS	\$231	\$231							\$231		
RSTP	\$991	\$991							\$991		
Local Funds	\$14,133	\$12,891	\$1,242						\$14,133		
TDA	\$989	\$492	\$497						\$989		
TOTAL	\$86,863	\$77,921	\$8,942						\$86,863		

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Association of Governments

MPO ID: SAN290										RTIP #:25-04	
Project Title: Beyer Track and Slope									SANDAG ID: 1147000		
Project Description: Point location at Beyer Blvd - Design and construct slope and drainage improvements											
Change Reason: Increase funding											
Capacity Status:NCI			Exempt Category:Mass Transit - Track rehabilitation in existing right of way								
Est Total Cost: \$7,229											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$500	\$500							\$500		
Local Funds	\$4,379	\$582	\$2,882	\$825	\$90				\$4,379		
TDA	\$2,350	\$500		\$1,850					\$2,350		
TOTAL	\$7,229	\$1,582	\$2,882	\$2,675	\$90				\$7,229		
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$500	\$500							\$500		
Local Funds	\$4,379	\$582	\$2,882	\$825	\$90				\$4,379		
TDA	\$500	\$500							\$500		
TOTAL	\$5,379	\$1,582	\$2,882	\$825	\$90				\$5,379		

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Metropolitan Transit System

MPO ID: MTS23A		RTIP #:25-04									
Project Title:	Transit Service Operations										
Project Description:	<p>MTS service area - Within MTS Service Area FY26 CIP Project Include: - Operating costs: Rural Route and Intercity Services, and Americans with Disabilities Act (ADA) and Paratransit Bus Service for MTS's ADA Operations for the period between July 1, 2024 and June 30, 2025. - Maintenance and or Improvements: Miscellaneous capitals - Facility and hardware-software system enhancements: PRONTO Mobile Application Enhancements, ERP System Upgrades, Data Storage Replacement, Security Records Management System and Computer Aided Dispatch, Transit Amenities Improvements. FY27 CIP Project Include: - Operating costs: Rural Route and Intercity Services, and Americans with Disabilities Act (ADA) and Paratransit Bus Service for MTS's ADA Operations for the period between July 1, 2025 and June 30, 2026. - Facility and hardware-software system enhancements: ERP System Upgrades, Data Storage Replacement, Security Records Management System and Computer Aided Dispatch, MTS Server Refresh, Bus Yard Wireless Network Equipment, BRT Station Network Replacement, Bus Operations Paperless Shop Implementation.</p>										
Change Reason:	Increase funding, Revise funding between fiscal years, Revise project description										
	Capacity Status:NCI Exempt Category:Mass Transit - Transit operating assistance										
Est Total Cost: \$74,451											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$32,933		\$6,400	\$7,357	\$6,395	\$6,392	\$6,389		\$32,933		
FTA 5311	\$2,600		\$650	\$650	\$650	\$650			\$2,600		
STA	\$7,370					\$5,170	\$1,155	\$1,045	\$7,370		
TDA	\$31,548		\$6,615	\$4,866	\$3,384		\$10,043	\$6,640	\$31,548		
TOTAL	\$74,451		\$13,665	\$12,873	\$10,429	\$12,212	\$17,587	\$7,685	\$74,451		
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$26,412		\$6,400	\$6,533	\$6,670	\$6,809			\$26,412		
FTA 5311	\$2,371		\$624	\$624	\$624	\$500			\$2,371		
TDA	\$6,615		\$6,615						\$6,615		
TOTAL	\$35,398		\$13,639	\$7,157	\$7,294	\$7,309			\$35,398		

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Metropolitan Transit System

MPO ID: MTS28										RTIP #:25-04		
Project Title:	Bus & Rail Rolling Stock purchases and Rehabilitations											
Project Description:	MTS service area - Within MTS Service Area: FY26 Projects Include: - Fleet procurement and replacements: - 37 x 40 foot CNG buses - 20 x 60 foot CNG buses - 26 x ADA buses - 13 x 40 foot Battery electric buses FY27 Projects Include: - Fleet procurement and replacements: - 25 x 40 foot CNG buses - 25 x 40 foot Battery electric buses - 6 x 60 foot CNG buses - 7 x 60 foot Battery electric buses - 7 x ADA buses - 8 x ADA Battery electric buses - Light rail vehicles Fleet procurements may include materials and services for the rehabilitation or retrofit of mechanical components and electrical components of buses and or LRVs.											
Change Reason:	Reduce funding, Revise funding between fiscal years, Revise project description											
	Capacity Status:NCI		Exempt Category:Mass Transit - Purchase new buses and rail cars to replace existing vehicles or minor expansions of fleet									
Est Total Cost: \$275,719												
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON	
CMAQ	\$5,311			\$5,311							\$5,311	
FTA 5307	\$89,307		\$27,597	\$9,782	\$4,901	\$24,528	\$22,499				\$89,307	
FTA 5337	\$13,714			\$6,439	\$4,351		\$2,923				\$13,714	
FTA 5339	\$21,358		\$4,272	\$4,272	\$4,272	\$4,272	\$4,272				\$21,358	
Other State - LCTOP	\$48,758		\$8,101	\$8,658	\$8,000	\$8,000	\$8,000	\$8,000			\$48,758	
SB1 - SGR	\$27,399		\$5,272		\$4,127	\$6,000	\$6,000	\$6,000			\$27,399	
STA	\$19,383		\$16,930	\$505				\$1,948			\$19,383	
Local Funds	\$10,200		\$6,902	\$3,298							\$10,200	
TDA	\$40,289		\$728	\$360			\$19,200	\$20,000			\$40,289	
TOTAL	\$275,719		\$69,802	\$38,625	\$25,651	\$42,800	\$62,894	\$35,948			\$275,719	
PROJECT LAST AMENDED 25-00												
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON	
FTA 5307	\$99,708		\$24,596	\$24,800	\$25,029	\$25,283					\$99,708	
FTA 5337	\$13,908		\$4,927	\$8,981							\$13,908	
FTA 5339	\$17,356		\$4,272	\$4,316	\$4,361	\$4,407					\$17,356	
Other State - LCTOP	\$28,101		\$8,101	\$5,000	\$5,000	\$5,000	\$5,000				\$28,101	
SB1 - SGR	\$25,272		\$5,272	\$5,000	\$5,000	\$5,000	\$5,000				\$25,272	
STA	\$72,330		\$16,930			\$27,700	\$27,700				\$72,330	
Local Funds	\$14,902		\$6,902	\$4,000	\$4,000						\$14,902	
TDA	\$93,850		\$728	\$18,002	\$18,469	\$26,476	\$30,176				\$93,850	
TOTAL	\$365,427		\$71,728	\$70,099	\$61,859	\$93,866	\$67,876				\$365,427	

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Metropolitan Transit System

MPO ID: MTS29											RTIP #:25-04
Project Title: Bus and Fixed Guideways Station Stops and Terminals Project Description: MTS service area - Within MTS Service Area - FY26 Projects Include: - Maintenance and-or Improvements at Bus and Trolley Stations and Stops: Platform at Stadium Station and pedestrian enhancements at Washington St Station, Trolley Station Elevators modernization FY27 Projects Include: - Maintenance and-or Improvements at Bus and Trolley Stations and Stops: Washington Pedestrian Enhancements, Rio Vista Platform Construction, Bus Stop Shelters, ADA Bus Stop Improvements, El Cajon Transit Center Bus Improvements Change Reason: Increase funding, Revise funding between fiscal years, Revise project description Capacity Status:NCI Exempt Category:Mass Transit - Reconstruction or renovation of transit structures											
Est Total Cost: \$115,032											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$1,644	\$1,644									\$1,644
FTA 5309 (Bus)	\$347	\$347									\$347
FTA 5309 (FG)	\$528	\$528									\$528
FTA 5311	\$39	\$39									\$39
FTA 5337	\$1,200	\$1,200									\$1,200
Prop 1B Transit Sec Grant Prg	\$1,008	\$1,008									\$1,008
SB1 - TIRCP	\$31,745	\$21,893	\$9,852								\$31,745
STA	\$19,969	\$19,969									\$19,969
Local Funds	\$15,659	\$15,659									\$15,659
TDA	\$42,893	\$34,960	\$3,833	\$1,250				\$2,850			\$42,893
TOTAL	\$115,032	\$97,247	\$13,685	\$1,250				\$2,850			\$115,032
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$1,644	\$1,644									\$1,644
FTA 5309 (Bus)	\$347	\$347									\$347
FTA 5309 (FG)	\$528	\$528									\$528
FTA 5311	\$39	\$39									\$39
FTA 5337	\$1,200	\$1,200									\$1,200
Prop 1B Transit Sec Grant Prg	\$1,008	\$1,008									\$1,008
SB1 - TIRCP	\$31,745	\$21,893	\$9,852								\$31,745
STA	\$19,969	\$19,969									\$19,969
Local Funds	\$15,659	\$15,659									\$15,659
TDA	\$38,793	\$34,960	\$3,833								\$38,793
TOTAL	\$110,932	\$97,247	\$13,685								\$110,932

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Metropolitan Transit System

MPO ID: MTS30										RTIP #:25-04	
Project Title:		Bus & Rail Support Facilities and Equipment									
Project Description:		MTS facilities throughout the MTS service area - Within MTS Service Area - FY26 Projects Include: - Facility Procurement, Planning, and-or Design: Clean Transit Advancement Campus (CTAC) - Maintenance, Replacement, Procurement, or Design of MTS Capital Equipment: Copley Park Division New Admin Building, Kearney Mesa & Imperial Avenue Division Roof Hatch, Replacements and Fall Protection, Kearney Mesa & Imperial Avenue Division Vacuum Equipment Replacement, All Division ZEB Rolling Scaffold, Elevator Modernization, HVAC Replacement, Station Cleaning Equipment, On-Track Equipment Replacement, C Building Crane Upgrade, Trolley Station Network Communication Equipment, Signal & Track Inspection Solution Implementation, Operation Control Center UPS Replacement FY27 Projects Include: - Facility Procurement, Planning, and-or Design: Clean Transit Advancement Campus (CTAC) - Maintenance, Replacement, Procurement, or Design of MTS Capital Equipment: Copley Park Division Upgrades, System Sign Upgrades, Trolley Onboard Monitors-Systemwide, Yard Tower & Paint Booth Upgrade, Imperial Avenue Division Upgrades, Yard Tower Roof Replacement, Building A Roof Replacement, RTMS & Hastus Upgr.....									
Change Reason:		Reduce funding, Revise funding between fiscal years, Revise project description									
		Capacity Status:NCI		Exempt Category:Mass Transit - Purchase of office, shop and operating equipment for existing facilities							
Est Total Cost: \$88,137											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$14,232			\$8,232	\$6,000						\$14,232
STA	\$22,430		\$4,758	\$2,500	\$2,057	\$7,665	\$3,650	\$1,800			\$22,430
TDA	\$51,475		\$13,434	\$5,122	\$11,405	\$2,050	\$13,450	\$6,014			\$51,475
TOTAL	\$88,137		\$18,192	\$15,854	\$19,462	\$9,715	\$17,100	\$7,814			\$88,137
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
STA	\$60,158		\$4,758	\$27,700	\$27,700						\$60,158
TDA	\$89,416		\$13,434	\$20,094	\$9,002	\$24,329	\$22,557				\$89,416
TOTAL	\$149,574		\$18,192	\$47,794	\$36,702	\$24,329	\$22,557				\$149,574

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Metropolitan Transit System

MPO ID: MTS31											RTIP #:25-04
Project Title: Bus & Rail Electrification and Power Project Description: Along Blue Line Right-Of-Way (ROW) - Within MTS Service Area - FY26 Projects Include: - Zero Emission Charging Infrastructure Design, Construction, and Equipment: IAD, KMD, ECD, SBD; IAD non-revenue vehicle charging; and CPD Overhead Charging Master Plan - Rail Electrification, Replacements, and Design: Substation Replacement, Downtown Parallel Feeder Cable Phase 1 and 2, Substation Siemens 1st Gen Monitoring Devices, Overhead Catenary System (OCS) FY27 Projects Include: - Zero Emission Charging Infrastructure Design, Construction, and Equipment at: IAD, KMD, ECD, SBD; IAD non-revenue vehicle charging; and CPD Overhead Charging Master Plan - Rail Electrification, Replacements, and Design: Substation Replacement Design, A-yard Catenary Replacement, Overhead Catenary System (OCS) Change Reason: Reduce funding, Revise funding between fiscal years, Revise project description Capacity Status:NCI Exempt Category:Mass Transit - Track rehabilitation in existing right of way											
Est Total Cost: \$173,001											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$5,407	\$1,600			\$3,807						\$5,407
FTA 5337	\$13,257	\$5,817	\$7,439								\$13,257
Federal Disc.-CPF-TransInfra	\$2,630	\$2,630									\$2,630
SB1 - SGR	\$4,462	\$4,462									\$4,462
SB1 - TIRCP	\$20,196	\$8,064	\$12,132								\$20,196
SB125 - ZETCP	\$46,321		\$17,265		\$9,685	\$9,685	\$9,685				\$46,321
STA	\$43,489	\$1,746	\$4,490	\$12,015	\$6,000	\$3,193	\$11,045	\$5,000			\$43,489
Local Funds	\$4,000				\$4,000						\$4,000
TDA	\$33,239	\$12,229	\$9,023	\$5,633	\$1,500		\$4,854				\$33,239
TOTAL	\$173,001	\$36,548	\$50,349	\$17,648	\$24,992	\$12,878	\$25,584	\$5,000			\$173,001
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$1,600	\$1,600									\$1,600
FTA 5337	\$46,075	\$5,817	\$10,505		\$14,980	\$14,772					\$46,075
Federal Disc.-CPF-TransInfra	\$2,630	\$2,630									\$2,630
SB1 - SGR	\$4,462	\$4,462									\$4,462
SB1 - TIRCP	\$66,111	\$8,064	\$12,132	\$45,915							\$66,111
SB125 - ZETCP	\$46,321		\$17,265	\$9,685	\$9,685	\$9,685					\$46,321
STA	\$6,236	\$1,746	\$4,490								\$6,236
TDA	\$32,994	\$12,229	\$9,023	\$9,495		\$1,020	\$1,228				\$32,994
TOTAL	\$206,429	\$36,548	\$53,415	\$65,095	\$24,665	\$25,477	\$1,228				\$206,429

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Metropolitan Transit System

MPO ID: MTS32A										RTIP #:25-04	
Project Title:	Preventive Maintenance										
Project Description:	MTS service area - Within MTS Service Area - FY26 Projects Include: - Preventive Maintenance for the period between July 1, 2024 and June 30, 2025. FY27 Projects Include: - Preventive Maintenance for the period between July 1, 2025 and June 30, 2026.										
Change Reason:	Increase funding, Revise funding between fiscal years, Revise project description										
	Capacity Status:NCI		Exempt Category:Mass Transit - Transit operating assistance								
Est Total Cost: \$408,472											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
TransNet - TSI	\$42,472		\$42,472						\$42,472		
FTA 5307	\$160,000		\$30,000	\$31,000	\$32,000	\$33,000	\$34,000		\$160,000		
FTA 5337	\$206,000		\$40,000	\$40,000	\$41,000	\$42,000	\$43,000		\$206,000		
TOTAL	\$408,472		\$112,472	\$71,000	\$73,000	\$75,000	\$77,000		\$408,472		
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
TransNet - TSI	\$42,472		\$42,472						\$42,472		
FTA 5307	\$138,000		\$33,000	\$34,000	\$35,000	\$36,000			\$138,000		
FTA 5337	\$134,000		\$32,000	\$33,000	\$34,000	\$35,000			\$134,000		
TOTAL	\$314,472		\$107,472	\$67,000	\$69,000	\$71,000			\$314,472		

MPO ID: MTS33A									RTIP #:25-04		
Project Title: Senior Disabled Program											
Project Description: MTS service area - Within MTS Service Area - Subsidy for senior and disabled as required by <i>TransNet</i>											
Change Reason: Increase funding											
Capacity Status:NCI			Exempt Category:Mass Transit - Transit operating assistance								
Est Total Cost: \$19,555											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
TransNet - ADA	\$19,143	\$11,764	\$1,179	\$1,183	\$1,200	\$1,231	\$1,271	\$1,315	\$19,143		
TransNet - ADA Carryover	\$412	\$412							\$412		
TOTAL	\$19,555	\$12,176	\$1,179	\$1,183	\$1,200	\$1,231	\$1,271	\$1,315	\$19,555		
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
TransNet - ADA	\$12,773	\$11,764	\$1,010						\$12,773		
TransNet - ADA Carryover	\$412	\$412							\$412		
TOTAL	\$13,185	\$12,176	\$1,010						\$13,185		

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Metropolitan Transit System

MPO ID: MTS34											RTIP #:25-04
Project Title: Bus & Rail Signal and Communications Equipment Project Description: MTS service area - Within MTS Service Area - FY26 Projects Include: - Maintenance, Replacement, or Procurement: Signal Replacement, AC Switchgear Replacement, Yard Switch Automation FY27 Projects Include: - Maintenance, Replacement, or Procurement: Sicas S7 System Wide Replacement, Sicas S7 System Wide Replacement-BL Change Reason: Increase funding, Revise funding between fiscal years, Revise project description Capacity Status:NCI Exempt Category:Mass Transit - Construction or renovation of power, signal, and communications systems											
Est Total Cost: \$117,343											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$17,116	\$3,116		\$7,600	\$6,400						\$17,116
FTA 5309 (Bus)	\$800	\$800									\$800
FTA 5309 (FG)	\$120	\$120									\$120
FTA 5337	\$1,088				\$1,088						\$1,088
FTA 5339	\$4,303	\$4,303									\$4,303
Federal Disc.-CPF-TransInfra	\$1,354	\$1,354									\$1,354
Prop 1B Transit Sec Grant Prg	\$7,782	\$7,782									\$7,782
SB1 - SGR	\$1,873				\$1,873						\$1,873
SB1 - TIRCP	\$1,200		\$1,200								\$1,200
STA	\$11,135	\$2,826	\$1,891		\$1,500			\$4,918			\$11,135
Local Funds	\$765	\$765									\$765
TDA	\$69,807	\$47,258	\$5,942	\$1,500	\$27	\$2,512	\$6,500	\$6,067			\$69,807
TOTAL	\$117,343	\$68,324	\$9,033	\$9,100	\$10,888	\$2,512	\$6,500	\$10,985			\$117,343
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$3,116	\$3,116									\$3,116
FTA 5309 (Bus)	\$800	\$800									\$800
FTA 5309 (FG)	\$120	\$120									\$120
FTA 5339	\$4,303	\$4,303									\$4,303
FederalDisc.-CPF-TransInfra	\$1,354	\$1,354									\$1,354
Prop 1B Transit Sec Grant Prg	\$7,782	\$7,782									\$7,782
SB1 - TIRCP	\$1,200		\$1,200								\$1,200
STA	\$4,717	\$2,826	\$1,891								\$4,717
Local Funds	\$765	\$765									\$765
TDA	\$53,201	\$47,258	\$5,942								\$53,201
TOTAL	\$77,358	\$68,324	\$9,033								\$77,358

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

San Diego Metropolitan Transit System

MPO ID: MTS35										RTIP #:25-04	
Project Title:	Fixed Guideway Transitways/Lines										
Project Description:	MTS service area - Within MTS Service Area - FY26 Projects Include: - Rail Infrastructure Maintenance, Replacements, or Design: Fence Replacement, Grade Crossing Replacement, Special Trackwork Replacement, Beyer Blvd Track and Slope, Station Trackway Replacement, Drainage Improvements, Orange Line Improvement Project Phase 1, Orange Line Improvement Project Phase 2, 65th Street Retaining Wall, Network Communication Equipment Replacement FY27 Projects Include: - Rail Infrastructure Maintenance, Replacements, or Design: Orange Line Improvement Project Phase 2, Street Trackage Pavement Replacement										
Change Reason:	Increase funding, Revise funding between fiscal years, Revise project description										
	Capacity Status:NCI		Exempt Category:Mass Transit - Track rehabilitation in existing right of way								
Est Total Cost: \$290,504											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$6,067	\$622			\$4,440		\$1,005				\$6,067
FTA 5337	\$16,413	\$11,457				\$4,439	\$516				\$16,413
Prop 1B - PTMISEA	\$464	\$464									\$464
Prop 1B Transit Sec Grant Prg	\$800	\$800									\$800
SB1 - TIRCP	\$96,204	\$35,569	\$12,320	\$42,000	\$6,315						\$96,204
SB125 - TIRCP	\$26,000		\$26,000								\$26,000
STA	\$60,198	\$5,831	\$12,027	\$7,685	\$13,143	\$6,672	\$6,850	\$7,989			\$60,198
Local Funds	\$19,462	\$8,236	\$500	\$10,726							\$19,462
TDA	\$64,896	\$41,004	\$5,915	\$8,399	\$600	\$839	\$1,339	\$6,800			\$64,896
TOTAL	\$290,504	\$103,983	\$56,762	\$68,810	\$24,498	\$11,950	\$9,710	\$14,789			\$290,504
PROJECT LAST AMENDED 25-00											
	TOTAL	PRIOR	24/25	25/26	26/27	27/28	28/29	FUTURE	PE	RW	CON
FTA 5307	\$622	\$622									\$622
FTA 5337	\$17,676	\$11,457		\$6,219							\$17,676
Prop 1B - PTMISEA	\$464	\$464									\$464
Prop 1B Transit Sec Grant Prg	\$800	\$800									\$800
SB1 - TIRCP	\$50,289	\$35,569	\$12,320	\$2,400							\$50,289
SB125 - TIRCP	\$26,000		\$26,000								\$26,000
STA	\$17,858	\$5,831	\$12,027								\$17,858
Local Funds	\$8,736	\$8,236	\$500								\$8,736
TDA	\$67,150	\$41,004	\$5,915		\$20,230						\$67,150
TOTAL	\$189,595	\$103,983	\$56,762	\$8,619	\$20,230						\$189,595

**2025 Regional Transportation Improvement Program
Amendment No. 4
San Diego Region (in \$000s)**

RTIP Fund Types

<u>Federal Funding</u>	
BIP/CBI	Border Infrastructure Program/Corridors and Borders Infrastructure Program
CMAQ	Congestion Mitigation and Air Quality
FRA-PRIIA	Federal Railroad Administration Passenger Rail Investment and Improvement Act of 2008
FTA Section 5307	Federal Transit Administration Urbanized Area Formula Program
FTA Section 5309 (Bus)	Federal Transit Administration Discretionary Program
FTA Section 5309 (FG)	Federal Transit Administration Fixed Guideway Modernization Formula Program
FTA Section 5310	Federal Transit Administration Elderly & Disabled Program
FTA Section 5311	Federal Transit Administration Rural Program
FTA Section 5337	Federal Transit Administration State of Good Repair Grant Program
FTA Section 5339	Federal Transit Administration Bus and Bus Facilities Formula Grant Program
ITS	Intelligent Transportation System
RSTP	Regional Surface Transportation Program
TSGP	Transit Security Grant Program (Federal Discretionary)
CMAQ/RSTP Conversion	Reimbursement of advanced federal funds which have been advanced with local funds in earlier years
<u>State Funding</u>	
PTMISEA	Public Transportation Modernization, Improvement, and Service Enhancement Account (State Prop 1B)
SB1 - SGR	Senate Bill 1 - State Transit Assistance State of Good Repair
SB1 - TIRCP	Senate Bill 1 - Transit and Intercity Rail Program
SB1 - SRA Commuter	Senate Bill 1 - State Rail Assistance Commuter Rail
STA	State Transit Assistance
TCRP	Traffic Congestion Relief Program
TSGP	Transit Security Grant Program (State Prop. 1B)
<u>Local Funding</u>	
Local Funds AC	Local Funds - Advanced Construction; mechanism to advance local funds to be reimbursed at a later fiscal year with federal/state funds
TDA	Transportation Development Act
TransNet-ADA	Prop. A Local Transportation Sales Tax - Transit
TransNet-BPNS	Prop. A Extension Local Transportation Sales Tax - Bicycle, Pedestrian and Neighborhood Safety Program
TransNet-MC	Prop. A Extension Local Transportation Sales Tax - Major Corridors
TransNet-SGIP	Prop. A Extension Local Transportation Sales Tax - Regional Smart Growth Incentive Program
TransNet-SS	Prop. A Extension Local Transportation Sales Tax - Senior Services
TransNet-TSI	Prop. A Extension Local Transportation Sales Tax- Transit System Improvements

2025 RTIP - Amendment No. 4
Changes During Public Comment Period

Agency	Project ID	Project Title	INC/(DEC) (\$000)	LEGEND: ↑ Increase ↓ Reduce ↔ Revise + Add new	Change Description
North County Transit District	NCTD05	Bus Revenue Vehicle Purchases & Related Equipment	\$0	↔ STA between fiscal years	

Richard Radcliffe

From: Richard Radcliffe
Sent: Wednesday, April 2, 2025 8:19 AM
To: 'Renganathan, Vaikunthan@DOT'
Subject: RE: SANDAG 2025 RTIP Amendment No. 4 Public Posting

Thank you, Vaik, for your comments. Please see my responses below. Let me know if you have any additional questions.

- Project (MPO ID: NCTD05): Which funding represents local match for FTA 5307? FTA 5307 has different matches depending on the eligible activities (<https://www.transit.dot.gov/funding/grants/urbanized-area-formula-grants-5307>)**
 SANDAG Response: The funds in question are FY26 FTA 5307 funds that were to be matched with FY27 STA funds as part of NCTDs FY 2027 CIP. Per FTAs request, the fiscal year has been revised from FY 27 to FY 26 to show the match in the same year that the federal funds are to be obligated.
- Include the abbreviation for “SB125 – ZETCP” under Table 01, Summary of Changes.**
 SANDAG Response: This update has been made to the Table 1 attachment.

Richard Radcliffe

Associate Financial Analyst

619.595.5649

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From: Renganathan, Vaikunthan@DOT <vaikunthan.renganathan@dot.ca.gov>
Sent: Thursday, March 27, 2025 1:01 PM
To: Richard Radcliffe <Richard.Radcliffe@sandag.org>
Subject: RE: SANDAG 2025 RTIP Amendment No. 4 Public Posting

CAUTION: This email originated from outside of SANDAG. Do not click links or open attachments unless you are expecting the content.

Hi Richard,

Thank you for the opportunity to review SANDAG's proposed 2025 FTIP Amendment #04. Please see total of two (2) comments. Please include these comments along with SANDAG's responses as a part of the public comments for this amendment.

- **Project (MPO ID: NCTD05):** Which funding represents local match for FTA 5307? FTA 5307 has different matches depending on the eligible activities
(<https://www.transit.dot.gov/funding/grants/urbanized-area-formula-grants-5307>)
- Include the abbreviation for “SB125 – ZETCP” under Table 01, Summary of Changes.

Please let me know if you have any questions or concerns.

Vaik Renga, PE, SE

FSTIP Coordinator

Office of Federal Programming & Data Management

Caltrans -Division of Financial Programming

Ph: (916) 215-9785

From: Richard Radcliffe <Richard.Radcliffe@sandag.org>

Sent: Wednesday, March 19, 2025 3:59 PM

To: Renganathan, Vaikunthan@DOT <vaikunthan.renganathan@dot.ca.gov>

Cc: Kang, Peter B@DOT <peter.kang@dot.ca.gov>; Le, Kien T@DOT <kien.le@dot.ca.gov>

Subject: SANDAG 2025 RTIP Amendment No. 4 Public Posting

EXTERNAL EMAIL. Links/attachments may not be safe.

Good Afternoon,

The draft Amendment No. 4 to the 2025 RTIP, including the financial summary, has been posted for public comment through the link below. This amendment is for the FY26 Regional Transit Capital Improvement Program, and the posting includes the required FTA language.

<https://www.sandag.org/news/public-notice-2025-rtip-amendment-4-2025-03-13>

This amendment is scheduled to be approved by the SANDAG Board of Directors on April 25, 2025.

Please let me know if you have any questions or comments.

Thank you,

Richard Radcliffe

Associate Financial Analyst

619.595.5649

401 B Street, Suite 800, San Diego, CA 92101

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Federal Requirements Analysis for 2025 RTIP Amendment No. 4

Metropolitan Planning and Transportation Conformity

The U.S. Department of Transportation (U.S. DOT) Metropolitan Planning Regulations¹ and U.S. Environmental Protection Agency (U.S. EPA) Transportation Conformity Regulations² establish six criteria requirements which the RTIP must satisfy. The metropolitan planning regulations require that: (1) the RTIP be financially constrained and (2) make progress toward achieving federal performance targets. The transportation conformity regulations state that the RTIP must: (3) be consistent with San Diego Forward: The Regional Plan (Regional Plan); (4) meet regional emissions tests; (5) include timely implementation of transportation control measures (TCMs); and (6) include inter-agency consultation and public involvement.

The 2025 RTIP meets all six tests required under federal metropolitan planning and transportation conformity regulations. SANDAG made these findings for the 2025 RTIP under the required federal tests on September 27, 2024. On December 16, 2024, Federal Highways and the Federal Transit Administration found that the 2025 RTIP conforms with the provisions of 40 CFR Parts 51 and 93. Amendment No. 4 continues to meet all federal requirements.

Financial Constraint Test

Federal regulations 23 CFR Section 450.326(j) require the 2025 RTIP to be a revenue-constrained document with programmed projects based upon available or committed funding and/or reasonable estimates of future funding. Chapter 4 of the 2025 RTIP discusses in detail the financial capacity analysis of major program areas, including a discussion of available revenues.

Finding: The projects contained within the 2025 RTIP, including Amendment No. 4, are reasonable when considering available funding sources as demonstrated in Tables 3a through 3c, including a comparison from the prior approved version (changes are highlighted in yellow.)

Performance Management Test

Federal regulations 23 CFR Section 450.326(c) require the 2025 RTIP to be designed such that once implemented, it makes progress toward achieving the performance targets established under 450.306(d) and shall include, to the maximum extent practicable, a description of the anticipated effect of the RTIP toward achieving the performance targets identified in the transportation plan, linking investment priorities to those performance targets. Appendix H of the 2025 RTIP provides information on the projects which support safety and transit asset management performance management requirements.

Finding: The projects contained within the 2025 RTIP, including Amendment No. 4, make progress toward achieving the performance targets for all performance-based planning requirements established by the Board of Directors.

Consistency with San Diego Forward: The Regional Plan Test

Finding: The 2025 RTIP, through Amendment No. 4, is consistent with San Diego Forward: The 2021 Regional Transportation Plan (2021 Regional Plan) adopted on December 10, 2021 (policies, programs, and projects). All projects conform to the scope, cost, and schedule included in the 2021 Regional Plan.

Regional Emissions Tests

These findings are based on the regional emissions analyses' tests shown in Table 5-2 in Chapter 5 of the 2025 RTIP.

Finding: The regional emissions analyses for the 2025 RTIP through Amendment No. 4 are consistent with the emissions analyses for the 2021 Regional Plan.

Finding: The proposed amendment does not reflect a change in the design, concept, or scope of the projects or the conformity analysis years as modeled for the regional emissions analysis of the 2021 Regional Plan and the 2025 RTIP, as amended.

Finding: The 2025 RTIP, including Amendment No. 4, remains in conformance with the applicable State Implementation Plan³ (SIP).

Timely Implementation of TCM Test

Finding: The TCMs, established as Transportation Tactics in the 1982 SIP, have been fully implemented and Amendment No. 4 continues to fund the four TCMs, which include: (1) ridesharing; (2) transit improvements; (3) traffic flow improvements; and (4) bicycle facilities and programs.

Inter-Agency Consultation and Public Involvement Test

Finding: The 2025 RTIP complies with all federal and state requirements for public involvement by following the strategies described in Board Policy No. 025: Public Participation Plan Policy. Amendment No. 4 was posted for a 15-day public comment period from March 14, 2025, through April 3, 2025.

Finding: The SANDAG Conformity Working Group (CWG), including members from the San Diego County Air Pollution Control District, Caltrans, California Air Resources Board, SANDAG, U.S. DOT, and U.S. EPA, serve as a forum to meet the federal and state requirements for interagency consultation for the 2025 RTIP. All exempt projects in Amendment No. 4 were submitted to the CWG on March 18, 2025, for its review and members concurred with the exempt categorization.

¹ 23 Code of Federal Regulation (CFR) Part 450, subpart C

² 40 CFR part 93, subpart A

³ 2020 Plan for Attaining the National Ozone Standards Plan for San Diego County, which were found adequate for transportation conformity purposes by the U.S. Environmental Protection Agency effective October 2021



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Regional Transportation Commission
Resolution No. RTC-2025-04

Approving Amendment No. 4 to the 2025 Regional Transportation Improvement Program

WHEREAS, on September 27, 2024, SANDAG adopted the 2025 Regional Transportation Improvement Program (RTIP) and found the 2025 RTIP in conformance with the applicable State Implementation Plan (SIP), and with the 2016 Regional Air Quality Strategy (RAQS), in accordance with California law; and

WHEREAS, on December 16, 2024, the U.S. Department of Transportation (U.S. DOT) determined the 2025 RTIP to be in conformance to the applicable SIP in accordance with the provisions of 40 Code of Federal Regulations (CFR) Parts 51 and 93; and

WHEREAS, this amendment is consistent with the metropolitan transportation planning regulations per 23 CFR Part 450 including the performance-based planning requirements; and

WHEREAS, this amendment is consistent with San Diego Forward: The 2021 Regional Plan (2021 Regional Plan), which conforms to the applicable SIP and to the emissions budgets from the *2020 Plan for Attaining the National Ozone Standards Plan for San Diego County*, which were found adequate for transportation conformity purposes by the U.S. Environmental Protection Agency effective October 2021; and

WHEREAS, the San Diego Metropolitan Transit System, North County Transit District, and SANDAG have requested various changes to existing projects for inclusion into the 2025 RTIP, as shown in Table 2; and

WHEREAS, the regionally significant, capacity increasing projects have been incorporated into the quantitative air quality emissions analysis and conformity findings conducted for the 2021 Regional Plan and the 2025 RTIP; and

WHEREAS, Amendment No. 4 to the 2025 RTIP continues to provide for timely implementation of transportation control measures contained in the adopted RAQS/SIP for air quality and a quantitative emissions analysis demonstrates that the implementation of the RTIP projects and programs meet all the federally required emissions budget targets; and

WHEREAS, projects in Amendment No. 4 satisfy the transportation conformity provisions of 40 CFR 93.122(g) and all applicable transportation planning requirements per 23 CFR Part 450 including all performance-based planning requirements; and

WHEREAS, all other projects in Amendment No. 4 are either non-capacity increasing or exempt from the requirements to determine conformity; and

WHEREAS, the projects in 2025 RTIP Amendment No. 4 are fiscally constrained; and

WHEREAS, the projects in 2025 RTIP Amendment No. 4 are consistent with the Public Participation Policy adopted by the SANDAG Board of Directors;

NOW THEREFORE,

BE IT RESOLVED that the SANDAG Board of Directors, acting as the Regional Transportation Commission, does hereby approve Amendment No. 4 to the 2025 RTIP; and

BE IT FURTHER RESOLVED that the SANDAG Board of Directors, acting as the Regional Transportation Commission, adopts the findings in Attachment 6, finds the 2025 RTIP, including Amendment No. 4, is consistent with the 2021 Regional Plan, is in conformance with the applicable SIP, and with the 2016 RAQS for the San Diego region, is consistent with SANDAG Intergovernmental Review Procedures, and is consistent with SANDAG Public Participation Policy, as amended.

PASSED AND ADOPTED this 25th of April 2025.

Ayes

Noes

Absent

**Chair of the Board of Directors
of the San Diego County Regional
Transportation Commission**

[Seal]

Attest

**Secretary of the Board of Directors of the
San Diego County Regional Transportation
Commission**

Revenues
San Diego Association of Governments (SANDAG)
2025 Regional Transportation Improvement Program (in \$000s) - Amendment No. 4

		Prior Years	2024/2025		2025/2026		2026/2027		2027/2028		2028/2029		TOTAL	
			Prior	Current	Prior	Current	Prior	Current	Prior	Current	Prior	Current	Prior	Current
LOCAL	Sales Tax	\$5,051,555	\$509,890	\$509,890	\$372,318	\$372,326	\$293,333	\$293,341	\$217,226	\$217,234	\$207,675	\$207,684	\$6,651,996	\$6,652,029
	-- County	\$5,051,555	\$509,890	\$509,890	\$372,318	\$372,326	\$293,333	\$293,341	\$217,226	\$217,234	\$207,675	\$207,684	\$6,651,996	\$6,652,029
	Other Local Funds	\$1,265,210	\$176,226	\$176,226	\$353,997	\$364,022	\$35,678	\$35,678	\$32,598	\$32,598	\$41,030	\$41,030	\$1,904,740	\$1,914,765
	-- City General Funds	\$1,226,644	\$166,359	\$166,359	\$353,997	\$364,022	\$35,678	\$35,678	\$32,598	\$32,598	\$41,030	\$41,030	\$1,856,307	\$1,866,331
	-- Street Taxes and Developer Fees	\$38,566	\$9,867	\$9,867									\$48,434	\$48,434
	-- RSTP Exchange funds													
	Other	\$1,244,627	\$132,392	\$132,392	\$126,311	\$107,998	\$106,266	\$75,480	\$112,007	\$65,583	\$129,717	\$131,142	\$1,851,320	\$1,757,222
Local Total		\$7,561,393	\$818,508	\$818,508	\$852,626	\$844,345	\$435,277	\$404,499	\$361,831	\$315,415	\$378,423	\$379,857	\$10,408,057	\$10,324,016
STATE	State Highway Operations and Protection Program	\$140,906	\$493,949	\$493,949	\$144,057	\$144,057	\$113,169	\$113,169	\$216,447	\$216,447			\$1,108,528	\$1,108,528
	SHOPP (Including Augmentation)	\$140,906	\$493,949	\$493,949	\$144,057	\$144,057	\$113,169	\$113,169	\$216,447	\$216,447			\$1,108,528	\$1,108,528
	SHOPP Prior													
	State Transportation Improvement Program	\$790,044	\$27,393	\$27,393	\$148,813	\$148,813	\$126,182	\$126,182	\$92,000	\$92,000	\$15,100	\$15,100	\$1,199,532	\$1,199,532
	STIP (Including Augmentation)	\$748,295	\$26,893	\$26,893	\$148,813	\$148,813	\$126,182	\$126,182	\$92,000	\$92,000	\$15,100	\$15,100	\$1,157,283	\$1,157,283
	STIP Prior	\$41,749	\$500	\$500									\$42,249	\$42,249
	Proposition 1 A	\$41,843											\$41,843	\$41,843
	Proposition 1 B	\$581,132			\$1,319	\$1,319					\$895	\$895	\$583,346	\$583,346
	Active Transportation Program	\$78,321	\$21,037	\$21,037	\$21,872	\$21,872	\$41,142	\$41,142					\$162,371	\$162,371
	Highway Maintenance (HM)													
	Highway Bridge Program (HBP)	\$201,431	\$20,018	\$20,018	\$65,684	\$65,684	\$8,955	\$8,955	\$10,063	\$10,063	\$108,723	\$108,723	\$414,875	\$414,875
	Road Repair and Accountability Act of 2017 (SBI)	\$674,005	\$420,531	\$420,531	\$64,585	\$59,200	\$10,774	\$18,204	\$10,774	\$6,000	\$10,774	\$11,889	\$1,191,444	\$1,189,829
	Traffic Congestion Relief Program (TCRP)	\$95,298											\$95,298	\$95,298
	State Transit Assistance (e.g., population/revenue based, Prop 42)	\$297,928	\$54,305	\$54,305	\$41,909	\$31,830	\$41,909	\$35,680	\$41,909	\$36,660	\$41,909	\$36,660	\$519,868	\$493,064
	Other	\$361,660	\$267,730	\$267,730	\$120,364	\$109,580	\$21,054	\$28,810	\$21,054	\$24,054	\$7,901	\$20,587	\$799,763	\$812,420
State Total		\$3,262,569	\$1,304,963	\$1,304,963	\$608,602	\$582,354	\$363,185	\$372,142	\$392,247	\$385,225	\$185,302	\$193,853	\$6,116,866	\$6,101,106
FEDERAL TRANSIT	5307 - Urbanized Area Formula Program	\$1,129,128	\$117,987	\$118,129	\$98,748	\$98,854	\$100,811	\$98,854	\$100,811	\$98,854	\$100,811	\$98,854	\$1,641,296	\$1,642,671
	5309a - Fixed Guideway Modernization	\$97,086	\$479										\$97,565	\$97,086
	5309b - New and Small Starts (Capital Investment Grants)	\$1,002,601	\$41,396	\$41,396									\$1,043,997	\$1,043,997
	5309c - Bus and Bus Related Grants	\$59,970											\$59,970	\$59,970
	5310 - Mobility of Seniors and Individuals with Disabilities	\$11,689	\$3,324	\$3,324									\$15,013	\$15,013
	5311 - Nonurbanized Area Formula Program	\$14,461	\$1,265	\$1,292	\$1,265	\$1,292	\$1,265	\$1,292	\$1,142	\$1,292		\$642	\$19,399	\$20,269
	5337 - State of Good Repair	\$527,748	\$67,780	\$67,780	\$68,867	\$68,835	\$69,981	\$67,780	\$71,113	\$67,783	\$71,113	\$68,129	\$876,593	\$868,054
	5339 - Bus and Bus Facilities Program	\$64,473	\$8,107	\$7,969	\$6,305	\$6,121	\$6,371	\$6,141	\$6,371	\$6,160	\$6,371	\$6,180	\$97,998	\$97,045
	Other	\$152,434	\$10,857	\$10,857			\$53,893	\$53,893					\$217,184	\$217,184
	Federal Transit Total	\$3,059,591	\$251,185	\$250,746	\$175,185	\$175,101	\$232,322	\$227,959	\$179,437	\$174,089	\$178,295	\$173,804	\$4,069,015	\$4,061,290
FEDERAL HIGHWAY	Congestion Mitigation and Air Quality (CMAQ)	\$523,023	\$38,513	\$19,826	\$43,363	\$43,363	\$44,225	\$44,225	\$45,104	\$45,104	\$45,104	\$45,104	\$739,333	\$720,646
	Coordinated Border Infrastructure (SAFETEA-LU Sec.1303)	\$332,006	\$71,000	\$71,000									\$403,006	\$403,006
	GARVEE Bonds (Includes Debt Service Payments)													
	Highway Infrastructure Program (HIP)	\$58,446	\$5,166	\$5,166									\$63,612	\$63,612
	High Priority Projects (HPP) and Demo	\$85,414											\$85,414	\$85,414
	Highway Safety Improvement Program (HSIP)	\$1,680	\$2,333	\$2,333	\$7,783	\$7,783							\$11,796	\$11,796
	National Significant Freight & Highway Projects (FASTLANE/INFRA)	\$49,278	\$150,000	\$150,000									\$199,278	\$199,278
	Public Lands Highway	\$9,784	\$816	\$816	\$816	\$816							\$11,417	\$11,417
	Recreational Trails													
	Surface Transportation Program (Regional)	\$699,206	\$25,427	\$25,427	\$23,731	\$23,731	\$37,958	\$37,958	\$46,205	\$46,205	\$56,205	\$56,205	\$888,732	\$888,732
	Tribal Transportation Program													
	Other	\$293,014	\$93,958	\$93,958	\$11,664	\$11,664	\$6,020	\$6,020	\$6,020	\$6,020	\$6,020	\$6,020	\$416,698	\$416,698
Federal Highway Total		\$2,051,852	\$387,213	\$368,526	\$87,357	\$87,357	\$88,204	\$88,204	\$97,330	\$97,330	\$107,330	\$107,330	\$2,819,285	\$2,800,599
FRA	Passenger Rail Investment and Improvement Act of 2008 (PRIIA)	\$70,546	\$500	\$500	\$21,510	\$21,510							\$92,556	\$92,556
	Other													
	Federal Railroad Administration Total	\$70,546	\$500	\$500	\$21,510	\$21,510							\$92,556	\$92,056
Federal Total		\$5,181,989	\$638,898	\$619,773	\$284,053	\$283,969	\$320,525	\$316,163	\$276,767	\$271,419	\$285,625	\$281,134	\$6,980,857	\$6,953,945
INNOVATIVE FINANCE	TIFIA (Transportation Infrastructure Finance and Innovation Act)	\$537,484											\$537,484	\$537,484
	Innovative Financing Total												\$537,484	\$537,484
REVENUES TOTAL		\$16,543,434	\$2,762,369	\$2,743,244	\$1,745,280	\$1,710,668	\$1,118,987	\$1,092,803	\$1,030,845	\$972,058	\$849,349	\$854,844	\$24,043,264	\$23,917,052

Program

San Diego Association of Governments (SANDAG)

2025 Regional Transportation Improvement Program (in \$000s) - Amendment No. 4

Legend

Indicates change from prior amendment

Funding Source		Prior Years	2024/2025		2025/2026		2026/2027		2027/2028		2028/2029		TOTAL	
			Prior	Current	Prior	Current	Prior	Current	Prior	Current	Prior	Current	Prior	Current
LOCAL	Sales Tax	\$5,051,555	\$487,396	\$487,565	\$302,678	\$303,868	\$266,252	\$267,460	\$166,299	\$167,539	-\$389,042	-\$387,763	\$5,885,137	\$5,890,225
	-- TransNet	\$5,051,555	\$487,396	\$487,565	\$302,678	\$303,868	\$266,252	\$267,460	\$166,299	\$167,539	-\$389,042	-\$387,763	\$5,885,137	\$5,890,225
	Other Local Funds	\$1,265,210	\$176,226	\$176,226	\$353,997	\$364,022	\$35,678	\$35,678	\$32,598	\$32,598	\$41,030	\$41,030	\$1,904,740	\$1,914,765
	-- City General Funds	\$1,226,644	\$166,359	\$166,359	\$353,997	\$364,022	\$35,678	\$35,678	\$32,598	\$32,598	\$41,030	\$41,030	\$1,856,307	\$1,866,331
	-- Street Taxes and Developer Fees	\$38,566	\$9,867	\$9,867									\$48,434	\$48,434
	Other	\$1,244,627	\$132,392	\$132,392	\$126,311	\$107,998	\$106,266	\$75,480	\$112,007	\$65,583	\$129,717	\$131,142	\$1,851,320	\$1,757,222
	Local Total	\$7,561,393	\$796,014	\$796,183	\$782,986	\$775,888	\$408,196	\$378,618	\$310,904	\$265,720	-\$218,295	-\$215,590	\$9,641,198	\$9,562,212
STATE	State Highway Operations and Protection Program	\$140,906	\$493,949	\$493,949	\$144,057	\$144,057	\$113,169	\$113,169	\$216,447	\$216,447			\$1,108,528	\$1,108,528
	SHOPP (Including Augmentation)	\$140,906	\$493,949	\$493,949	\$144,057	\$144,057	\$113,169	\$113,169	\$216,447	\$216,447			\$1,108,528	\$1,108,528
	State Transportation Improvement Program	\$790,044	\$27,393	\$27,393	\$148,813	\$148,813	\$126,182	\$126,182	\$92,000	\$92,000	\$15,100	\$15,100	\$1,199,532	\$1,199,532
	STIP (Including Augmentation)	\$748,295	\$26,893	\$26,893	\$148,813	\$148,813	\$126,182	\$126,182	\$92,000	\$92,000	\$15,100	\$15,100	\$1,157,283	\$1,157,283
	STIP Prior	\$41,749	\$500	\$500									\$42,249	\$42,249
	Proposition 1 A	\$41,843											\$41,843	\$41,843
	Proposition 1 B	\$581,132			\$1,319	\$1,319					\$895	\$895	\$583,346	\$583,346
	Active Transportation Program	\$78,321	\$21,037	\$21,037	\$21,872	\$21,872	\$41,142	\$41,142					\$162,371	\$162,371
	Highway Maintenance (HM)													
	Highway Bridge Program (HBP)	\$201,431	\$20,018	\$20,018	\$65,684	\$65,684	\$8,955	\$8,955	\$10,063	\$10,063	\$108,723	\$108,723	\$414,875	\$414,875
	Road Repair and Accountability Act of 2017 (SB1)	\$674,005	\$420,531	\$420,531	\$64,585	\$59,200	\$10,774	\$18,204	\$10,774	\$6,000	\$10,774	\$11,889	\$1,191,444	\$1,189,829
	Traffic Congestion Relief Program (TCRP)	\$95,298											\$95,298	\$95,298
	State Transit Assistance (STA)(e.g., population/revenue based, Prop 42)	\$297,928	\$54,305	\$54,305	\$41,909	\$31,830	\$41,909	\$35,680	\$41,909	\$36,660	\$41,909	\$36,660	\$519,868	\$493,064
	State Emergency Repair Program													
	Other	\$361,660	\$267,730	\$267,730	\$120,364	\$109,580	\$21,054	\$28,810	\$21,054	\$24,054	\$7,901	\$20,587	\$799,763	\$812,420
	State Total	\$3,262,569	\$1,304,963	\$1,304,963	\$608,602	\$582,354	\$363,185	\$372,142	\$392,247	\$385,225	\$185,302	\$193,853	\$6,116,866	\$6,101,106
FEDERAL TRANSIT	5307 - Urbanized Area Formula Program	\$1,129,128	\$117,987	\$118,129	\$93,852	\$92,491	\$95,814	\$93,057	\$97,816	\$93,644		\$94,239	\$1,527,597	\$1,620,687
	5309a - Fixed Guideway Modernization	\$97,086	\$479										\$97,565	\$97,086
	5309b - New and Small Starts (Capital Investment Grants)	\$1,002,601	\$41,396	\$41,396									\$1,043,997	\$1,043,997
	5309c - Bus and Bus Related Grants	\$59,970											\$59,970	\$59,970
	5310 - Elderly & Persons with Disabilities Formula Program	\$11,689	\$3,324	\$3,324									\$15,013	\$15,013
	5311 - Nonurbanized Area Formula Program	\$14,461	\$1,265	\$1,292	\$1,265	\$1,292	\$1,265	\$1,292	\$1,142	\$1,292		\$642	\$19,399	\$20,269
	5337 - State of Good Repair	\$527,748	\$67,770	\$67,780	\$68,867	\$67,109	\$69,981	\$67,444	\$71,113	\$67,783		\$68,129	\$805,480	\$865,992
	5339 - Bus and Bus Facilities Program	\$64,473	\$8,107	\$7,969	\$6,166	\$6,121	\$5,591	\$6,141	\$4,721	\$6,160		\$6,180	\$89,058	\$97,045
	Other	\$152,434	\$10,857	\$10,857			\$53,893	\$53,893					\$217,184	\$217,184
	Federal Transit Total	\$3,059,591	\$251,185	\$250,746	\$170,151	\$167,013	\$226,544	\$221,826	\$174,792	\$168,879		\$169,189	\$3,875,263	\$4,037,244
FEDERAL HIGHWAY	Congestion Mitigation and Air Quality (CMAQ)	\$523,023	\$16,825	\$16,825	\$36,506	\$41,817	\$32,000	\$32,000					\$608,354	\$613,665
	Coordinated Border Infrastructure (SAFETEA-LU Sec.1303)	\$332,006	\$71,000	\$71,000									\$403,006	\$403,006
	GARVEE Bonds (Includes Debt Service Payments)													
	Highway Infrastructure Program (HIP)	\$58,446	\$5,166	\$5,166									\$63,612	\$63,612
	High Priority Projects (HPP) and Demo	\$85,414											\$85,414	\$85,414
	Highway Safety Improvement Program (HSIP)	\$1,680	\$2,333	\$2,333	\$7,783	\$7,783							\$11,796	\$11,796
	Public Lands Highway	\$9,784	\$816	\$816	\$816	\$816							\$11,417	\$11,417
	National Significant Freight & Highway Projects (FASTLANE/INFRA)	\$49,278	\$150,000	\$150,000									\$199,278	\$199,278
	Recreational Trails													
	Surface Transportation Program (Regional)	\$699,206	\$15,707	\$15,707	\$22,731	\$22,731	\$21,867	\$21,867					\$759,511	\$759,511
	Other	\$293,014	\$93,537	\$93,537	\$9,702	\$9,702							\$396,253	\$396,253
	Federal Highway Total	\$2,051,852	\$355,385	\$355,385	\$77,538	\$82,848	\$53,867	\$53,867					\$2,538,641	\$2,543,952
FRA	Passenger Rail Investment and Improvement Act of 2008 (PRIIA)	\$70,546	\$500	\$500	\$21,510	\$21,510							\$92,556	\$92,556
	Other													
	Federal Railroad Administration Total	\$70,546	\$500	\$500	\$21,510	\$21,510							\$92,556	\$92,556
Federal Total		\$5,181,989	\$607,070	\$606,631	\$269,198	\$271,371	\$280,411	\$275,693	\$174,792	\$168,879		\$169,189	\$6,506,460	\$6,673,752
INNOVATIVE FINANCE	TIFIA (Transportation Infrastructure Finance and Innovation Act)	\$537,484											\$537,484	\$537,484
	Innovative Financing Total	\$537,484											\$537,484	\$537,484
PROGRAM TOTAL		\$16,543,434	\$2,708,047	\$2,707,777	\$1,660,786	\$1,629,613	\$1,051,792	\$1,026,453	\$877,943	\$819,824	-\$32,994	\$147,452	\$22,802,009	\$22,874,554

FY28/29 includes programming for future years and is included here for reference only

Revenues versus Program

San Diego Association of Governments (SANDAG)
2025 Regional Transportation Improvement Program (in \$000s) - Amendment No. 4

Legend
Indicates change from prior amendment

Funding Source		2024/2025		2025/2026		2026/2027		2027/2028		2028/2029		TOTAL	
		Prior	Current	Prior	Current	Prior	Current	Prior	Current	Prior	Current	Prior	Current
LOCAL	Local Total	\$22,494	\$22,324	\$69,640	\$68,457	\$27,081	\$25,881	\$50,926	\$49,695	\$596,718	\$595,447	\$766,859	\$761,805
STATE	State Highway Operations and Protection Program												
	SHOPP (Including Augmentation)												
	SHOPP Prior												
	State Transportation Improvement Program												
	STIP (Including Augmentation)												
	STIP Prior												
	Proposition 1 A												
	Proposition 1 B												
	Active Transportation Program												
	Highway Maintenance (HM)												
	Highway Bridge Program (HBP)												
	Road Repair and Accountability Act of 2017 (SB1)												
	Traffic Congestion Relief Program (TCRP)												
	State Transit Assistance (STA)(e.g., population/revenue based, Prop												
	Other												
	State Total												
FEDERAL TRANSIT	5307 - Urbanized Area Formula Program			\$4,896	\$6,363	\$4,997	\$5,796	\$2,995	\$5,210	\$100,811	\$4,615	\$113,699	\$21,984
	5309a - Fixed Guideway Modernization												
	5309b - New and Small Starts (Capital Investment Grants)												
	5309c - Bus and Bus Related Grants												
	5310 - Elderly & Persons with Disabilities Formula Program												
	5311 - Nonurbanized Area Formula Program												
	5337 - State of Good Repair				\$1,726		\$336			\$71,113		\$71,113	\$2,062
	5339 - Bus and Bus Facilites Program			\$139		\$780		\$1,650		\$6,371		\$8,940	
	Other												
	Federal Transit Total			\$5,035	\$8,089	\$5,777	\$6,133	\$4,645	\$5,210	\$178,295	\$4,615	\$193,753	\$24,046
FEDERAL HIGHWAY	Congestion Mitigation and Air Quality (CMAQ)	\$21,688	\$3,001	\$6,857	\$1,546	\$12,225	\$12,225	\$45,104	\$45,104	\$45,104	\$45,104	\$130,979	\$106,982
	Coordinated Border Infrastructure (SAFETEA-LU Sec.1303)												
	GARVEE Bonds (Includes Debt Service Payments)												
	Highway Infrastructure Program (HIP)												
	High Priority Projects (HPP) and Demo												
	Highway Safety Improvement Program (HSIP)												
	National Significant Freight & Highway Projects (FASTLANE/INFRA)												
	Surface Transportation Program (Regional)	\$9,720	\$9,720	\$1,000	\$1,000	\$16,091	\$16,091	\$46,205	\$46,205	\$56,205	\$56,205	\$129,221	\$129,221
	Other	\$420	\$420	\$1,963	\$1,963	\$6,020	\$6,020	\$6,020	\$6,020	\$6,020	\$6,020	\$20,444	\$20,444
	Federal Highway Total	\$31,828	\$13,142	\$9,820	\$4,509	\$34,337	\$34,337	\$97,330	\$97,330	\$107,330	\$107,330	\$280,644	\$256,647
FRA	Passenger Rail Investment and Improvement Act of 2008 (PRIIA)												
	Other												
	Federal Railroad Administration Total												
Federal Total		\$31,828	\$13,142	\$14,854	\$12,598	\$40,114	\$40,470	\$101,975	\$102,539	\$285,625	\$111,945	\$474,397	\$280,693
INNOVATIVE FINANCE	TIFIA (Transportation Infrastructure Finance and Innovation Act)												
	Innovative Financing Total												
REVENUES - PROGRAM TOTAL		\$54,322	\$35,466	\$84,495	\$81,055	\$67,195	\$66,350	\$152,901	\$152,235	\$882,343	\$707,391	\$1,241,256	\$1,042,498

FY28/29 includes programming for future years and is included here for reference only

Proposed Board Policy Changes to Address Previous OIPA and TransNet Findings and Related Recommendations

Overview

At its meeting on April 11, 2025, the Executive Committee reviewed proposed changes to Board Policy Nos. 011, 016, 023, 024, and 017 to address previous OIPA, TransNet, and related recommendations.

Action: Approve

The Executive Committee recommends that the Board of Directors approve the proposed amendments to SANDAG board policies to address findings and recommendations from OIPA audits and investigation outcomes from 2024.

Key Considerations

Travel - Board Policy No. 011

The OIPA audit entitled Board Member and Employee Travel and Other Reimbursements Report, contains recommendations to add language to Board Policy No. 011 and administrative policies and forms concerning travel to enhance internal controls and recordkeeping. The majority of the changes will be made to the administrative policies and forms and combined with additional staff training. The modifications proposed in Attachment 1 are intended to provide a framework for the implementation of those activities.

Fiscal Impact:

None.

Schedule/Scope Impact:

None.

Procurements - Board Policy Nos. 016, 023, and 024

Several audits have been performed by OIPA in the last few years with recommendations that have been accepted and require implementation via significant changes to board policies regarding procurement. These audits include the following reports: Contracts Invoicing and Payment Process Report, Investigation Report on SANDAG's State Route 125 Toll Operations, Contracts and Procurement Operational and System Control Audit Report (Parts I and II), and Whistleblower Investigation Report on SANDAG's New Tolling Back-Office System Implementation. Based on observations noted from the Grand Jury and Board direction in 2024, other changes are proposed to board policies to enhance procurement practices for the agency.

Board Policies 016, 023, and 024 respectively concern procurements of services, equipment, and construction. These policies were originally drafted many years ago when SANDAG authority for these three categories of procurement varied considerably more. Due to California Assembly Bill 1833 (Ward, 2022) that went into effect on January 1, 2023, and changes in internal procedures at the agency over the past 20 years, many of these variances no longer exist. To reduce duplicative language in the policies and simplify ease of reference, the proposed amendments would consolidate all procurement-related matters into a single policy using Board Policy No. 016. This means Board Policy Nos. 023 and 024 will be superseded and could be used for other purposes in the future at the Board's direction. The changes proposed in Attachment 2 for Board Policy No. 016 would update the policy to align it with current law and make modifications to address 45 OIPA recommendations in whole or in part.

As part of the Executive Committee discussion, a question was raised regarding Best Value selections and whether additional reporting should be required to sufficiently document when the successful award goes to a vendor who did not propose the lowest cost. While this tends to be the exception in Best Value selections, staff plans to update the Procurement Manual to require that sufficient explanation is provided

in the project documentation to substantiate the selection. This information would be included in the recommendation memo that is approved by the Director and the report that goes to the Board for awards over \$5 million.

Delegation of Authority - Board Policy No. 017

Six of OIPA's recommendations from the above-referenced audits require modifications to Board Policy No. 017, Delegation of Authority. In addition, the 2024 TransNet Performance Audit contains one recommendation that can be implemented with an amendment to Board Policy No. 017. The proposed amendments to Board Policy No. 017 are in Attachment 3. The amendments add language to allow other board policies to carve out staff positions that the Board may want to appoint directly instead of delegating that authority to the Chief Executive Officer (CEO). The modifications also add requirements to the CEO's role with regard to internal controls and project oversight as recommended by OIPA.

Next Steps

Staff believe it will take three to six months to fully institute the necessary infrastructure to implement the proposed policy changes if they are approved by the Board. Activities will include the development of new templates for reporting of vendor performance problems, modified forms, tracking systems, and staff education and training. Staff intends to bring forward proposed amendments to other Board Policies, including No. 039, for consideration in May 2025.

Mario Orso, Chief Executive Officer

Attachments: 1. Proposed Board Policy No. 011 with Redline Changes
 2A. Proposed Board Policy No. 016 with Redline Changes
 2B. Proposed Board Policy No. 023 with Redline Changes
 2C. Proposed Board Policy No. 024 with Redline Changes
 3. Proposed Board Policy No. 017 with Redline Changes



BOARD POLICY NO. 011

TRAVEL EXPENSES

This policy is intended to establish processes and procedures regulating Out-of-Town Travel by SANDAG Board and Committee members and employees while on SANDAG business, and to provide a basis for budgeting Board member and employee attendance at conferences, training, seminars, or other meetings. Employees should refer to the Administrative Guidelines/Procedures for Employee Business Travel for Additional Information.

It is desirable and beneficial to SANDAG and its constituents to have Board and Committee members and employees participate in state and national activities, training, and conferences related to SANDAG's subject matter jurisdiction.

1. Definitions Applicable to Policy

- 1.1 Out-of-Town Travel – Any travel outside San Diego County.
 - 1.1.1 One-day trips within San Diego County will be treated as in-town expenses and not *Out-of-Town Travel*.
- 1.2 Authorizing Authority – SANDAG Board Chair for Board and Committee member travel, or SANDAG Chief Executive Officer (CEO) and those delegated authority by the CEO to ensure SANDAG compliance with this Policy, but do not include positions lower than a Director for SANDAG employee travel.
- 1.3 U.S. General Services Administration (GSA) – GSA establishes the per diem rates for the lower 48 Continental United States (CONUS), which are the maximum allowances that federal employees are reimbursed for expenses incurred while on official travel. (See www.gsa.gov.) The GSA's Federal Travel Regulation shall be used in interpreting this Policy.

2. Budgeting

- 2.1 Each year the CEO will survey the Board and Committee members to ascertain their interest in attending upcoming conferences and meetings. These conferences may include legislative and annual meetings for the California Transit Association, the American Public Transit Association, and the National Association of Regional Councils, as well as California Transportation Commission meetings and legislative hearings. The Chair of the Board will make the final decision regarding which Board and Committee members should attend all conferences and meetings. Upon return, Board members will be asked to present their experiences to the Board in order to share the knowledge obtained from their attendance.
- 2.2 Employees may attend conferences related to their respective disciplines consistent with this Policy's procedures. The CEO or his/her designee will make the final decision regarding which employees should attend conferences and meetings.

within the adopted budget. Upon return, employees will submit a report to their Director in order to share the knowledge obtained from their attendance.

- 2.3 Board and Committee member and employee attendance will be funded in the annual budget subject to the availability of funds and based on the results reported by previous attendees. As part of the budgeting process, the CEO or their designee will set objectives to ensure minimum representation at key conferences, and to make sure that cumulative attendance by Board and Committee members and employees at any one conference is not excessive.

3. Procedures

- 3.1 Requests for Out-of-Town Travel in all cases shall be limited to SANDAG business, conferences, and meetings, legislative hearings, and training classes from which SANDAG will derive a specific benefit through the attendance of a representative and must be approved in advance by an Authorizing Authority.
- 3.2 Out-of-Town conference Travel by SANDAG employees shall be limited to positions of a highly technical or professional nature as designated by the Authorizing Authority.
- 3.3 Any reimbursable Out-of-Town Travel expenses must be properly documented in accordance with a travel request form and shall be submitted for reimbursement within 10 (ten) business days following the completion of travel.
- 3.4 Employees must fill out a travel request form prior to traveling out of San Diego County on SANDAG business. The project code, purpose of travel, and trip budget must be filled in on the form. The form must be approved by the Authorizing Authority prior to travel arrangements being made.
- 3.5 For Board and Committee member travel, the Clerk of the Board or Executive Assistant will fill out ~~the top portion of~~ the travel request form and the Chair of the Board, or upon their written delegation the CEO, shall determine whether to approve it based upon the standards in this Policy.
- 3.6 Basic travel arrangements for flights, hotels, and rental cars will be made by the Clerk of the Board, Executive Assistant, or other designated staff. Board and Committee members and employees are responsible for contacting the Clerk of the Board, Executive Assistant, or other designated staff if itinerary changes are needed. Board and Committee members or employees desiring different travel arrangements will contact the Clerk of the Board or other designated staff to place them on notice and will be financially responsible for any costs over and above those costs for the basic trip.
- 3.7 If a Board or Committee member or employee initiates a change in travel plans that is not due to a medical/death emergency by the Board or Committee member or employee, or his/her immediate family, then the Board or Committee member or employee will be responsible for the cost impacts of those changes.
- 3.8 Use of air, train, private vehicle, bus, SANDAG vehicle, or other travel mode shall be selected on the basis of the lowest reasonable cost to SANDAG after all expense items are tabulated, including but not limited to travel time salary costs. The

responsibility for this consideration rests with the respective Authorizing Authority in approving the proposed travel and may be based upon the assessment of the Clerk of the Board, Executive Assistant, or other staff member or agency charged with making travel arrangements.

- 3.9 When the use of public air carrier transportation is approved, the travel expense will only be reimbursed for the equivalent of reserved coach class service. Airfare will be reimbursed for actual expenses; the use of personal mileage or vouchers for airfare will not be reimbursed.
- 3.10 Authorized travel time shall be based on that required by the most appropriate mode of transportation. Should an employee desire travel time in excess of the above, such time must be approved by the respective Authorizing Authority.
- 3.11 Additional fees such as luggage fees will be reimbursed on the basis of one bag fee per traveler. Extended travel that requires extra luggage may be approved by the respective Authorizing Authority.
- 3.12 Board and Committee members and employees will be reimbursed for meals and incidentals using the per diem rates established by the GSA. There are circumstances where these guidelines may not be appropriate. Examples of these circumstances include, but are not limited to the following, and such exceptions must be approved by the Authorizing Authority for reimbursement at actual expense:
 - 3.12.1 Meal costs incurred in connection with training, travel, civic/professional group meetings, etc., which have a set price and for which the individual has little or no choice in the amount paid. These costs usually include speaker, facility, and meal costs.
 - 3.12.2 Circumstances specifically identified in the GSA's Federal Travel Regulation as allowing actual expense reimbursement instead of per diem rates.
- 3.13 Lodging will be reimbursed at actual expenses, not to exceed the guidelines set by the GSA. (See www.gsa.gov.) Exceptions will be granted at the discretion of the Authorizing Authority for hotels included with training, travel, civic/professional group meetings, etc., which have a set price and for which the individual has little or no choice in the amount paid, or where specifically allowed in the GSA's Federal Travel Regulation. The use of personal mileage/points or vouchers for lodging will not be reimbursed.
- 3.14 It is the responsibility of Board and Committee members and employees to ensure that expenses are within the guidelines of this Policy.
- 3.15 The number of Board members or Committee members attending any conference or meeting should not exceed a quorum unless this provision is specifically waived by the Board after seeking advice from legal counsel.
- 3.16 The CEO shall develop and implement administrative travel policies and procedures consistent with this policy. Among the requirements in those policies and procedures, the following shall be mandated:

3.16.1 The travel request form used to approve travel must be documented separately from the travel expenses report used to reimburse travel; and

3.16.2 Only those executive assistants and other staff who have received training and are sufficiently familiar with the requirements for reimbursement and supporting documentation may process or submit travel requests and/or travel expense reports for final approval; and

3.15.13.16.3 Travel request and reimbursement approvals shall be documented by digital signature unless a digital signature cannot be acquired in a timely manner, in which case a text message or email may be used. Any record of emailed or texted approval and documentation shall be included with the travel request or reimbursement approval.

3.16.3.17 The CEO shall report any exceptions granted under this Policy to the Board of Directors on a regular basis.

Adopted June 2003

Amended January 2006

Amended December 2006

Amended December 2008

Amended January 2010

Amended November 2012

Amended November 2015

Amended February 2018

Amended June 2021

Amended November 2022

Amended April 2025



BOARD POLICY NO. 016

PROCUREMENT AND CONTRACTING

Purpose and Applicability

This policy establishes rules for procurement and contracting approved by the Board of Directors based on applicable laws and Board directives to staff. Primary procurement authority for SANDAG is derived from Public Utilities Code (PUC) section 132352.4. As stated in PUC section 132352.4(b)(7), with Board approval, the agency may may use any procurement method authorized for state or local agencies by state or federal law.

Detailed procedures for carrying out this policy are described in the Procurement Manual, the Construction Manual, and standard operating procedures approved by the Chief Executive Officer (CEO) and Office of General Counsel (OGC). Code of Federal Regulations, Volume 2, Part 200, Federal Transit Administration Circular 4220.1G, and the Caltrans Local Assistance Procedures Manual also establish rules and guidance that SANDAG must consider when administering procurements and contracts using federal or state Department of Transportation (DOT) funds. All references to the CEO in this policy also apply to the CEO's delegates to the extent permitted by Board Policy No. 017 and as set forth in the Delegation of Authority policy approved by the CEO.

Definitions

Best Value Selection: "Best value" mMeans the contract award is made to the highest ranked responsive and responsible offeror(s) as a value determined by objective criteria, ~~which-and~~ may include, but is not limited to, price, features, functions, life-cycle costs, and other criteria deemed appropriate by SANDAG. Price must be a significant evaluation factor, but SANDAG is not required to award to the lowest price offeror.

Cardinal Change: A cardinal contract change is work added that is outside of the scope of what offerors could have reasonably expected the work to include at the time of the original solicitation. A cardinal contract change cannot be identified easily by assigning a specific percentage, dollar value, number of changes, or other objective measure that would apply to all cases. Relevant factors include the nature and extent of the changed work to be performed, the amount of effort involved, whether the change was originally contemplated at the time the original solicitation was issued and/or contract was entered into, and/or the cumulative impact on the contract's quantity, quality, costs, and delivery terms. Generally, an amendment or change order that is either outside of the original contract scope, or greater than 25 percent of the price of the original solicitation value should be documented as a noncompetitive procurement (sole source).

Contract: Any binding written document, whether or not it contains a dollar amount, that states that SANDAG agrees to carry out or refrain from one or more actions. Contract documents include, but are not limited to, Memoranda of Understanding, agreements for services, sponsorship agreements, purchase orders, task orders, amendments, change orders, job orders, nondisclosure agreements, letters of intent regarding future transactions, and real property purchase agreements.

Contractor: A person or entity contracting directly with SANDAG to provide goods or services. Sometimes also referred to as a consultant or vendor.

Exigency or emergency: A situation that will not permit a delay resulting from carrying out the typically required competitive procurement or amendment requirements for the supplies or services due to the serious injury that would be caused to SANDAG or the public if delay occurs.

Failure to plan: Circumstances that constitute failure to plan include, but are not limited to, staff not adequately tracking contract expiration dates, staff not allowing enough time to conduct a new solicitation prior to contract expiration, issues with a non-performing contractor that have not been addressed through a formal Notice to Cure, and failure to timely replace a project manager who is absent from work, has left the agency, or has changed roles.

Limited Competition: Use of the small purchase procedures when formal purchase procedures are otherwise warranted to avoid a noncompetitive sole source. Permitted only under the limited conditions described in this policy.

Lowest Bidder Selection: Means the contract is awarded to the lowest priced responsive and responsible bidder meeting specifications for award, not including sales tax.

Micro Purchase Amount: An amount that will not exceed the ceiling amount for micro purchases set by the Board of Directors or the applicable funding agency(ies) for the procurement, whichever is lower.¹

Mini Brooks Act Services: Services described in Government Code section 4525 et seq. Those services include: architectural, landscape architectural, engineering, environmental, land surveying, construction engineering, or program management, construction management, feasibility studies (includes environmental studies and analysis), preliminary engineering, design, engineering, surveying, mapping or architectural related services, as those terms are defined in the Government Code.

Noncompetitive Procurement (Sole Source): A procurement leading to award of a contract to a contractor or entity that was not required to compete against other potential contractors.

Qualifications Based Selection: Means the contract award is made to the highest ranked responsive and responsible offeror(s) as determined solely by offeror qualifications. An offeror's price proposal is not reviewed unless the offeror is determined to be most qualified. This selection method is only used for Mini Brooks Act Services.

Small Purchase Amount: An amount that is higher than the Micro Purchase Amount but lower than the amount set in PUC section 132352.4 requiring formal procurement procedures.²

Subcontractor: A person or entity hired by a SANDAG contractor at any tier with no direct contractual relationship with SANDAG. Sometimes also referred to as a subconsultant or supplier.

PROCUREMENT OF SERVICES

¹ As of March 2025, the Board of Directors approved micro purchase amount is \$10,000.

² As of March 2025, this amount is \$150,000.

1.—Rules for Procurement of Services -

1. Pursuant to Public Utilities Code section 132352.4, the following statutory requirements apply to procurements of services, including Mini Brooks Act Services, unless a justification in Section 5 of this policy applies.

~~Micro Purchases. If the estimated total cost of required services exceeds one hundred thousand dollars (\$100,000), the services will not be performed by another government entity, and the services are not within the category of services defined in Section 4525 of the Government Code, SANDAG must solicit bids in writing and award the work in a competitive procurement process that is in the best interest of SANDAG. Services defined in Section 4525 include: architectural, landscape architectural, engineering, environmental, land surveying services, and construction project management services, as those terms are defined in Government Code section 4525 (hereinafter "Section 4525 Services"). If Section 4525 Services with a contract value in excess of \$50,000 must be procured or the contract will be funded with federal money SANDAG will make the procurement pursuant to the provisions of Chapter 10 (commencing with Section 4525) of Division 5 of Title 1 of the Government Code. SANDAG must use the procedures of the Brooks Act if federal funds are used and the services are architectural or engineering in nature (hereinafter "A&E Services"). Contracts that do not exceed these statutory limitations may be procured using simplified procedures. All references to the Executive Director in this policy also apply to the Executive Director's designees.~~

Procedures

- ~~1.1 Micro Purchase Agreements. For purposes of this policy, the term "micro purchase amount" shall mean an amount that will not exceed the ceiling amount for micro purchases set by the applicable funding agency(ies) for the procurement. These procedures apply to the procurement of all services at or below the Mmicro Ppurchase Aamount.~~

1.1

- ~~1.1.1 For purchases at or below the micro purchase amount, a micro purchase procurement method may be used. A micro purchase procurement is a noncompetitive purchase technique; however, the price of the service must still be fair and reasonable.~~
- 1.1.2 There should be equitable distribution of contract awards among qualified service providers in the local area and no splitting of procurements to avoid competition.
- 1.1.3 An offer is only required from the contractor/vendor of choice and a purchase order, invoice, or simple letter agreement may be used instead of the SANDAG standard contract languageservices agreement template. -when the risk to SANDAG is considered low, in the discretion of the Director or Manager of Contracts and Procurement or the OGC.
- ~~1.1.3.1.4 If it is reasonably possible that the amount awarded will need to be amended to exceed the Micro Purchase Amount, the procedures in Section 1.2 or 1.3 of this policy, as applicable, shall be utilized.~~

~~1.2~~ Small Purchases. These procedures apply to procurements at or below the Small Purchase Amount that exceed the Micro Purchase Amount. ~~Agreements (in excess of micro purchase amount – \$100,000).~~ These procedures apply to the procurement of all ~~services~~ Small Purchases of services excluding Mini Brooks Act ~~Section 4525~~ Services with federal funding. All procurements that are predominantly Mini Brooks Act services and that will be funded in whole or in part with federal or state DOT funds, shall be procured using the procedures in Section 1.3.2 and 1.6 of this policy.

1.2

1.2.1 If the final estimated value of the contract is expected to be less than the \$100,000 or less, Small Purchase Amount, staff may select a qualified proposer whose proposal is most advantageous to SANDAG ~~the Board,~~ price and all other factors considered, using an informal competitive process with the approval of their division director or department director. The CEO shall determine the selection procedure for this informal process, to distribute work in a fair and equitable manner. Prior approval of the selection procedure shall be obtained from the CEO via approval of the small purchase procedures in the Procurement Manual.

~~1.2.2~~ The Chief Executive Officer shall determine the selection procedure for contracts valued in excess of the micro purchase amount and no more than \$100,000 ~~the stated threshold,~~ to distribute work in a fair and equitable manner. Prior approval of the selection procedure shall be obtained from the applicable level of management. An informal competitive process shall be followed with price or, rate quotations ~~or best value~~ obtained from an adequate number of qualified sources to ensure ~~that~~ SANDAG is obtaining a fair and reasonable price. The informal competitive process must be documented by staff. In obtaining price or rate quotations for Mini Brooks Act Services or goods or services with complex descriptions, a written scope of work or specifications shall be developed and supplied to all proposers ~~bidders.~~

~~1.2.3~~ Selections will be made on a best value basis unless the procurement is not federally funded and is for Mini Brooks Act Services. For such services, selections shall be qualifications based. Procurements of Mini Brooks Act Services with federal funds must use the formal processes in Sections 1.3.2 and 1.6.

~~1.2.2~~ ~~1.2.4~~ If it is reasonably possible that the amount awarded will need to be amended to exceed the Small Purchase Amount, the procedures in Section 1.4 of this policy shall be utilized.

1.3 Formal Procurements. If the estimated total cost of required services will exceed the Small Purchase Amount, SANDAG must solicit proposals in writing and award the work in a formal, competitive procurement process that is in the best interest of SANDAG and applicable to the type of services to be procured as set forth in the Procurement Manual. Exceptions to this requirement include when services will be performed by another government entity or when a justification for noncompetitive procurement applies.

~~1.2.3~~ 1.3.1 Solicitation Process for Formal ~~Major Service Procurements~~ Agreements ~~(\$100,001 and greater).~~ These procedures apply to the procurement of all services,

~~except Section 4525 Services, of \$100,001 or more and procurement of Section 4525 Services in excess of the micro purchase amount.~~

~~1.2.4 — A~~Normally, a "one-step" ~~procurement~~~~selection~~ procedure ~~is typically will be~~ used for service contracts in excess of ~~\$100,000~~~~the Small Purchase Amount-current stated threshold~~. The "one-step" competitive process is as follows:

1.3.1.1

~~1.2.4.1 — Proposers~~Firms shall submit a response to a SANDAG Request for Proposals (RFP) or Request for Qualifications (RFQ). The RFP/RFQ shall include:

1.3.1.2

~~1.2.4.1.1~~1.3.1.2.1 Pass/fail criteria to be used as an initial screening of responses. Such criteria shall include, but not be limited to, insurance requirements, licensing, and any other consideration which would make the proposer ineligible to perform the work.

~~1.2.4.1.2~~1.3.1.2.2 All evaluation factors and their relative importance.

~~1.2.4.1.3~~1.3.1.2.3 The standard contract language that the successful proposer will be required to comply with, including applicable federal clauses and certifications.

~~1.2.4.2~~1.3.1.3 Notice of the ~~professional~~ services required shall be published at least once in a newspaper of general circulation and at least one minority publication in San Diego County, on SANDAG's ~~website and~~ electronic vendor portal and in such publications as appropriate in San Diego County, at least three weeks before the proposal due date. The notice shall state, at a minimum, ~~that~~ SANDAG is interested in receiving responses from qualified firms, ~~and~~ indicate how additional information can be obtained, and the time and place for receiving responses.

~~1.2.4.3~~1.3.1.4 Notice shall also be sent to firms or individuals previously known to be interested in providing the required services, including small and emerging businesses on SANDAG various interested party lists, and to appropriate Disadvantaged Business Enterprises (DBE) firms or individuals listed in the SANDAG vendor database and the California Unified Certification Program (CUCP) Database.

~~1.2.4.4~~1.3.1.5 Responses to an RFP/RFQ shall list all proposed sub~~consultant~~~~contractors and subcontractors~~, ~~their area of~~ the work they will perform, and identify which of them, if any, are certified DBEs.

~~1.2.4.5~~1.3.1.6 Responses to an RFP/RFQ shall include a detailed cost estimate.

~~1.2.4.6~~1.3.1.7 For procurement that are all or predominantly Mini Brooks Act~~Section 4525~~ Services, separately bound or sealed cost proposals shall be submitted as part of the process and shall not be opened until after the evaluation committee has ranked the proposers. Cost proposals shall be excluded as an evaluation factor for Mini Brooks Act Services~~and will only be used by the Chief Executive Officer, when negotiating within the prescribed budget, except as provided in 3.1.5.2 below.~~ Sections 1.3.2 and 1.6 of this policy concern Mini Brooks Act Services procedures.

~~1.2.4.7~~ 1.3.1.8 For all other services, the cost proposal shall be submitted along with the technical proposal and will be used as an evaluation factor by the evaluation committee.

~~1.2.4.8~~ 1.3.1.9 The responses shall be evaluated by an evaluation committee. The evaluation committee should consist of SANDAG staff who are not all in the same chain of command. For procurements in excess of \$5 million, at least one person on the evaluation committee should be from outside the agency ~~and, unless waived at the discretion of the procuring department's by a Director on the basis that it is not in the best interest of the agency, at least one person from outside the agency.~~

1.3.1.10 The top-ranked firm(s) should ~~shall~~ then be interviewed. If only one firm is in the competitive range, an interview may be, if deemed unnecessary. The final list of qualified firms shall be based on the response to the RFP/RFQ, references, the interview, and other relevant factors.

1.3.2 A "two-step" procurement process may be used for procurements of any service but are most often used for Mini Brooks Act Services. The RFQ process is as follows:

1.3.2.1 Letters of Interest/Statements of Qualifications (LOIs/SOQs) are solicited from the firms registered in the electronic vendor portal for the particular services specialty.

1.3.2.2 Notice of the professional services required shall be on SANDAG's electronic vendor portal and in any such other publications as appropriate in San Diego County, at least three weeks before the proposal due date. The notice shall state that SANDAG is interested in receiving Letters of Interest or Statements of Qualifications (LOIs/SOQs) from qualified firms, and indicate how additional information can be obtained, and the time and place for receiving responses.

1.3.2.3 Requests for LOIs/SOQs will be sent to firms or individuals registered on the SANDAG vendor portal.

1.3.2.4 "Pass/fail" criteria will be established by staff and clearly stated in the LOI/SOQ to be used as a screening of responses. Such criteria shall include but not be limited to: adherence to project budget, insurance requirements, and if required, DBE participation.

1.3.2.5 An evaluation committee will be formed. The evaluation committee should consist of SANDAG staff who are not all in the same chain of command. For procurements in excess of \$5 million, at least one person on the evaluation committee should be from outside the agency, unless waived at the discretion of the procuring department's Director.

1.3.2.6 The evaluation committee will evaluate the SOQs and a memo will be prepared for the CEO summarizing the evaluation committee's findings and recommending one or more qualified firms to be invited to receive an RFP. Following approval by the CEO, staff shall then issue an RFP to the qualified firm(s). The RFP shall include all evaluation factors and their relative importance, and the contract that the successful proposer will be expected to execute (including all applicable federal clauses and certifications).

1.3.2.7 From this point, the steps above for a one-step procurement should be followed.

~~1.3.1.4~~ Selection Process for Services Other Than Mini Brooks Act Services. When the services to be procured are not Mini Brooks Act Services, ~~s~~Selection may be based on a best value determination. ~~“Best value” means a value determined by objective criteria and may include, but is not limited to, price, features, functions, life-cycle costs, and other criteria deemed appropriate by SANDAG. If there are some Mini Brooks Act Services mixed in with a procurement that is predominantly for services that do not qualify as Mini Brooks Act Services, then the best value selection process is to be used rather than qualifications only.~~ A summary of the findings of the evaluation committee will be included in a recommendation memo to the ~~CEO~~Executive Director. The memo shall include the evaluation committee’s recommendation for negotiations with one or more firms in the competitive range and the best value evaluation factors.

~~1.3.1~~ — The ~~CEO~~Executive Director will approve or reject the recommendation based upon information provided by the evaluation committee, and other factors as deemed appropriate, including, but not limited to, qualifications, ability to meet schedule and budget, cost of work, meeting insurance requirements, and DBE participation for federally funded projects. ~~The Executive Director may also interview one or more of the firms prior to making a selection.~~

~~1.4.1~~

~~1.3.2~~1.4.2 Approval by the ~~CEO~~Executive Director of the recommendation shall be deemed approval to enter into negotiations with one or more firms in the competitive range.

~~1.3.3~~ — For contracts for Section 4525 Services, the separately submitted cost proposal shall be used as a basis for negotiation. Negotiations will be conducted by the ~~Executive Director~~, and can include factors other than cost, such as staffing levels, project schedule, etc. Should negotiations fail, the ~~Executive Director~~ will enter into negotiations with the next ranked firm. Once negotiations are complete, a contract incorporating the negotiated terms and conditions will be prepared for the approval of the ~~Executive Director~~. Only the cost proposal of the firm in negotiations shall be opened.

~~1.3.4~~1.4.3 For all other service contracts, ~~t~~The cost proposals from the firm(s) in the competitive range shall be used as a basis for negotiation. Negotiations will be conducted by the ~~CEO~~Executive Director, and can include factors other than cost, such as staffing levels, project schedule, etc. If negotiations are only conducted with one firm and those negotiations fail, staff will enter into negotiations with the next ranked firm. If negotiations are conducted with more than one firm in the competitive range, then staff may attempt to obtain the most favorable terms by negotiating with all of the firms. Once negotiations are complete, a contract incorporating the negotiated terms and conditions will be prepared for the approval of the ~~CEO~~Executive Director.

~~1.4.1.5~~ Services with Highly Specific Scope. For those services that are able to be defined with a very explicit scope of work containing detailed, straight-forward specifications that will allow consistent responses, proposers will be considered qualified or not qualified based on predetermined criteria. Cost proposals will then

be opened for those proposers considered qualified and the ~~consultant~~contractor with the lowest bid will be awarded the contract. The ~~CEO~~department directors will determine whether the nature of any of the services are appropriate for within their purview ~~lend themselves to~~ using this low bid procedure.

~~1.5~~ Services that Are Predominantly If desired, a "two-step" selection process may be followed, as follows:

~~1.5.1~~ Letters of Interest/Statements of Qualifications (LOIs/SOQs) shall be solicited from the current SANDAG consultant list for the particular services specialty.

~~1.5.2~~ Notice of the professional services required shall be on SANDAG's website and electronic vendor portal and in such other publications as appropriate in San Diego County, at least three weeks before the proposal due date. The notice shall state that SANDAG is interested in receiving LOIs/SOQs from qualified firms, and indicate how additional information can be obtained, and the time and place for receiving responses.

~~1.5.3~~ Requests for LOIs/SOQs may be sent to firms or individuals previously known to be interested in or capable of providing the required services. Reasonable effort shall be made to send requests to minority firms known to be capable of providing the required services.

~~"Pass/fail" criteria will be established by staff and clearly stated in the LOI/SOQ to be used as a screening of responses. Such criteria shall include, but not be limited to: adherence to project budget, insurance requirements, and DBE participation.~~

~~1.5.4~~ An evaluation committee will be formed, which should consist of SANDAG staff and at least one person from outside the agency.

~~1.5.5~~ The evaluation committee will evaluate the SOQs and a memo will be prepared for the Chief Executive Officer summarizing the evaluation committee's findings and recommending one or more qualified firms to be invited to receive an RFP. Following approval by the Chief Executive Officer, staff shall then issue an RFP to the qualified firm(s). The RFP shall include all evaluation factors and their relative importance and the contract that the successful proposer will be expected to execute (including all applicable federal clauses and certifications).

~~1.5.6~~ From this point, the steps above for a one-step procurement should be followed.

~~1.6~~ Mini Brooks Act For contracts for Section 4525 Services, When the work will predominantly be Mini Brooks Act Services, scoring and selection will be qualifications-based. Only the most qualified firm(s) shall have its cost proposal reviewed. ~~‡~~The separately submitted cost proposal shall be used as a basis for negotiation. ~~Negotiations will be conducted by the~~ Executive Director, and can include factors other than cost, such as staffing levels, project schedule, etc. Should negotiations fail, the ~~CEO~~Executive Director may authorize ~~will enter into~~ negotiations with the next ranked firm. Once negotiations are complete, a contract incorporating the negotiated terms and conditions will be prepared for the approval

of the ~~CEO/Executive Director~~. Only the cost proposal of the firm in negotiations shall be opened.

1.6

1.7 Compliance with Brooks Act Provisions for Federally Funded Contracts. If federal funds are used and the services in the contract are of the types included in the Mini-Brooks Act, SANDAG shall comply with the provisions of the Brooks Act even if the amount awarded will be less than the Small Purchase Amount threshold.

~~—— Multiple Award On-Call Contracts. All on-call contracts will be awarded in accordance with the SANDAG Procurement Manual and applicable procedures.~~

1.8 When SANDAG has a need to procure services within a particular genre, such as planning, environmental, or legal services, but the specific project assistance that will be needed is not known in a sufficient amount of detail, then a two-phase process will be used.

1.8.1 First, an RFP or RFQ will be used to select one vendor or a short-list of vendors to be placed under an on-call contracting arrangement for a specific period of time.

1.8.2 Second, if only one vendor was awarded an on-call contract, each time services are needed, the vendor will be sent a scope of work prepared by SANDAG. The on-call vendor will then send a proposal to SANDAG and staff will evaluate the proposal and negotiate terms and conditions of the task order with the vendor. If multiple vendors are awarded an on-call contract, a secondary task order solicitation will be sent to all vendors within the relevant genre(s) of the on-call to allow for full and open competition. Selection will be based on the evaluation factors in the RFP or RFQ issued in the first phase.

1.8.3 Task orders for services other than Mini Brooks Act Services shall be awarded on a best value basis. Award of Mini Brooks Act Services shall be qualifications based.

1.8.4 Noncompetitive task order procurements shall only be permitted under the conditions set forth in Section 4 of this policy.

1.8.5 Task orders that include phased project work must include a description of the plan for future deliverable(s) or service(s) within the solicitation document and resulting task order to establish clearly that such future deliverable(s) and/or service(s) are conditioned upon applicable matters within SANDAG's discretion such as availability of funds, budget, contractor performance, and SANDAG's best interest. The solicitation for phased work task orders must contain a sufficient description of the scope of work to avoid later work from being categorized as noncompetitively procured.

1.6.1

2. Compliance with Brooks Act Provisions for Federally Funded Contracts. If federal funds are used and the services are A&E in nature, SANDAG shall comply with the

provisions of the Brooks Act. **Rules for Procurement of Equipment, Supplies, and Materials**

- 2.1 When a purchase is predominantly equipment, supplies, and materials (goods), SANDAG staff are required to use a competitive procurement process, unless a justification in Section 4 of this policy applies. Pursuant to PUC section 132352.4(b)(4), SANDAG is required to use the lowest bidder selection process.
- 2.2 Micro Purchases. For purchases below the micro purchase amount, a micro purchase procurement method may be used. A micro purchase is a noncompetitive purchase technique; however, the price of the item must still be fair and reasonable. There should be equitable distribution among qualified suppliers in the local area and no splitting of procurements to avoid competition. A bid is only required from the vendor of choice and no contract is required.
- 2.3 Small Purchases. For purchases in excess of the Micro Purchase Amount and less than the formal procurement threshold, a simplified competitive procurement method may be used:
- 2.3.1 Staff shall obtain written bids or document oral bids from at least three suppliers in a manner that permits prices and other terms to be compared.
- 2.3.2 Staff shall recommend the supplier that will provide the best value to SANDAG, taking into account the possible range of competing products and materials available, fitness of purpose, manufacturer's warranty, and other similar factors in addition to price.
- 2.3.3 Staff shall obtain approval as required in the administrative delegation of authority policy and the small procurement procedures for use of the recommended supplier.
- 2.4 Formal Procurements. For purchases in excess of the stated threshold, an invitation for bids (IFB) shall be issued and the award will be made to lowest responsible bidder submitting a responsive bid:
- 2.4.1 The IFB will be posted on the SANDAG electronic vendor portal with a link from the SANDAG Web site.
- 2.4.2 Notice of the IFB will be published in at least one newspaper of general circulation and at least one minority publication in San Diego County and in such other publications as appropriate at least two weeks before the bid opening date. The notice shall state that SANDAG is interested in receiving bids from qualified firms, and indicate how additional information can be obtained, the date, location and time for receiving and opening the sealed bids.
- 2.5 For purchases that are better suited for a Request for Proposals (RFP) (negotiated purchase) or purchase on the open market, instead of an IFB (low bidder), approval may be sought from the Director of Contracts and Procurement Services to utilize a different procurement process in accordance with PUC section 132352.4(b)(7). An alternate procurement process to the IFB may be in the best interest of SANDAG in the following example situations:
- 2.5.1 Contract negotiations with the offerors will be needed.

2.5.2 Competitive bidding is an inadequate method of procurement because it is necessary to purchase prototype equipment or modifications in order to conduct and evaluate operational testing.

2.5.3 The article(s) to be procured is undergoing rapid technological changes and it is in the public's interest to issue an RFP so that the broadest possible range of competing product and materials available, fitness of purpose, manufacturer's warranty, and other similar factors in addition to price, can be taken into consideration.

3. Rules for Procurement of Public Works Construction

3.1 PUC section 132352.4(b)(3) mandates that SANDAG establish rules for competitive procurement for construction of public works projects. SANDAG must solicit bids in writing and award the work to the lowest responsive and responsible bidder or reject all bids. Additionally, Government Code section 14085 et seq. requires that whenever any public entity is to receive state or federal funds for the purposes of project planning, design, rights-of-way, construction, acquisition, or improvement of exclusive public mass transit guideways it shall prepare various policies, procedures, and performance standards, which are subject to review and approval by the State of California prior to the implementation of the project or the project phases affected. This documentation must include the overall project financing plan and the overall project development schedule, as well as other items such as policies and procedures for contract provisions, bidding and awards, change orders, payments and audits, and contractor claims. This policy, the Procurement Manual, the Construction Manual, and applicable procedures are meant to address these requirements.

3.2 Micro Purchases. For construction contracts estimated to cost an amount equal to or less than the Micro Purchase Amount, the work may be awarded without competition so long as the price is determined to be fair and reasonable. Otherwise, staff shall seek a minimum of three bids which may be either written or oral to permit prices and other terms to be compared.

3.3 Small Purchases. For construction contracts estimated to cost in excess of the Micro Purchase Amount, but not more than the \$50,000 limit in PUC Code section 132352.4(b)(3), the following procedures shall be followed:

3.3.1 An Invitation for Bids (IFBs) with the same scope of work and specifications will be sent to a minimum of three qualified bidders. The bid period will be a minimum of three calendar days. When possible, IFBs should be sent to at least two certified DBE firms. The IFB will contain the time and location for receiving and opening bids.

3.3.2 The contract will be awarded to the lowest responsive and responsible bidder after a Notice of Intent to Award has been issued to all bidders and the protest period has expired.

3.3.3 Bid bonds will only be required on bids that are under \$50,000 when requested by the applicable Director or his or her designee.

3.4 Formal Procurements. For public works construction procurements estimated to cost more than \$50,000, a formal procurement process will be used to award the work to the lowest bidder.

3.4.1 Public notice shall be given by publication once a week for at least two consecutive weeks, with the first publication occurring at least three weeks before the day set for receiving bids, as follows:

3.4.1.1 In a newspaper of general circulation, published in San Diego County;

3.4.1.2 In a trade paper of general circulation published in Southern California devoted primarily to the dissemination of contract and building news among contractors and building materials supply firms; and

3.4.1.3 In at least one minority or community newspapers as appropriate to best meet SANDAG's DBE goals.

3.4.1.4 Advertisements may also be placed in other minority and community newspapers, as appropriate. Appropriate DBEs listed in the current SANDAG vendor database will be notified of any work advertised under this policy.

3.4.1.5 The notice shall state the time and location for receiving and announcing sealed bid amounts and shall describe the work to be done.

3.5 Contractor Prequalifications. SANDAG may, for prospective contractors whose bid could exceed \$500,000, adopt and apply a uniform prequalification system for rating bidders; on the basis of a standard experience questionnaire and financial statement verified under oath in respect to the contracts upon which each bidder is qualified to bid. A contractor may request to be prequalified for a predetermined contract amount prior to bidding.

3.5.1 In no event shall any bidder be awarded a contract if such contract award would result in the bidder having under contract(s), work cumulatively in excess of that authorized by its qualification rating.

3.6 Form of Bids. SANDAG shall furnish each bidder with a standard bid form, to be filled out, executed, and submitted as its bid.

3.6.1 All bids shall be submitted as a sealed bid in a form directed by SANDAG, which shall mean either submission in a sealed envelope or electronically through the use of SANDAG's web-based solicitation system.

3.6.2 All bids shall be accompanied by one of the following forms of bidder's security: cash, a cashier's check, certified check, or a bidder's bond executed by an admitted surety insurer and made payable to SANDAG. A bid shall not be considered unless accompanied by one of the forms of bidder's security, which may be in either hard copy or electronic format. Bidder's security shall be at least 10 percent of the amount bid. Bidder's bonds must be issued by bonding companies registered in the State of California.

3.6.3 Any bid may be withdrawn any time prior to the time fixed in the notice for bid opening only by written request to the SANDAG CEO. The request shall be

executed by the bidder or its designated representative. Bids shall not be withdrawn after the time fixed for public opening.

3.6.4 On the day specified in the notice, staff shall post the preliminary bid results on the SANDAG electronic vendor portal within 24 hours.

3.7 Review of Bids. After the bids are opened, the staff shall review all bids in order to determine which bidder is the lowest responsive and responsible bidder. The term "lowest responsive and responsible bidder" shall mean the lowest monetary bidder (excluding taxes) whose bid is responsive and who is responsible to perform the work required by the solicitation and contract documents.

3.7.1 Responsiveness. All bids will be evaluated to determine whether or not they are responsive. The term "responsive" generally means that the bid has been prepared and submitted in accordance with the requirements of the solicitation and bid documents. In the event one or more bids is found nonresponsive, SANDAG will determine whether the non-responsiveness is material to the solicitation requirements and whether clarification is needed from one or more bidders. Responsiveness requirements shall generally include, but will not be limited to, the following:

3.7.1.1 Bid Booklet - with all bid amounts filled in

3.7.1.2 Designation of Suppliers and Subcontractors with dollar amounts, if applicable

3.7.1.3 Acknowledgment of Addenda, if applicable

3.7.1.4 Contractor's License Requirements

3.7.1.5 Ability to Meet Minimum Insurance Requirements

3.7.1.6 Public Contract Code 10162 Questionnaire

3.7.1.7 Bidder's Bond

3.7.1.8 Noncollusion Affidavit

3.7.1.9 Certification of Restrictions on Lobbying

3.7.1.10 Disclosure of Lobbying Activities

3.7.1.11 Certification Regarding Debarment

3.7.2 If the lowest monetary bidder's bid is responsive, then the bidder's qualifications will be evaluated to determine whether or not the bidder is responsible to perform the work required by the contract documents. The term "responsible" generally means that the bidder is able to demonstrate that it possesses: (1) the capacity to perform the work required by the contract documents with respect to financial strength, resources available, and experience; and (2) the integrity and trustworthiness to complete performance of the work in accordance with the contract documents.

3.7.3 SANDAG may investigate the responsibility and qualifications of bidders to whom the award is contemplated for a period not to exceed 90 days after the bid opening. The 90-day review period may be extended upon the written request by staff and written approval by the affected bidders.

3.8 Award or Rejection of Bids. The bidder deemed to be the lowest responsive and responsible bidder will be recommended to the CEO for contract award.

3.8.1 If staff finds -the lowest monetary bidder's bid is not responsive or the lowest monetary bidder is not responsible, then the responsiveness and responsibility of the next low monetary bidder may be reviewed. If staff finds the next low monetary bidder is responsive and responsible, then that next low bidder shall be deemed the apparent lowest responsive and responsible bidder, and the findings will be reported as recommendations to the CEO. Staff may continue to review the responsiveness and responsibility of the next lowest monetary bidder until he/she finds the lowest monetary bidder that is also responsive and responsible, and deemed lowest responsive and responsible bidder. In the event one or more low monetary bidders are found to be nonresponsive, those bidders will be given notice and a reasonable opportunity to present additional evidence to SANDAG within five working days after the bidder receives the notice.

3.8.2 The CEO may authorize a Limited Notice to Proceed (LNTP) to the apparent lowest responsive and responsible bidder for an amount not to exceed \$250,000 prior to the award of the construction contract if the CEO determines that the award of an LNTP is justified.

3.8.3 If in the best interest of SANDAG, the CEO may, on refusal or failure of the successful bidder to execute the contract, award it to the second-lowest responsive and responsible bidder. If the second-lowest responsive and responsible bidder fails to execute the contract, the CEO may likewise award it to the third-lowest responsible bidder. On the failure or refusal of any bidder to execute the contract, its bidder's security shall be forfeited to SANDAG.

3.8.4 For all contract awards in excess of \$25,000, the successful bidder must furnish a performance bond equal to at least one-half of the contract price and a payment bond equal to one hundred percent of the contract price. Federally funded contract awards shall require a performance bond equal to one hundred percent of the contract price. Bonds may be in either hard copy or electronic format. Bidders bonds must be issued by bonding companies registered in California. Notwithstanding the foregoing, depending upon authorization from the funding source(s), the performance and payment bond requirements may be modified within the Invitation for Bids with prior approval of the CEO.

3.8.5 Failure to furnish the required bonds shall constitute failure to execute the contract.

3.9 Return of Bidder's Security. SANDAG may withhold the bidder's security of the second- and third-lowest responsive and responsible bidders until the contract has been finally executed. SANDAG shall, upon request, return cash, cashier's checks, and certified checks submitted by all other unsuccessful bidders within 30 days after the bid opening, and the bidder's bonds shall be of no further effect.

3.10 Procedure for Subcontractor Substitution. Subcontractor substitutions shall be made only pursuant to the provisions of the Subletting and Subcontracting Fair Practices Act, Public Contract Code section 4100 et seq., as it may be amended from time to time. Notwithstanding the foregoing, nothing in this policy is intended to require

SANDAG to strictly comply with the Subcontracting Fair Practices Act. The CEO is hereby designated to carry out all functions of the awarding authority under Section 4100 et seq.

3.11 Relief from Maintenance and Responsibility. SANDAG will, upon written application by the contractor, consider granting relief from maintenance and responsibility on major elements of each major construction project as permitted in the contract specifications. The CEO is hereby delegated authority to grant said relief in writing to the contractor and shall report actions on contracts over \$25,000 to the Board.

3.12 Acceptance of Work. SANDAG will, upon written application by the contractor, accept the entire work on major construction contracts, provided that the work has been completed, in all respects, in accordance with the contract plans and specifications. The CEO is hereby delegated the authority to accept such work on behalf of the Board and shall report to the Board all acceptances over \$25,000.

3.12.1 In determining whether to accept the entire work on major construction projects, these procedures should be followed:

3.12.1.1 The contractor shall request acceptance in writing.

3.12.1.2 Concurrence with the request by the SANDAG Resident Engineer shall be in writing to the CEO and include these findings: (1) that the contract has been completed in accordance with the plans and specifications, (2) a statement as to the financial condition of the contract, and (3) a statement as to whether the contract was completed on time or with an apparent overrun.

3.13 Job Order Contracting. A Job Order Contract (JOC) is a competitively bid, firm fixed price, indefinite quantity contract that is based upon specific unit pricing contained in a unit price book (prepared by the public agency or by independent commercial sources) setting forth detailed repair and construction items of work, including descriptions, specifications, units of measurement and individual unit prices for each item of work. The JOC includes unit pricing for work at time of award, but not the specified quantity and location of the work to be performed. At the time a Job Order is issued, the scope of work will identify the quantity and specific location of the work to be performed. JOC procurements are authorized pursuant to PUC section 132352.4(b)(7).

3.13.1 JOC General Requirements. JOCs shall be awarded under written agreement subject to the following limitations:

3.13.1.1 The specifications were advertised in accordance with this policy based on the maximum potential value of the JOC.

3.13.1.2 The specifications provided for competitive bidding on unit-cost terms for all labor, material, and equipment necessary to perform all work contemplated for individual Job Orders.

3.13.1.3 The JOC does not exceed a term of three years in duration.

3.13.1.4 The JOC shall only be used for the performance of minor routine or recurring construction, or for the renovation, alteration, or repair of existing public facilities.

3.13.1.5 The JOC may not contain any provision which would guarantee the contractor cumulative Job Orders in excess of \$50,000.

3.13.2 Issuance of Job Orders. Following award of a JOC, job orders may be issued by the CEO in accordance with this policy, administrative policies, and procedural manuals upon certification by that individual that it is not in conflict with other Board policies and it is the best interest of SANDAG to use the JOC procurement process because one or more of the following criteria have been met:

3.13.2.1 Use of the JOC process will result in a cost savings through economies of scale or expedite the delivery of work; or

3.13.2.2 Advertising for bids is undesirable because it will be practically impossible to obtain what is needed or required by an unforeseen deadline if the traditional competitive bidding method is used; or

3.13.2.3 The entity or entities providing funds for the project have authorized use of the JOC process.

3.13.3 An individual Job Order may not exceed the sum of \$2,000,000, except in the case of an emergency as defined in this policy, or as specifically authorized by the CEO, whose authorization shall not be delegated.

3.13.4 No public work that logically should be performed as a single contractual transaction requiring the expenditure of more than \$2,000,000 shall be separated into separate job orders for purposes of avoiding this limitation.

3.13.5 Non-prepriced items of work may be included in Job Orders provided that the non-prepriced items are within the scope and intent of the JOC, do not make up more than 25% of the bid amount, and are priced reasonably and in conformity with all applicable laws, regulations and policies.

3.13.6 Job Order Contract Intergovernmental Agreements. The SANDAG CEO may permit, subject to requirements of this section and subject to such terms and conditions that the CEO may prescribe, any public entity, including the California Department of Transportation, or any municipal corporation, school or other special district within San Diego County, to participate via the Service Bureau in JOCs entered into by SANDAG, and may enter into any agreements necessary.

3.14 Design-Build Contracting. Design-build contracting is a project delivery method in which both the design and construction of a project are procured from a single entity. Notwithstanding other provisions of this policy, SANDAG is permitted to use the design-build contracting method when allowed by law and in accordance with such law.

3.15 Construction Manager/General Contractor Contracting. Construction Manager/General Contractor (CM/GC) contracting is a project delivery method using a best value selection process in which a construction manager is procured to provide pre-construction services during the design phase of the project and construction services during the construction phase of the project. Notwithstanding other provisions of this policy, SANDAG is permitted to use the CM/GC contracting method on regional projects in accordance with Public Contracts Code sections 6950-6958; in accordance with the Otay Mesa East Toll Facility Act, Section 31460 et seq. of the

Streets and Highways Code; or as otherwise permitted by law. A competitive negotiation process, similar to the process described in this policy for the procurement of services, will be used to procure CM/GC services. Selection criteria for CM/GC procurements shall be subject to Board approval.

3.16 Design Sequencing Contracting. Design sequencing contracting is a method of project delivery that enables the sequencing of design activities to permit each construction phase to commence when the design for that phase is complete, instead of requiring design for the entire project to be completed before commencing construction. This is a variation of the design-bid-build project delivery method. SANDAG is permitted to use the design sequencing contracting method on transit projects in accordance with Public Contracts Code sections 6950-6958.

3.17 Community Benefits Agreement. The SANDAG Community Benefits Agreement shall apply to all construction projects awarded on or after May 19th, 2011, with a prime contract awarded by SANDAG with a SANDAG estimated construction contract award value of \$5,000,000 or greater. It shall apply to all Job Order Contracts with an individual job order valued at \$250,000 or greater and issued under a master Job Order Contract with an award value of \$5,000,000 or greater.

4. Other Than Full and Open Competition

4.1 SANDAG will utilize full and open competition when soliciting bids or proposals for procurements in excess of the Small Purchase Amount unless use of another method is fully justified.

4.2 Limited Competition. Under certain circumstances, a procurement may be justified that does not utilize full and open competition. These procurements are known as limited competition procurements. Staff may limit the number of sources and use small purchase procedures when the agency's need for the supplies or services is of such an unusual and compelling urgency that SANDAG would be seriously injured, financially or otherwise, unless the agency is permitted to limit the number of sources from which it solicits bids or proposals and use a simplified acquisition procedure.

4.2.1 Contract awards using this authority shall be supported by written justifications and approvals and require that offers be requested from as many potential sources as is practicable under the circumstances.

4.2.2 The total period of performance of a contract awarded using this authority shall not exceed the time necessary to meet the unusual and compelling requirements of the work to be performed under the contract and/or for the agency to enter into another contract for the required goods and services through the use of full and open competitive procedures.

4.2.3 Such contracts shall not exceed one year, including all options, unless the CEO determines that exceptional circumstances apply and the determination is documented in the contract file and reported to the Board.

4.3 Noncompetitive procurement also is known as sole source procurement. Sole source procurements are not favored and only may be used when adequate justification exists and approval has been obtained from the CEO. Noncompetitive and limited competition procurements shall only be permitted when the conditions in this Section 4 are met.

4.4 When the project will be paid for in whole or in part by federal funds, one of the conditions allowing a limited competition or sole source procurement set forth in the latest version of Federal Transit Administration Circular 4220.1G, or the equivalent from other federal funding agencies, must be met. For projects funded in whole or in part by Caltrans or Federal Highway Administration funds, the applicable provisions in the Caltrans Local Assistance Procedures Manual must be met.

4.5 When there are no federal funds involved, one of the following additional factors may be utilized to justify a limited competition or sole source procurement:

4.5.1 There is only one contractor capable of providing the services because the services are unique or highly specialized.

4.5.2 The services should be purchased from a particular contractor in the interest of economy or efficiency as a logical follow-on to services already in progress under a competitively awarded contract based on a documented cost benefit analysis.

4.5.3 The cost to prepare a competitive procurement exceeds the cost of the services.

4.5.4 The services are essential to maintain research or operational continuity.

4.5.5 The good or service provided is utilized by SANDAG staff members with specialized training and/or expertise in using the good or services and retraining would incur substantial cost in time and/or money.

1.74.6 The Director of Contracts and Procurement Services will report noncompetitive contract awards to the Board of Directors on a semi-annual basis.

5 General Rules

5.1 Bid splitting, the intentional dividing of procurements into smaller quantities in order to avoid the statutory threshold for advertised competition, is strictly prohibited.

5.2 SANDAG reserves the right to reject any or all bids or proposals and to waive any immaterial irregularity. No bid or proposal shall be binding upon SANDAG until after the contract is signed by both the contractor and SANDAG.

5.3 Late bids or proposals shall not be accepted after the time and date designated in the applicable solicitation.

4.1 The Board's Equal Employment Opportunity Program and adequate audit provisions to allow the SANDAG independent performance auditor access to the contracted entity's records needed to verify compliance with the terms specified in the contract will be incorporated by reference in all SANDAG contract templates. Other Than Full and Open Competition

5.4

~~4.2—The CEO is not required to make a contract award if he/she determines the proposals received or contract terms negotiated by SANDAG staff are not in the best interests of SANDAG. Normally, SANDAG will utilize a full and open competition when soliciting bids or proposals for procurements in excess of \$100,000. Under certain circumstances, however, a procurement may be justified that does not utilize full and open competition. These procurements are known as limited competition procurements. When less than full and open competition is used, SANDAG shall solicit offers from as many potential sources as is practicable under the circumstances. Noncompetitive procurement is known as sole source procurement. Noncompetitive and limited competition procurements shall only be permitted when the conditions below are met.~~

~~4.3—When the project will be paid for in whole or in part by federal funds, one of the conditions allowing a limited competition or sole source procurement set forth in the latest version of Federal Transit Administration Circular 4220.1, or the equivalent from other federal funding agencies, must be met. For projects funded in whole or in part by Caltrans or Federal Highway Administration funds, the applicable provisions in the Caltrans Local Assistance Procedures Manual must be met.~~

~~4.4—When there are no federal funds involved one of the following additional factors may be utilized to justify a limited competition or sole source procurement:~~

~~4.5—There is only one consultant capable of providing the services because the services are unique or highly specialized.~~

~~4.6—The services should be purchased from a particular consultant in the interest of economy or efficiency as a logical follow-on to services already in progress under a competitively awarded contract.~~

~~4.7—The cost to prepare for a competitive procurement exceeds the cost of the services.~~

~~4.8—The services are essential to maintain research or operational continuity.~~

~~4.9—The service is one with which staff members who will use the deliverables have specialized training and/or expertise and retraining would incur substantial cost in time and/or money.~~

~~4.10—~~

~~4.11—General Conditions~~

5.5

~~4.12—In the event that circumstances dictate other than the processes indicated above for procurements that will exceed \$300,000, prior Board concurrence shall be obtained following submittal of a written statement by staff setting forth the reasons for not pursuing all or part of any of the processes.~~

~~4.13—Where proposals received are deemed inadequate by the Executive Director, the Board may authorize a negotiated contract with a recommended firm based on a newly approved scope of services, performance schedule, and/or instructions and conditions.~~

- ~~4.14 The Executive Director is not required to make a contract award if he/she determines that the proposals received or contract terms negotiated by SANDAG staff are not in the best interests of SANDAG.~~
- ~~4.15 The Executive Director may approve contract amendments that exceed the project budget, approved annually by the Board, totaling up to \$300,000 that are necessary to complete services originally contemplated subject to the limitations set forth in Section 12.2 of this policy. The Board will be notified of all such amendments. Contract amendments that will cause the project budget to be exceeded by more than \$300,000 or those contemplating a significant change in the original scope of services must be processed in accordance with the SANDAG procurement manual and policies.~~
- ~~4.16 For purchases in excess of the Micro Purchase Amount involving federal funds, all applicable federal requirements and certifications must be attached to the purchase order or contract. For purchases that exceed \$50,000, a standard agreement should~~contract may~~ be used instead of a purchase order in order to ensure provisions are included to protect the interests of SANDAG.~~

5.6

- ~~5.7 The Board's Disadvantaged Business Enterprise (DBE) Program shall be incorporated by reference in all services contracts that are federally funded. DBEs shall have every possible opportunity to participate in the procurement of services as set forth in the Board's DBE program.~~

- ~~4.17 The Board's Equal Employment Opportunity Program and adequate audit provisions to allow the SANDAG independent performance auditor access to the contracted entity's records needed to verify compliance with the terms specified in the contract will be incorporated by reference in all SANDAG service contract templates. The Board's Disadvantaged Business Enterprise (DBE) Program shall be incorporated by reference in all services contracts that are federally funded. DBEs shall have every possible opportunity to participate in the procurement of services as set forth in the Board's DBE program.~~

- ~~5.8 Responsibility Requirements. For all contracts in excess of \$1 million, the following uniform system of determining whether or not a bidder or proposer is "responsible" shall be applied. Multi-million-dollar contract awards must include sufficient pre-award analysis to demonstrate the bidder or proposer has been formally evaluated against SANDAG's project requirements. The CEO will consider the following non-exclusive list of factors in relation to the work to be performed for the project:~~

5.8.1 Financial Requirements:

- ~~5.8.1.1 The following guidelines may be used by staff to evaluate this factor:~~

- ~~5.8.1.1.1 Evidence of availability of sufficient working capital in the form of liquid assets, lines of credit, or similar sources to cover time periods during which the bidder or proposer will be required to provide goods or services without yet being eligible for payment from SANDAG;~~

5.8.1.1.2 The bidder or proposer should have completed contract(s) with a contract duration similar to the potential contract award and whose cumulative value meets or exceeds their bid or proposal amount. In the case of an on-call, as-needed, or phased contract, the maximum estimated contract amount shall be used in place of a bid or proposal amount;

5.8.1.1.3 The bidder or proposer should have successfully completed contracts during the previous five years that together exceed five times the annual value of the SANDAG contract.

5.8.2 Experience Requirements:

5.8.2.1 The following guidelines will be used by staff to evaluate this factor:

5.8.2.1.1 The bidder or proposer must demonstrate their firm's experience on work similar to the SANDAG contract by submitting a list, covering at least the previous five years, of all projects of any type that have been completed or are in process that the bidder or proposer provides to be considered in determining its requisite experience. The list shall contain a name, title, email address, and phone number for staff to contact to verify the contract details;

5.8.2.1.2 The bidder or proposer shall demonstrate individual experience by submitting a list of all key personnel, including project managers, who will be involved in the SANDAG contract. These key personnel shall have at least three years of experience on contracts where the work is similar to the SANDAG contract. The individuals listed shall have been involved at the same level of responsibility on successfully completed contracts during the previous five years that together exceeds the value of the SANDAG contract. For each individual listed, the bidder or proposer shall include the name, title, address, and phone number of an individual or organization who can verify the individual's experience;

5.8.2.1.3 The bidder or proposer shall submit a summary of all claims made in the last five years arising out of previous contracts listed (this summary shall include all claims by owner against bidder or proposer or bidder or proposer against owner, and the final status of each claim);

5.8.2.1.4 The bidder or proposer shall state whether or not it has defaulted on a contract within the last two years;

5.8.2.1.5 The bidder or proposer shall list any violation of the Apprenticeship Requirements under the State Business and Professions Code or Labor Code found by an appropriate authority within the last two years;

5.8.2.1.6 The bidder or proposer shall state whether it has been found guilty of failure to pay required prevailing wages on a public contract within the last two years;

5.8.2.1.7 The bidder or proposer shall state whether it has been formally found to be a nonresponsible bidder or proposer, for reason other than being nonresponsive, by a public agency within the last two years;

- 5.8.2.1.8 The bidder or proposer shall list how many projects it will be working on concurrently with the SANDAG project;
- 5.8.2.1.9 The bidder or proposer shall state whether it has ever been terminated by an owner or client, or rejected from bidding in a public works project in the last five years;
- 5.8.2.1.10 The bidder or proposer shall state whether a surety ever completed any portion of the work of its projects within the last five years;
- 5.8.2.1.11 The bidder or proposer shall state whether it, any of its officers, or any of its employees who has a proprietary interest in it, has ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of a law or safety regulation, and if so, explain the circumstances; and
- 5.8.2.2 For all items identified under subsections 5.8.2.1.3 – 5.8.2.1.11, the bidder or proposer shall provide the name of owner, title of project, contract amount, location of project, date of contract, and name of the bonding company.
- 5.8.3 Reporting Forms: In order to demonstrate that financial and experience requirements are met, the bidder or proposer shall submit, when requested by SANDAG, a Statement of Experience and Financial Condition Questionnaire verified under oath that shall meet the requirements in this section of the policy.
- 5.8.3.1 Failure to provide accurate information relative to its financial status or experience may result in the debarment of the bidder or proposer from future SANDAG work.
- 5.8.3.2 The Statement of Experience and Financial Condition Questionnaire shall not be considered public records nor open for public inspection to the extent they are exempt under the California Public Records Act.
- 5.8.4 SANDAG will make its determination of responsibility based upon information submitted by bidder or proposers, and, if necessary, interviews with previous owners, clients, design professionals, or subcontractors with whom the bidder or proposer has worked, including SANDAG. If a bidder or proposer is determined to be nonresponsive, it shall be afforded an administrative hearing upon the submission of a timely protest of such issue. Any additional evidence submitted in the course of the protest procedure shall be considered in making the recommendation to the CEO regarding determination of the lowest responsive and responsible bidder or proposer and award of the contract.
- 5.9 In the event that circumstances dictate other than the processes indicated in this policy for procurements that will exceed \$1 million, prior Board concurrence shall be obtained following submittal of a written statement by staff setting forth the reasons for not pursuing all or part of any of the processes.
- 5.10 Board consent shall be obtained for the following solicitations and awards:
- 5.10.1 All services and job order contracting solicitations valued at \$5 million or more;

- 5.10.2 All final awards of services and job order contracts that are the result of a solicitation valued at \$5 million or more;
- 5.10.3 All final awards of construction solicitations valued at \$5 million or more;
- 5.10.4 All awards that were originally solicited for less than \$5 million, but for which an amendment is sought that will cause it to exceed the \$5 million threshold that would have required approval;
- 5.10.5 Procurements that exceed \$300,000 where circumstances dictate other than the procurement processes required or authorized by this policy.
- 5.11 In limited instances, a retroactive effective date can be applied to a contract document in accordance with the SANDAG Procurement Manual and with consideration of appropriate funding sources. A retroactive effective date should only be applied in exigent or emergency situations as described in this policy. Failure to plan as defined in this policy is not a permissible reason for use of a retroactive effective date in a contract.
- 5.12 When SANDAG procures goods or services to respond to public exigency or emergency, it will limit its contract only to the quantities or period of performance necessary to see it through the emergency or exigent situation.

56 Conflicts of Interest

- 5.16.1 A ~~consultant~~contractor is eligible for award of ~~a~~service contracts by SANDAG so long as the contract in question does not create an actual, potential, or apparent conflict of interest. A prohibited conflict of interest exists when, because of other activities, relationships, or contracts, a firm or its staff is or may be unable to render impartial, objective assistance or advice to SANDAG; or a firm's objectivity in performing the contract work is or might be otherwise impaired; or where a firm would receive an unfair competitive advantage. Prohibited conflicts of interest include, but are not limited to, the following situations unless otherwise authorized by applicable federal or state law:

~~5.1.16.1.1~~ Except in cases of design-build, CM/GC, or other approved alternative delivery method, any firm that provides design services to SANDAG will be ineligible for award of a construction contract to construct the improvements, which are the subject of the design services.

~~5.1.26.1.2~~ Any firm that provides design services to SANDAG will be ineligible for award of any contract to provide construction management services resulting from the specific project for which design services were provided.

~~5.1.36.1.3~~ Any firm that provides construction management services to SANDAG will be ineligible for award of a construction contract for which construction management services were or will be provided.

~~5.1.46.1.4~~ Any firm that assists SANDAG or any of its member or affiliated agencies in the preparation of a solicitation~~construction RFP or RFQ~~ document will not be allowed to participate as a bidder or proposer~~offeror~~ or join a team submitting a proposal in response to the ~~that solicitation RFP or RFQ~~. SANDAG may in its sole discretion, however, determine there is not an organizational conflict of interest for a prospective firm where:

~~5.1.4.16.1.4.1~~ The role of the firm was limited to provision of preliminary design, reports, or similar "low-level" documents that will be incorporated into the solicitation~~construction RFP or RFQ~~, and did not include assistance in development of instructions to offerors or evaluation criteria; or

~~5.1.4.26.1.4.2~~ Where all relevant documents and reports delivered to the agency by the firm are made available to all offerors; or

~~5.1.4.36.1.4.3~~ The role of the firm was limited to preparation of a California Environmental Quality Act (CEQA) or National Environmental Policy Act (NEPA) document related to the project where the CEQA and NEPA processes have been completed prior to issuance of the solicitation~~RFP and RFQ~~.

~~5.1.56.1.5~~ SANDAG shall not contract with, and will reject any bid or proposal submitted by, the following persons or entities, unless the CEO-Executive Director finds that special circumstances exist ~~that~~which justify the approval of such contract:

~~5.1.5.16.1.5.1~~ Persons employed by SANDAG;

~~5.1.5.26.1.5.2~~ Profit-making firms or businesses in which SANDAG employees serve as officers, principals, partners or major shareholders;

~~5.1.5.36.1.5.3~~ Persons who, within the immediately preceding twelve (12) months, were employed by SANDAG and (1) were employed in positions of substantial responsibility in the area of service to be performed by the contract, or (2) participated in any way in developing the contract or its service specifications; or

~~5.1.5.46.1.5.4~~ Profit-making firms or businesses in which the former employees described in subsection ~~67.1.5.3~~ serve as officers, principals, partners or major shareholders.

~~5.26.2~~ General ~~consultantcontractor~~s or sub~~consultantcontractor~~ firms may provide services on other SANDAG projects. A ~~consultantcontractor or subcontractor~~ shall not, however, participate in the review and analysis of, or render opinions regarding, its work performed on other SANDAG projects or as limited in this section. Unless otherwise defined by the ~~CEO-Executive Director~~, a general ~~consultantcontractor~~ is a ~~consultantcontractor~~ whose procurement is typically for a two-year period with an option for one or more one-year option extensions to provide services as needed for various assigned projects from time to time on a work order or task order basis, rather than for one specific predefined project. General ~~consultantcontractors~~ support SANDAG staff in managing other SANDAG ~~consultantcontractors~~. ~~General consultants are prime consultants to SANDAG.~~ Sub~~consultantcontractor~~s to general ~~consultantcontractors~~ are not classified as general ~~consultantcontractor~~s. General ~~consultantcontractor~~ procurements ~~will be~~ identified as such during the ~~solicitationRFP~~ process.

~~5.36.3~~ A Notice of Potential for Conflict of Interest shall be included within any ~~applicable solicitationRFP for services~~ issued by SANDAG. The ~~n~~Notice shall be the policy of the Board as listed ~~in this policyherein~~. Any ~~solicitationmajor service agreement~~ issued in accordance with this policy shall include or make reference to ~~th~~~~Section 6 of this~~ policy ~~listed herein~~.

~~5.4~~ For purposes of this Section 6, A “firm” shall be defined as any company or family of companies where there is a single parent board of directors or staff of officers who can influence the policies and actions of the design company, construction management company, and the construction company. A “firm” also shall include any partnership, corporation, association, or other legal entity or any member of a joint venture that meets the above-stated definition.

~~5.56.4~~ “Ineligible” firms shall include the prime ~~consultantcontractor~~ for the services, sub~~consultantcontractor~~s for portions of the services, and affiliates of either. An affiliate is a firm that is subject to the control of the same persons through joint ownership or otherwise.

~~5.66.5~~ If there is any doubt by a firm regarding a potential conflict of interest for a specific project or function, the ~~appropriate member of management staff, depending on type of project, OGC~~ will, upon written request, provide a written ~~determination on behalf of SANDAGruling~~. This procedure is encouraged prior to submittal of proposals or bids. In the event a conflict of interest is determined to exist, a written appeal may be made by the affected firm to the ~~CEO-Executive Director~~ within five calendar days of notice from SANDAG ~~regarding the OGC's determinationconflict~~. The ~~CEO-Executive Director~~ shall determine the adequacy of the appeal and make a subsequent final decision. No further appeal shall be considered.

~~5.7~~ The Executive Committee shall review and, if appropriate, waive any actual or apparent conflict of interest that may exist or arise as a result of concurrent legal representation of SANDAG and parties whose interests may conflict.

~~5.86.6~~ SANDAG staff and third parties with whom SANDAG does business shall comply with SANDAG administrative policies concerning Standard of Conduct and all relevant Board Policies ~~and administrative policies and procedures~~.

67 Protests to Solicitation, Bid, or Award

~~6.17.1~~ SANDAG shall include in all ~~solicitations~~~~procurements~~ a procedure to be followed by interested parties who wish to protest a specification or procedure related to a procurement. Interested parties are defined as firms that submitted a bid or proposal in response to the solicitation. The procedure shall include the following:

~~6.17.1.1~~ A requirement that protest submittals shall be in writing, be specific to the specification being protested, state the grounds for protest, and include all documentation needed to enable SANDAG to reach a decision.

~~6.17.1.2~~ A statement that the protest shall be submitted within clearly defined time limits prior to receiving proposals or opening bids or prior to award of contracts. In no event shall the time limit for a solicitation exceeding the Micro Purchase Amount be less than three business days or the Small Purchase Amount be less than five business days.

~~6.17.1.3~~ A statement specifying the review and determination process by SANDAG, including time limits for response.

~~6.17.1.4~~ Requirements for submittal of protest reconsideration.

~~7.1.5~~ A statement regarding review of the initial protest by a protest review committee and review of protest reconsiderations by the Executive Director CEO, as appropriate.

~~6.17.1.6~~ A statement that protests will be rejected if they are not complete.

7—Procedure for ~~Consultant~~Contractors with Claims Against SANDAG ~~on Service Contracts~~

8

~~8.1~~ On all SANDAG ~~services~~ contracts not involving construction, using a SANDAG contract document with an award estimated ~~to cost of~~ more than \$100,000, a section shall be included in the contract provisions that specifies how a consultant contractor should file a notice of potential claim for additional funds and the procedures for review and disposition thereof.

~~7.18.2~~ On all SANDAG construction contracts estimated to cost more than \$25,000, a section shall be included in the contract provisions that specifies how a contractor should file a "Notice of Potential Claim" and the procedures for review and disposition thereof.

~~7.28.3~~ Written notice of the potential claim must be given to SANDAG the project manager prior to the time the consultant contractor shall have performed the work giving rise to the potential claim, if based upon an act or failure to act of SANDAG the project manager; or in all other cases, within 15 calendar days of the happening of the event, thing or occurrence giving rise to the potential claim.

~~7.38.4~~ It is the intention of the ese claimis requirements that differences between the parties arising under and by virtue of the contract be brought to the attention of

~~SANDAG the project manager~~ at the earliest possible time in order that such matters may be settled, if possible, or other appropriate action promptly taken. The ~~consultantcontractor~~ shall agree to have no right to additional compensation for any claim that may be based on any such act, failure to act, event, thing or occurrence for which no written notice of potential claim as herein required was filed. A claim must be presented and acted upon as a prerequisite to suit thereon.

~~7.48.5~~ If a ~~consultantcontractor~~ files an appropriate notice of potential claim," the administrative procedure shall be as follows:

~~7.4.18.5.1~~ SANDAG staff shall respond in writing within 25 calendar days with an appropriate decision. It is expected that SANDAG staff shall investigate the area of claim thoroughly and shall issue a decision that is fair to all parties. It is further expected that every effort will be made to resolve the claim at the job level.

~~7.4.28.5.2~~ If it appears to staff that the claim cannot be settled, the project manager and contracts staff shall, as soon as practicable, forward the details of the claim to the ~~CEO-Executive Director~~ and shall so notify the ~~consultantcontractor~~ of the action.

~~7.4.38.5.3~~ The ~~CEO-Executive Director~~ shall direct the appropriate department director to obtain all pertinent information, including any oral or written presentation, concerning the claim the ~~consultantcontractor~~ might wish to present. The department director shall provide all information to the ~~CEO-Executive Director~~, including any recommendations.

~~7.4.48.5.4~~ The ~~CEO-Executive Director~~ shall report a final decision in writing to the ~~consultantcontractor~~. The written decision shall notify the ~~consultantcontractor~~ that this action completes the ~~consultantcontractor~~'s administrative remedies and any further dispute would have to be resolved by either a nonbinding Dispute Resolution Board or ~~binding~~ arbitration if provided for in the provisions of the contract and agreed to by both parties, or litigation.

~~7.4.58.5.5~~ Any~~The~~ final recommendation of ~~a~~the Dispute Resolution Board or arbitrator~~ion~~ shall be presented to the ~~CEO-Executive Director~~ for approval before going to the Board for action.

~~7.58.6~~ Any claim disputes not resolved by the ~~CEO-Executive Director~~ shall be reported to the Board at one of the Board's regular meetings.

~~7.68.7~~ If a contract amendment proposed for the settlement of a claim causes a budget impact over \$300,000, the amendment must be sent to the Board for approval.

~~7.78.8~~ Federal Transit Administration review and concurrence may be required for claim settlements that exceed \$100,000 if federal funds are involved.

~~7.88.9~~ A list of all outstanding claims exceeding \$100,000 which involve the use of federal funds shall be included in the federal grants quarterly report.

~~89~~ Debarment Procedures for Service Contracts

~~8.19.1~~ In addition to all other remedies permitted by law, SANDAG may, upon advice of the ~~CEO and OGC-Executive Director and Office of General Counsel~~, by issuance of a

resolution by the Board of Directors, declare a ~~proposer or consultant~~ contractor ineligible to bid on SANDAG contracts for a period not to exceed three years for any of the following grounds:

~~8.1.19.1.1~~ Unjustified failure or refusal to timely provide or properly execute contract documents;

~~8.1.29.1.2~~ Unsatisfactory performance of contract;

~~8.1.39.1.3~~ Excessive and/or unreasonable claims while performing work for SANDAG;

~~8.1.49.1.4~~ Two or more occasions within a two-year period of failure to submit bond or insurance documents acceptable to SANDAG in the time periods required;

~~8.1.59.1.5~~ Unjustified refusal to properly perform or complete contract work or warranty performance;

~~8.1.69.1.6~~ Unjustified failure to honor or observe contractual obligations or legal requirements pertaining to the contract;

~~8.1.79.1.7~~ Conviction under a state or federal statute or municipal ordinance for fraud, bribery, theft, falsification or destruction of records, receiving stolen property or of any other similar crime;

~~8.1.89.1.8~~ Any offense or action which indicates a lack of business integrity and which could directly affect the reliability and credibility of performance of the ~~consultant~~ contractor on future contracts with SANDAG;

~~8.1.99.1.9~~ Any debarment of the ~~consultant~~ contractor by another governmental agency; and

~~9.1.10~~ Two or more claims of computational, clerical, or other error in cost proposal submission within a two-year period;

~~9.1.11~~ False statements or certifications in documents submitted as part of a bid or any supplementary documentation thereto; or

~~8.1.109.1.12~~ Unjustified failure or refusal to timely provide or properly execute contract documents.

~~8.29.2~~ SANDAG may permanently debar a firm for a conviction under federal or state antitrust statutes involving public contracts or the submission of bid proposals, for any corrupt practices involving the administration or award of a contract with SANDAG, or permanent debarment of the ~~bidder~~ bidder or proposer or ~~consultant~~ contractor by another governmental agency, as permitted by law.

~~8.39.3~~ The ~~proposer or consultant~~ firm shall be provided notice and an opportunity to present evidence and show cause before the Board why such ineligibility should not be declared after the ~~CEO-Executive Director~~ has established a factual basis for debarment.

~~8.49.4~~ A ~~consultant~~ firm's debarment shall be effective amongst SANDAG and any of its subsidiary entities. Debarment prohibits SANDAG and subsidiary entities from executing contracts with the debarred ~~consultant~~ firm.

~~8.59.5~~ Debarment constitutes debarment of all divisions or other organizational elements of the ~~consultantfirm~~, unless the ~~development~~ decision is limited by its terms to specific divisions, organizational elements, or commodities. The debarment decision may be extended to include any affiliate of the ~~consultantfirm~~ if the affiliate is (1) specifically named, and (2) given written notice of the proposed debarment and an opportunity to respond.

~~8.69.6~~ Notwithstanding the debarment of the ~~efirmnsultant~~, the Board may continue contracts in existence at the time the ~~consultantfirm~~ is debarred, unless the Board directs otherwise, after receiving advice from the ~~CEO and OGCExecutive Director~~ as to the effects of termination of an existing agreement.

910 Contract Administration and ConsultantContractor Assurances

~~9.110.1~~ SANDAG ~~consultantcontractors~~ must ~~assure that they~~ meet all applicable laws concerning labor law, labor rates, EEO, and licenses.

~~9.210.2~~ SANDAG ~~contractors shall assure~~~~shall ensure that~~ all services requiring a licensed ~~consultantcontractor or subcontractor~~ shall be performed by licensed ~~consultantcontractors~~.

~~9.310.3~~ ~~ConsultantContractors~~ will be responsible for complying with the provisions of the ~~federal~~ Fair Labor Standards Act of 1938 as amended.

~~10~~ ~~ConsultantContractors~~ must provide the minimum scope of insurance as stipulated in the contract.

~~11.10.4~~ 10.4 ~~Consultant~~Contractors shall be required to provide Workers' Compensation Insurance to their employees in accordance with the provisions of Section 3700 of the Labor Code. Prior to commencement of work, the ~~consultant~~contractor shall be required to provide a certificate of compliance and proof of any required insurance to SANDAG.

~~11.2~~10.5 Contractors must agree to meet ~~labor~~ compliance requirements on SANDAG contracts, which shall be consistent with the California Labor Code.

~~11.3~~10.6 ~~Consultant~~Contractors shall comply with the EEO requirements set forth by Title VI of the 1964 Civil Rights Act on any project where federal funds are included; and any other requirements established by an applicable federal funding agency~~the Federal Transit Administration~~.

10.7 ~~Consultant~~Contractors shall comply with Section 1735 of the Labor Code and all other California laws prohibiting discrimination based on protected class status.

10.8 Contractor shall be required to pay workers no less than the stipulated prevailing wage rates paid for such work or craft in the San Diego area by the contractor or any of its subcontractors, unless it is otherwise authorized by law.

10.9 Contracts including construction services in excess of \$1 million shall include a provision requiring the entity contracting with SANDAG to commit that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all construction work on the project consistent with PUC section 132354.7 unless one of the exceptions in Section 132354.7(a) are met.

~~11.4~~10.10 All contractors shall assure compliance with the Board's Equal Employment Opportunity Program and agree to audit provisions to allow the SANDAG independent performance auditor access to the contracted entity's records needed to verify compliance with the terms specified in the contract.

~~12~~11 Amendments and Change Orders to Service Contracts

~~11.1~~ All contracts may be amended ~~by a suitable amendment processed~~ in accordance with the SANDAG Procurements Manual and related procedures~~policies~~. Unplanned amendments are not favored and should only be needed when events that could not have reasonably been anticipated with sufficient planning occur. Staff shall provide detailed reasons and justifications for amendment requests.

11.2 Contracts staff shall review all amendments and the contract procurement history to ensure bid splitting and avoidance of competition is not occurring. Contracts staff shall ensure justifications for amendments are allowable and in the event it is unclear if the justification is adequate, consult with the OGC.

11.3 Any amendment to a contract document that constitutes a cardinal change requires a sole source justification in accordance with Section 4 of this policy.

11.4 Pursuant to Board Policy No. 017, the CEO has authority to enter into agreements not currently incorporated in the budget and make other modifications to the budget in an

amount up to \$300,000 per project per fiscal year, subject to the limitations in this policy. The Board will be notified of all such amendments.

11.4.1 The Executive Committee or Transportation Committee or, if not practical, the Board Chair, First Vice Chair, or Second Vice Chair are hereby authorized to approve such amendments that will cause the project budget to be changed in an amount exceeding \$300,000 when waiting for Board approval could potentially delay a project or increase the cost of the change. Approval of such items by the Board Chair, First Vice Chair, or Second Vice Chair is not the preferred practice and should only be used if a regular or special meeting of an authorized legislative body is infeasible or impractical. In such an instance, the ~~Executive Director~~CEO shall notify the Board of the action at the next regular Board meeting.

~~12.11.5~~ Notwithstanding any need for a budget approval from the Board of Directors or others permitted to authorize such an amendment under the previous subsection, all amendments in excess of \$500,000, shall be reported to the Board of Directors on a monthly basis, with a brief explanation of the need for the amendment. The \$500,000 amount shall be cumulative of all amendments to the original dollar amount in the solicitation or contract, whichever amount is higher.-

~~12.2~~ All amendments that impact or potentially impact Board adopted policies shall be brought before the Board for decision.

11.6 All amendments, including change orders, which utilize ing federal funds shall conform to the Code of Federal Regulations, Volume 2, Part 200 and the most recent version of Federal Transit Administration Circular 4220.1G or the equivalent from other applicable federal funding agencies.

11.7 Construction Contract Change Orders. Change orders are a type of amendment made to public works construction contracts.

11.7.1 All construction contracts may be amended by a suitable change order. Change orders shall be processed in accordance with the SANDAG Procurement and Construction Manual(s), this policy, and applicable procedures. Such procedures shall be consistent with the Board of Directors intent to be apprised of contract amendments.

11.7.2 All change orders shall be approved by the CEO, except the following, which shall be brought before the Board for decision:

11.7.2.1 Change orders that would require review as an amendment pursuant to this Section 11; and

—On contracts where the price of the original contract or solicitation value exceeds \$5 million, change orders where the value of such change order exceeds 25 percent of the price of the original contract or otherwise qualifies as a cardinal change.

11.7.2.2

~~12.2.1~~—

12 Contract Administration

- 12.1 During the life of the contract, the staff member(s) authorized to administer the contract shall track the performance of contractors and subcontractors, use of Disadvantaged Business Enterprises (DBEs), the milestone dates for contractor performance and deliverables, and the rate at which funding for the contract is being used and report any concerns to their manager.
- 12.2 A Notice to Cure shall be sent to a contractor when its performance falls behind deliverable dates or milestones by more than 60 days. Such correspondence shall be reviewed by the OGC prior to being sent and submitted to Contracts Department staff for recordkeeping. Failure of the contractor to cure the matter(s) in the notice within 30 days shall result in the matter(s) being reported to the Board of Directors as set forth in Section 12.4 of this policy.
- 12.3 When a contract exceeds \$100,000 in aggregate value, final contractor performance shall be evaluated upon completion or termination of the contract. This requirement also shall apply to task orders in excess of \$100,000.
- 12.4 To ensure timely communication of critical contract concerns related to contractor performance or claims, the Director of Contracts & Procurement Services will track the following criteria to include in a monthly report to the Board of Directors when a contract value will exceed \$1 million in aggregate:
- 12.4.1 Contracts for which a Stop Work Notice is issued for a vendor performance concern.
- 12.4.2 Contracts for which a Notice to Cure is issued and not resolved within the timeline required by this policy.
- 12.4.3 Contracts with at least two instances of documented non-excusable delays. A non-excusable delay is defined as a delay of more than five working days when that delay was solely within control of the contractor.
- 12.4.4 Contracts for which the contractor is responsible for compensable delays, based on liquidated damages or otherwise, in excess of \$50,000. A compensable delay occurs when there is going to be some compensation to SANDAG for the delay because the contractor is liable for an extension of time or cost compensation or both.
- 12.4.5 Contracts with "critical path" delays. A critical path delay is defined as a significant contractor delay in reaching a milestone or maintaining a project schedule that results in a determination that the contractor will not be able to reasonably accomplish the work by the contracted deadline.
- 12.4.6 When there is notice of a potential claim by the contractor related to the contract.
- 12.4.7 When there is notice of an actual claim by the contractor related to the contract.
- 12.4.8 In other situations when the OGC or Director of Contracts & Procurement Services determines the Board of Directors should be placed on notice of significant contractual issues related to priority projects.
- 12.5 Employees assigned as project managers over projects with a budget in excess of \$1,000,000 shall meet specific job qualifications, including completion of a formal

project management training or certification program within 60 days of being assigned such responsibilities.

12.6 Persons administering SANDAG contracts and overseeing the work of a contractor, including but not limited to, contract analysts, project managers, and contract managers, shall, at minimum, receive formal training at least once per year. Training shall be provided by procurement and contracting subject matter experts and/or management. Training shall at minimum, include the following subjects:

12.6.1 Assigned roles, responsibilities, and procedures of persons in the procurement and contracting process;

12.6.2 What is required from contractors for invoices based on SANDAG contract language. Elements of invoice review shall include:

12.6.2.1 Ensuring fee schedules align with the applicable contract rates.

12.6.2.2 Tracking of invoices and invoice approval processes.

12.6.2.3 The amount of detail and itemization required in invoices and progress reports prior to payment to the contractor being authorized. How to cross-check against the contract document to verify invoiced work reflects work performed consistent with the contract. The requirement that staff must validate the work has been performed and meets contractual requirements before invoices are authorized for payment using information such as detailed timesheets or task specific assignment sheets that support labor or work product results, subcontractor invoices, and goods and/or receiving receipts from third parties.

12.6.3 Procurement planning and oversight functions such as tracking of contracts, phased procurements, monitoring of expiration dates, procurement timelines for any changes to projects or potential amendments or change order needs, steps and timelines needed to prepare for various sized and timed procurements, and avoidance of requests for a contract with a retroactive effective date.

12.6.4 The requirement that competition must be open and full unless a permitted justification in this policy applies, and the frequency that competition must occur as required by applicable laws, rules and regulations. Information provided shall include:

12.6.4.1 How to ensure sole sources are limited and are thoroughly being reviewed and analyzed to ensure potential risks are mitigated.

12.6.4.2 Instruction explaining failure to plan is not an adequate justification for a noncompetitive procurement or retroactive effective date in a contract.

12.6.5 Reporting requirements to the Board of Directors for procurement and contract actions as described in this policy.

12.6.6 The requirement that performance evaluations of contractors be submitted upon completion or termination of a contract document.

12.6.7 Explanation of justifications allowed for amendments with examples of both allowable and non-allowable justifications. This shall include training for contract analysts to ensure they are reviewing and analyzing whether justifications are allowable by among other things, reviewing amendment requests and

procurement history, identifying excessive amendments, identifying potential bid splitting or avoidance of competition, ensuring amendments are not being issued to non-performing consultants, and making enquiries to confirm there are no conflicts of interest.

12.6.8 The Procurement Manual, Construction Manual, and any relevant Standard Operating Procedures.

12.6.9 Information that must be included in the record of negotiation for contracts not procured using the low bid process to ensure an adequate record exists of the steps taken to negotiate the contract.

12.6.10 Contract negotiation training to include reasons and intent of negotiations to provide the best contract terms and conditions for SANDAG, best practices, and the risks of not negotiating and/or not following best practices.

12.6.11 Proper use of the on-call contract process, competition required to award task orders or job orders, and methods that must be used to ensure fairness and equity in the award of task orders. The requirement that on-call procurements are appropriately advertised to reach sufficient, qualified and a variety of contractors and subcontractors, including outreach efforts using public platforms and attendance of outreach events to attract new and disadvantaged contractors and subcontractors.

12.6.12 Internal control requirements in Board Policy No. 041, including those applicable to limitation of sole source procurements.

12.6.13 The types of contract documents requiring review and approval by the OGC pursuant to Board policies and applicable procedures.

12.6.14 Conflicts of interest that can arise based on personal relationships of staff. This training shall include information on how to eliminate improper influence by any person on evaluation committees for selection of contractors.

12.6.15 Instruction that staff should not dictate the selection of particular subcontractors and should be sensitive to the fact that suggestions to contractors to hire particular subcontractors may be perceived as unduly coercive or create an appearance of favoritism or a lack of competitive contracting.

~~12.3~~12.7 Following completion of all projects with contracts exceeding \$5 million in aggregate, analyses shall be conducted, with lessons learned documented and corrective action plans for future projects prepared and presented to the CEO. The analyses will be shared with relevant internal stakeholders and presented to the CEO within 60 days of completion of the project. The documentation will be saved in the project files for future reference. Any lessons learned will be noted and incorporated into standard operating procedures and future procurements of a similar nature.

Adopted October 2003

Amended November 2004

Amended December 2006

Amended December 2007

Amended December 2008

Amended January 2010

Amended November 2010

Amended March 2014

Amended November 2014

Amended December 2015

Amended January 2017

Amended February 2018

Amended February 2021

Amended June 2021

Amended April— 2025 (with consolidation of Board Policy Nos. 023 and 024)

DRAFT



BOARD POLICY NO. 023

RESERVED PROCUREMENT AND CONTRACTING—EQUIPMENT & SUPPLIES

Purpose

To establish procedures for acquiring supplies, equipment, and materials.

Background

When purchasing equipment, supplies, and materials, SANDAG staff is required to use a competitive procurement process, unless a justification in Section 3 of this policy applies. Pursuant to Public Utilities Code section 132352.4(5), SANDAG is required to select the lowest responsible bidder meeting specifications for awards of \$50,000 or more, not including sales tax. This section also states two exceptions to this requirement. First, if an article of a specified brand or trade name is the only article that will properly meet the needs of SANDAG, competitive procurement is not required. Second, the Board may approve a purchase of equipment, supplies, or materials that exceeds \$50,000 without utilizing competitive procurement methods if it is in the best interest of SANDAG to do so. The Board hereby finds that it is in the best interest of the agency to authorize simplified procurement procedures for contract awards covered by this policy that will not exceed \$100,000. All references to the Executive Director in this policy also apply to the Executive Director's designee.

Policy

1. Supplies, equipment, and materials not otherwise provided for in a contract for construction or services, and estimated to cost more than \$100,000, shall be listed separately in the budget or otherwise provided for by Board action or Executive Director approval before suppliers are asked to submit any binding proposals or bids.
2. For purposes of this policy, the term "micro-purchase amount" shall mean an amount that will not exceed the ceiling amount for micro-purchases set by the applicable funding agency(ies) for the procurement.
3. For purchases in excess of the micro-purchase amount involving federal funds, all applicable federal requirements and certifications must be attached to the purchase order or contract. For purchases that exceed \$50,000, a purchase order or a contract must be used in order to ensure provisions are included to protect the interests of SANDAG.
4. Normally, SANDAG will utilize a full and open competition when soliciting bids or proposals for procurements in excess of \$50,000. Under certain circumstances, however, a procurement may be justified that does not utilize full and open competition. These procurements are known as limited competition procurements. When less than full and open competition is used, SANDAG shall solicit offers from as many potential sources as is practicable under the circumstances. Noncompetitive procurement is known as sole source procurement. Noncompetitive and limited competition procurements shall only be permitted when the conditions below are met.

- 4.1 When there are no federal funds involved the following additional factors may make limited competition or sole source procurement within the best interest of SANDAG. Therefore, a limited competition or sole source for these types of procurements may be permitted when one of the conditions in this section (3.1) is met:
- 4.1.1 There is only one vendor capable of providing the item because the item is unique or highly specialized.
 - 4.1.2 The item should be purchased from a particular vendor in the interest of economy or efficiency as a logical follow-on to an order already issued under a competitively awarded contract.
 - 4.1.3 The cost to prepare for a competitive procurement exceeds the cost of the item.
 - 4.1.4 The item is an integral repair part or accessory compatible with existing equipment.
 - 4.1.5 The item is essential in maintaining research or operational continuity.
 - 4.1.6 The item is one with which staff members who will use the item have specialized training and/or expertise and retraining would incur substantial cost in time and/or money.
 - 4.1.7 The procurement is of the type that may be made as a sole source procurement pursuant to the Public Contracts Code.
- 4.2 When the project will be paid for in whole or in part by federal funds one of the conditions allowing a limited competition or sole source procurement set forth in the latest version of FTA Circular 4220.1, or the equivalent from other federal funding agencies, must be met. For projects funded in whole or in part by Caltrans or Federal Highway Administration funds, the applicable provisions in the Caltrans Local Assistance Procedures Manual must be met.
5. For purchases below the micro purchase amount, a micro purchase procurement method may be used. A micro purchase is a noncompetitive purchase technique; however, the price of the item must still be fair and reasonable. There should be equitable distribution among qualified suppliers in the local area and no splitting of procurements to avoid competition. A bid is only required from the vendor of choice and no contract is required.
6. For purchases in excess of the micro purchase amount and \$50,000, a simplified competitive procurement method may be used:
- 6.1. Staff shall obtain written bids or document oral bids from at least three suppliers in a manner that permits prices and other terms to be compared.
 - 6.2. Staff shall recommend the supplier that will provide the best value to SANDAG, taking into account the possible range of competing product and materials available, fitness of purpose, manufacturer's warranty, and other similar factors in addition to price.
 - 6.3. Staff shall obtain approval as required in the administrative delegation of authority policy and the small procurement procedures for use of the recommended supplier.

- ~~7.—For purchases in excess of \$50,000, an invitation for bids (IFB) shall be issued and the award will be made to lowest responsible bidder submitting a responsive bid:~~
- ~~7.1—The IFB will be posted on the SANDAG Web site. In addition, notice of the IFB will be sent to suppliers previously known to be interested in providing the needed article(s).~~
- ~~7.2—Notice of the IFB will be published on SANDAG's website and electronic vendor portal, in at least one newspaper of general circulation and at least one minority publication in San Diego County and in such other publications as appropriate at least two weeks before the bid opening date. The notice shall state that SANDAG is interested in receiving bids from qualified firms, and indicate how additional information can be obtained, the date, location and time for receiving and opening the sealed bids. For federally funded projects, the IFB must also be published in one or more Disadvantaged Business Enterprise-certified publications.~~
- ~~8.—For purchases that are better suited for a Request for Proposals (RFP) (negotiated purchase) or purchase on the open market, instead of an IFB (low bidder), approval may be sought from the Contracts Manager to utilize a different procurement process. An alternate procurement process to the IFB may be in the best interest of SANDAG in the following example situations:~~
- ~~8.1—The purchase may be made at a lower price on the open market.~~
- ~~8.2—Competitive bidding is an inadequate method of procurement because it is necessary to purchase prototype equipment or modifications in order to conduct and evaluate operational testing.~~
- ~~8.3—The article(s) to be procured is undergoing rapid technological changes and it is in the public's interest to issue an RFP so that the broadest possible range of competing product and materials available, fitness of purpose, manufacturer's warranty, and other similar factors in addition to price, can be taken into consideration.~~
- ~~9.—If staff seeks authorization to utilize an alternate procurement process under section 7, documentation setting forth the reasons a deviation from the typical competitive bidding process is warranted, and a technical evaluation of the articles, prices, and suppliers shall be submitted in the requisition packet.~~
- ~~10.—The Board's Equal Employment Opportunity Program and adequate audit provisions to allow the SANDAG independent performance auditor access to the contracted entity's records needed to verify compliance with the terms specified in the contract will be incorporated by reference in all SANDAG equipment and supplies contract templates.~~
- ~~11.—Conflicts of Interest~~
- ~~11.1—SANDAG shall not contract with, and will reject any bid or proposal submitted by, the following persons or entities, unless the Executive Director finds that special circumstances exist which justify the approval of such contract:~~
- ~~11.1.1—Persons employed by SANDAG;~~
- ~~11.1.2—Profit making firms or businesses in which SANDAG employees serve as officers, principals, partners or major shareholders;~~

~~11.1.3—Persons who, within the immediately preceding twelve (12) months, were employed by SANDAG and (1) were employed in positions of substantial responsibility in the area of service to be performed by the contract, or (2) participated in any way in developing the contract or its service specifications; or~~

~~11.1.4—Profit making firms or businesses in which the former employees described in subsection 10.1.3 serve as officers, principals, partners or major shareholders.~~

~~11.2—SANDAG staff and third parties with whom SANDAG does business shall comply with SANDAG administrative policies concerning Standard of Conduct and all relevant Board Policies.~~

~~11.3—A Notice of Potential for Conflict of Interest shall be included when relevant in any procurement issued by SANDAG. The Notice shall include the policy of the Board as listed herein. Any agreement issued in accordance with this policy shall include or make reference to the policy listed herein.~~

~~11.4—A “firm” shall be defined as any company or family of companies where there is a single parent board of directors or staff of officers who can influence the policies and actions of the design company, construction management company, and the construction company.~~

~~11.5—“Ineligible” firms shall include the prime consultant for the services, subcontractors for portions of the services, and affiliates of either. An affiliate is a firm that is subject to the control of the same persons through joint ownership or otherwise.~~

~~11.6—If there is any doubt by a firm regarding a potential conflict of interest for a specific project or function, the appropriate member of management staff, depending on type of project, will, upon written request, provide a written ruling. This procedure is encouraged prior to submittal of proposals or bids. In the event a conflict of interest is determined to exist, a written appeal may be made by the affected firm to the Executive Director within five calendar days of notice from SANDAG the conflict. The Executive Director shall determine the adequacy of the appeal and make a subsequent final decision. No further appeal shall be considered.~~

Adopted November 2003
Amended December 2006
Amended December 2007
Amended December 2008
Amended November 2014
Amended February 2018
Amended June 2021

Consolidated with Board Policy No. 016, April 2025



BOARD POLICY NO. 024

RESERVED PROCUREMENT AND CONTRACTING—CONSTRUCTION

Purpose

To establish a method for administering SANDAG construction contracts.

Background

Public Utilities Code section 132352.4 states that if the estimated total cost of any construction project or public works project will exceed fifty thousand dollars (\$50,000), SANDAG must solicit bids in writing and award the work to the lowest responsible bidder or reject all bids. Section 132352.4 further mandates that SANDAG establish rules for procurement of construction of public works projects. Additionally, Government Code section 14085 *et seq.* requires that any public entity receiving state funds for a guideway project adopt policies and procedures for contract administration. Code of Federal Regulations, Volume 2, Part 200, Federal Transit Administration Circular 4220.1F, and the Caltrans Local Assistance Procedures Manual also establish procedures that SANDAG must follow when administering contracts using federal funds. All references to the Executive Director in this policy also apply to the Executive Director's designees.

Policy

1.—Bidding Process

A competitive bidding process shall be utilized to the greatest extent possible for all construction contracts.

1.1.—Bid Procedure for Small Contracts

1.1.1.—For purposes of this policy, the term “micro purchase amount” shall mean an amount that will not exceed the ceiling amount for micro purchases set by the applicable funding agency(ies) for the procurement. For construction contracts estimated to cost an amount equal to or less than the micro purchase amount, the work may be awarded without competition so long as the price is determined to be fair and reasonable. Otherwise, staff shall seek a minimum of three bids which may be either written or oral to permit prices and other terms to be compared.

1.1.2.—For construction contracts estimated to cost in excess of the micro purchase amount, but not more than \$50,000, the following procedures shall be followed:

1.1.2.1.—An Invitation for Bids (IFBs) will be sent to a minimum of three qualified bidders by mail or email on the same date. The bid period will be a minimum of three calendar days. When possible, IFBs should be sent to at least two certified Disadvantaged Business Enterprise (DBE) firms. The IFB will contain the time and location for receiving and opening bids.

- 1.1.2.2—The contract will be awarded to the lowest responsive and responsible bidder after a Notice of Intent to Award has been issued to all bidders and a protest period of five working days has expired.
 - 1.1.2.3—Bid bonds will only be required on bids that are \$50,000 or less when requested by the applicable Director or his or her designee.
 - 1.2.—~~Bid Procedure for Contracts in Excess of \$50,000~~
 - 1.2.1—Public notice of a construction contract estimated to cost more than \$50,000 shall be given by publication once a week for at least two consecutive weeks, with the first publication occurring at least three weeks before the day set for receiving bids, as follows:
 - 1.2.1.1—In a newspaper of general circulation, published in San Diego County;
 - 1.2.1.2—In a trade paper of general circulation published in Southern California devoted primarily to the dissemination of contract and building news among contractors and building materials supply firms (optional for projects estimated to cost less than \$100,000); and
 - 1.2.1.3—In at least one minority or community newspapers as appropriate to best meet SANDAG's DBE goals.
 - 1.2.2—Advertisements may also be placed in other minority and community newspapers, as appropriate. Appropriate DBEs listed in the current SANDAG vendor database will be notified of any work advertised under this policy.
 - 1.2.3—The notice shall state the time and place for receiving and opening sealed bids and shall describe, in general terms, the work to be done.
 - 1.3.—~~Contractor's Prequalifications~~
 - 1.3.1—SANDAG may, for prospective contractors whose bid could exceed \$500,000, adopt and apply a uniform prequalification system for rating bidders, on the basis of a standard experience questionnaire and financial statement verified under oath in respect to the contracts upon which each bidder is qualified to bid. A contractor may request to be prequalified for a predetermined contract amount prior to bidding.
 - 1.3.2—In no event shall any bidder be awarded a contract if such contract award would result in the bidder having under contract(s), work cumulatively in excess of that authorized by its qualification rating.
 - 1.4.—~~Form of Bids~~
 - 1.4.1—SANDAG shall furnish each bidder with a standard proposal form, to be filled out, executed, and submitted as its bid.
 - 1.4.2—All bids shall be submitted as a sealed bid, which shall mean either submission in a sealed envelope or electronically through the use of SANDAG's web-based solicitation system. All bids shall be accompanied by one of the following forms of bidder's security: cash, a cashier's check, certified check, or a bidder's bond executed by an admitted surety insurer and made payable to SANDAG. A bid shall not be considered unless accompanied by one of the forms of bidder's security, which may be in either hard copy or electronic format. Bidder's security shall be at least 10 percent of the amount bid. Bidder's bonds must be issued by bonding companies registered in the State of California.
 - 1.4.3—Late bids shall not be accepted after the time and date designated in the notice.

~~1.4.4—Any bid may be withdrawn any time prior to the time fixed in the notice for bid opening only by written request to the SANDAG Executive Director. The request shall be executed by the bidder or its designated representative. Bids shall not be withdrawn after the time fixed for public opening.~~

~~1.4.5—On the day specified in the notice, staff shall immediately post the bid results on the SANDAG electronic vendor portal.~~

~~1.5.—Review of Bids~~

~~1.5.1—After the bids are opened, the applicable Director or designee (hereinafter "Director"), shall review all bids in order to determine which bidder is the lowest responsive and responsible bidder. The term "lowest responsive and responsible bidder" shall mean the lowest monetary bidder (excluding taxes) whose bid is responsive and who is responsible to perform the work required by the solicitation and contract documents.~~

~~1.5.2—SANDAG may investigate the responsibility and qualifications of all bidders to whom the award is contemplated for a period not to exceed 90 days after the bid opening. The 90-day review period may be extended upon the written request by the Director and written approval by the affected bidders.~~

~~1.5.3—SANDAG reserves the right to reject any or all bids and to waive any immaterial irregularity. No bid shall be binding upon SANDAG until after the contract is signed by both the contractor and SANDAG.~~

~~1.5.4—The lowest monetary bidder's bid will be evaluated by the Director in order to determine whether or not that bid is responsive. The term "responsive" generally means that the bid has been prepared and submitted in accordance with the requirements of the solicitation and bid documents. These requirements shall generally include, but will not be limited to, the following:~~

~~1.5.4.1—Bid Booklet—with all bid amounts filled in~~

~~1.5.4.2—Designation of Suppliers and Subcontractors—including dollar amounts~~

~~1.5.4.3—Acknowledgment of Addenda~~

~~1.5.4.4—Contractor's License Requirements~~

~~1.5.4.5—Ability to Meet Minimum Insurance Requirements~~

~~1.5.4.6—Public Contract Code 10162 Questionnaire~~

~~1.5.4.7—Bidder's Bond~~

~~1.5.4.8—Noncollusion Affidavit~~

~~1.5.4.9—Certification of Restrictions on Lobbying~~

~~1.5.4.10—Disclosure of Lobbying Activities~~

~~1.5.4.11—Certification Regarding Debarment~~

~~1.5.5—If the lowest monetary bidder's bid is responsive, then the bidder's qualifications will be evaluated by the Director to determine whether or not the bidder is responsible to perform the work required by the contract documents. The term "responsible" generally means that the bidder is able to demonstrate that it possesses: (1) the capacity to perform the work required by the contract documents with respect to financial strength, resources available, and experience; and (2) the integrity and trustworthiness to complete performance of the work in accordance with the contract documents. The Director shall review "responsibility" of bidders based upon factors set forth below.~~

1.5.6—For all contracts in excess of \$500,000, the following uniform system of determining whether or not a bidder is "responsible" shall be applied. The Director will consider the following non-exclusive list of factors in relation to the work to be performed for the project:

1.5.6.1—Financial Requirements:

1.5.6.1.1—Bidders shall have evidence of the availability of sufficient working capital;

1.5.6.1.2—For design-bid-build projects, the largest value of all work any bidding contractor has had under contract over a previous similar time frame as the subject contract shall meet or exceed the total amount of the bid; or in the case of a Job Order Contract, the value of the maximum amount of the Job Order Contract; and

1.5.6.1.3—For design-bid-build projects, the dollar value of at least one of the previous individual contracts listed shall be at least 50 percent of the dollar value bid on the SANDAG contract, or in the case of a Job Order Contract, at least 50 percent of the maximum amount of the Job Order Contract; and

1.5.6.1.4—For design-bid-build projects, the bidder shall have successfully completed contracts during the previous five years that together exceed five times the annual value of the SANDAG contract.

1.5.6.2—Experience Requirements:

1.5.6.2.1—The bidder must demonstrate organization experience on work similar to the SANDAG contract by submitting a list, covering at least the previous five years, of all projects of any type that have been completed or are under construction that the bidder provides to be considered in determining its requisite experience. The list shall contain a name, title, email address, and phone number for staff to contact to verify the contract details;

1.5.6.2.2—The bidder shall demonstrate individual experience by submitting a list of all key personnel, including project managers, who will be involved in the SANDAG contract. These key personnel shall have at least three years of experience on contracts where the work is similar to the SANDAG contract. The individuals listed shall have been involved at the same level of responsibility on successfully completed contracts during the previous five years that together exceeds the value of the SANDAG contract. For each individual listed, the bidder shall include the name, title, address, and phone number of an individual or organization who can verify the individual's experience;

1.5.6.2.3—The bidder shall submit a summary of all claims made in the last five years arising out of previous contracts listed (this summary shall include all claims by owner against

- bidder or bidder against owner, and the final status of each claim);
- ~~1.5.6.2.4 — The bidder shall state whether or not it has defaulted on a construction project within the last two years;~~
- ~~1.5.6.2.5 — The bidder shall list any violation of the Apprenticeship Requirements under the State Business and Professions Code or Labor Code found by an appropriate authority within the last two years;~~
- ~~1.5.6.2.6 — The bidder shall state whether it has been found guilty of failure to pay required prevailing wages on a public contract within the last two years;~~
- ~~1.5.6.2.7 — The bidder shall state whether it has been formally found to be a nonresponsible bidder, for reason other than being nonresponsive, by a public agency within the last two years;~~
- ~~1.5.6.2.8 — The bidder shall list how many construction projects it will be working on concurrently with the SANDAG project;~~
- ~~1.5.6.2.9 — The bidder shall state whether it has ever been terminated by an owner or client, or rejected from bidding in a public works project in the last five years;~~
- ~~1.5.6.2.10 — The bidder shall state whether a surety ever completed any portion of the work of its projects within the last five years;~~
- ~~1.5.6.2.11 — The bidder shall state whether it, any of its officers, or any of its employees who has a proprietary interest in it, has ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of a law or safety regulation, and if so, explain the circumstances; and~~
- ~~1.5.6.2.12 — For all items identified under 1.5.6.2.1 through 1.5.6.2.11 above, the bidder shall provide name of owner, title of project, contract amount, location of project, date of contract, and name of the bonding company.~~
- ~~1.5.6.3 — Reporting Forms: In order to demonstrate that the SANDAG financial and experience requirements are met, the bidder shall submit, when requested by SANDAG, a standard experience questionnaire and financial statement verified under oath that shall meet the requirements adopted herein.~~
- ~~1.5.6.4 — Failure to provide accurate information relative to its financial status or experience may result in the debarment of the bidder from future SANDAG work.~~
- ~~1.5.6.5 — Questionnaires and financial statements shall not be considered public records nor open for public inspection.~~

1.5.7—SANDAG will make its determination of responsibility based upon information submitted by bidders, and, if necessary, interviews with previous owners, clients, design professionals, or subcontractors with whom the bidder has worked. If a bidder is determined to be nonresponsive, it shall be afforded an administrative hearing upon the submission of a timely protest of such issue. Any additional evidence submitted in the course of the protest procedure shall be considered in making the recommendation to the Executive Director regarding determination of the lowest responsive and responsible bidder and award of the contract.

1.6.—Award or Rejection of Bids

1.6.1—If the Director finds that the lowest monetary bidder submitted a responsive bid and that the bidder is responsible, then that bidder shall be deemed the apparent lowest responsive and responsible bidder, and the Director shall report the findings as recommendation to the Executive Director.

1.6.2—If the Director finds that the lowest monetary bidder's bid is not responsive or that the lowest monetary bidder is not responsible, then the Director may review the responsiveness and responsibility of the next low monetary bidder. If the Director finds that the next low monetary bidder is responsive and responsible, then that next low bidder shall be deemed the apparent lowest responsive and responsible bidder, and the Director shall report the findings as recommendations to the Executive Director. The Director may continue to review the responsiveness and responsibility of the next low monetary bidders until he/she finds the lowest monetary bidder that is also responsive and responsible, and deemed lowest responsive and responsible bidder. In the event that one or more low monetary bidders are found by the Director to be nonresponsive or nonresponsible, those bidders will be given notice and a reasonable opportunity to present additional evidence to the Director within five working days after the bidder receives the notice.

1.6.3—The Executive Director may authorize a Limited Notice to Proceed (LNTP) to the apparent lowest responsive and responsible bidder for an amount not to exceed \$250,000 prior to the award of the construction contract if the Executive Director determines that the award of an LNTP is justified.

1.6.4—If it is for the best interest of SANDAG, the Executive Director may, on refusal or failure of the successful bidder to execute the contract, award it to the second lowest responsive and responsible bidder.

1.6.5—If the second lowest responsive and responsible bidder fails to execute the contract, the Executive Director may likewise award it to the third lowest responsible bidder.

1.6.6—On the failure or refusal of any bidder to execute the contract, its bidder's security shall be forfeited to SANDAG.

1.6.7—For all contract awards in excess of \$25,000, the successful bidder must furnish a performance bond equal to at least one-half of the contract price and a payment bond equal to one hundred percent of the contract price. Federally funded contract awards shall require a performance bond equal to one hundred percent of the contract price. Notwithstanding the foregoing, depending upon authorization from the funding source(s), the performance and payment bond requirements may be modified within the Invitation for Bids with prior approval of the Director.

- ~~1.6.8—Failure to furnish the required bonds shall constitute failure to execute the contract.~~
- ~~1.7.—Return of Bidder's Security~~
- ~~1.7.1—SANDAG may withhold the bidder's security of the second and third lowest responsive and responsible bidders until the contract has been finally executed. SANDAG shall, upon request, return cash, cashier's checks, and certified checks submitted by all other unsuccessful bidders within 30 days after the bid opening, and the bidder's bonds shall be of no further effect.~~
- ~~1.8.—Protests to Solicitation, Responsibility, Bid, or Award~~
- ~~1.8.1—SANDAG shall include in all procurements a procedure to be followed by interested parties who wish to protest a specification, procedure, or finding of nonresponsibility. The procedure shall include the following:~~
- ~~1.8.1.1—A requirement that protest submittals shall be in writing, be specific to the specification or procedure being protested, state the grounds for protest, and include all documentation needed to enable SANDAG to reach a decision.~~
- ~~1.8.1.2—A statement that the protest shall be submitted within clearly defined time limits prior to receiving proposals or opening bids or prior to award of contracts.~~
- ~~1.8.1.3—A statement specifying the review and determination process by SANDAG, including time limits for response.~~
- ~~1.8.1.4—Requirements for submittal of a protest reconsideration.~~
- ~~1.8.1.5—A statement regarding review of the initial protest by a protest review committee, or in the case of a protest regarding a finding of nonresponsibility by an administrative hearing officer or panel, and review of protest reconsiderations by the Executive Director, as appropriate.~~
- ~~1.8.1.6—A statement that protests will be rejected if they are not complete.~~
- ~~1.9.—Procedure for Subcontractor Substitution Protest~~
- ~~1.9.1—Subcontractor substitutions shall be made only pursuant to the provisions of the Subletting and Subcontracting Fair Practices Act, Public Contract Code section 4100 et seq., as it may be amended from time to time. Notwithstanding the foregoing, nothing in this policy is intended to require SANDAG to strictly comply with the Subcontracting Fair Practices Act. The Executive Director is hereby designated to carry out all functions of the awarding authority under Section 4100 et seq.~~
- ~~1.10.—Procedure for Contractors with Claims Against SANDAG on Construction Contracts~~
- ~~1.10.1—On all SANDAG construction contracts estimated to cost more than \$25,000, a section shall be included in the contract provisions that specifies how a contractor should file a "Notice of Potential Claim" and the procedures for review and disposition thereof.~~
- ~~1.10.2—Federal Transit Administration review and concurrence is required for claim settlements that exceed \$1 million if FTA funds are involved.~~
- ~~1.10.3—A list of all outstanding claims exceeding \$100,000 which involve the use of federal funds shall be included in the federal grants quarterly report.~~
- ~~1.11.—Debarment Procedures for Procurement and Construction Contracts~~
- ~~1.11.1—In addition to all other remedies permitted by law, SANDAG may, upon advice of the Executive Director and Office of General Counsel, by resolution declare a bidder or contractor ineligible to bid on SANDAG procurement and~~

construction contracts for a period not to exceed three years for any of the following grounds:

- 1.11.1.1—two or more claims of computational, clerical, or other error in bid submission within a two-year period;
 - 1.11.1.2—unjustified failure or refusal to timely provide or properly execute contract documents;
 - 1.11.1.3—unsatisfactory performance of contract;
 - 1.11.1.4—false, excessive and/or unreasonable claims while performing work for SANDAG;
 - 1.11.1.5—two or more occasions within a two-year period of failure to submit bond or insurance documents acceptable to SANDAG in the time periods required;
 - 1.11.1.6—unjustified refusal to properly perform or complete contract work or warranty performance;
 - 1.11.1.7—unjustified failure to honor or observe contractual obligations or legal requirements pertaining to the contract;
 - 1.11.1.8—conviction under a state or federal statute or municipal ordinance for fraud, bribery, theft, falsification or destruction of records, receiving stolen property or of any other similar crime;
 - 1.11.1.9—any offense or action which indicates a lack of business integrity and which could directly affect the reliability and credibility of performance of the contractor on future contracts with SANDAG;
 - 1.11.1.10—any debarment of the contractor by another governmental agency; and
 - 1.11.1.11—false statements or certifications in documents submitted as part of a bid or any supplementary documentation thereto.
- 1.11.2—SANDAG may permanently debar such bidder or contractor for a conviction under federal or state antitrust statutes involving public contracts or the submission of bid proposals, for any corrupt practices involving the administration or award of a contract with SANDAG, or permanent debarment of the bidder or contractor by another governmental agency.
- 1.11.3—The bidder or contractor shall be provided notice and an opportunity to present evidence and show cause before the Board why such ineligibility shall not be declared after the Executive Director has established a factual basis for debarment.
- 1.11.4—A contractor's debarment shall be effective amongst SANDAG and any subsidiary entity. Debarment prohibits SANDAG and any subsidiary entity from executing contracts with the debarred contractor.
- 1.11.5—Debarment constitutes debarment of all divisions or other organizational elements of the contractor, unless the debarment decision is limited by its terms to specific divisions, organizational elements, or commodities. The debarment decision may be extended to include any affiliate of the contractor if the affiliate is (1) specifically named, and (2) given written notice of the proposed debarment and an opportunity to respond.
- 1.11.6—Notwithstanding the debarment of the contractor, the Board may continue contracts in existence at the time the contractor is debarred, unless the Board directs otherwise, after receiving advice from the Executive Director as to the effects of termination of an existing agreement.

2.—Contract Administration and Contractor Assurances

- 2.1—SANDAG contractors must meet all applicable laws concerning labor law, labor rates, EEO and licenses. SANDAG shall ensure that the following requirements are carried out:
 - 2.1.1—All bidders and contractors shall be licensed in accordance with the laws of California. Additionally, contractor requirements shall be guided by the provisions of Chapter 9 of Division 3 of the Business and Professions Code concerning the licensing of contractors.
 - 2.1.2—The contractor may not, in any case, pay workers less than the stipulated prevailing rates paid for such work or craft in the San Diego area by the contractor or any of its subcontractors, unless it is otherwise authorized by law.
 - 2.1.3—The contractor will be responsible for complying with the provisions of the Fair Labor Standards Act of 1938 as amended.
 - 2.1.4—SANDAG contractors shall be required to provide Workers' Compensation Insurance to their employees in accordance with the provisions of Section 3700 of the Labor Code. Prior to commencement of work, the contractor shall sign and file with SANDAG a certification of compliance.
 - 2.1.5—Labor compliance requirements on SANDAG contracts shall be consistent with the California Labor Code.
 - 2.1.6—Contracts including construction services in excess of \$1 million shall include a provision requiring the entity contracting with SANDAG to commit that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all construction work on the project consistent with Public Utilities Code Section 132354.7 unless one of the exceptions in Section 132354.7(a) are met.
 - 2.1.7—The contractor shall comply with the EEO requirements set forth by Title VI of the 1964 Civil Rights Act on any project where Federal funds are included.
 - 2.1.8—The contractor shall also comply with Section 1735 of the Labor Code and all other California laws prohibiting discrimination based on protected class status.
 - 2.1.9—The Board's Equal Employment Opportunity Program and adequate audit provisions to allow the SANDAG independent performance auditor access to the contracted entity's records needed to verify compliance with the terms specified in the contract will be incorporated by reference in all SANDAG construction contract templates.

3.—Construction Contract Change Orders

- 3.1—All construction and procurement contracts may be amended by a suitable change order. The contract change orders shall be processed in accordance with SANDAG procurement and construction manual(s).
- 3.2—Construction contract change orders shall be approved by the Executive Director in accordance with SANDAG Board policies, administrative policies, and procedural manuals.
- 3.3—Except in an emergency, or in the case of a justifiable sole source procurement, a change order shall not be awarded without competitive bidding where the amount of such change order exceeds 25 percent of the price of the original or altered contract, or the change order is out of the original contract scope.
 - 3.3.1.—For purposes of this section, an emergency is defined as a sudden or unforeseen situation in which, in the Executive Director's opinion, injury to

persons, or significant injury to property or interruption of a public service will occur if immediate action is not taken.

3.4—All change orders that conflict or potentially conflict with Board-adopted policies shall be brought before the Board for decision.

3.5—All change orders which utilize federal funds shall conform to the Code of Federal Regulations, Volume 2, Part 200 and Federal Transit Administration Circular 4220.1F and any successors thereof, that are applicable by law.

4.—Other Than Full and Open Competition

Normally, SANDAG will utilize a full and open competition when soliciting bids or proposals for procurements in excess of \$50,000. Under certain circumstances, however, a procurement may be justified that does not utilize full and open competition. These procurements are known as limited competition procurements. When less than full and open competition is used, SANDAG shall solicit offers from as many potential sources as is practicable under the circumstances. Noncompetitive procurement is known as sole source procurement. Noncompetitive and limited competition procurements shall only be permitted when the conditions below are met.

4.1—When the project will be paid for in whole or in part by federal funds one of the conditions allowing a limited competition or sole source procurement set forth in the latest version of FTA Circular 4220.1, or the equivalent from other federal funding agencies, must be met.

4.2—When there are no federal funds involved, additional factors may be used to justify a limited competition or sole source procurement as being within the best interest of SANDAG. For these types of procurements one of the conditions in this section (4.2) or section 4.1 must be met:

4.2.1.—There is only one contractor capable of providing the work because the work is unique or highly specialized.

4.2.2.—The work should be carried out by a particular contractor in the interest of economy or efficiency as a logical follow-on to work already in progress under a competitively awarded contract.

4.2.3.—The cost to prepare for a competitive procurement exceeds the cost of the work.

5.—Relief from Maintenance and Responsibility and Acceptance of Work

5.1—SANDAG will, upon written application by the contractor, consider granting relief from maintenance and responsibility on major elements of each major construction project as permitted in the contract specifications. The Executive Director is hereby delegated authority to grant said relief in writing to the contractor and shall report actions on contracts over \$25,000 to the Board.

5.2—SANDAG will, upon written application by the contractor, accept the entire work on major construction contracts, provided that the work has been completed, in all respects, in accordance with the contract plans and specifications. The Executive Director is hereby delegated the authority to accept such work on behalf of the Board and shall report to the Board all acceptances over \$25,000.

~~5.2.1—In determining whether to accept the entire work on major construction projects, these procedures should be followed:~~

~~5.2.1.1—The contractor shall request acceptance in writing.~~

~~5.2.1.2—Concurrence with the request by the SANDAG Resident Engineer shall be in writing to the Executive Director and include these findings: (1) that the contract has been completed in accordance with the plans and specifications, (2) a statement as to the financial condition of the contract, and (3) a statement as to whether the contract was completed on time or with an apparent overrun.~~

~~5.2.1.3—The Executive Director shall accept the action and report the findings to the Board.~~

6.—Conflict of Interest

~~6.1—A contractor is eligible for award of service contracts by SANDAG so long as the contract in question does not create an actual, potential, or apparent conflict of interest. A prohibited conflict of interest exists when, because of other activities, relationships, or contracts, a firm is or may be unable to render impartial, objective assistance or advice to SANDAG; or a firm's objectivity in performing the contract work is or might be otherwise impaired; or where a firm would receive an unfair competitive advantage. Prohibited conflicts of interest include, but are not limited to, the following situations unless otherwise authorized by applicable federal or state law:~~

~~6.1.1—Except in the case of design-build or other authorized alternative delivery method contracting, any firm that provides design services or project management services to SANDAG will be ineligible for award of a construction contract to construct the improvements, which are the subject of the design services.~~

~~6.1.2—Any firm that provides design services to SANDAG will be ineligible for award of any contract to provide construction management services resulting from the specific project for which design services were provided.~~

~~6.1.3—Any firm that provides construction management services to SANDAG will be ineligible for award of a construction contract for which construction management services were or will be provided.~~

~~6.1.4—Any firm that assists SANDAG or any of its member or affiliated agencies in the preparation of a construction procurement document will not be allowed to participate as a bidder/offeree or join a team submitting a bid/offer in response to that procurement document except under the provisions in Section 7.1.4 of Board Policy No. 016.~~

~~6.2—SANDAG shall not contract with, and will reject any bid or proposal submitted by, the following persons or entities, unless the Executive Director finds that special circumstances exist which justify the approval of such contract:~~

~~6.2.1—Persons employed by SANDAG;~~

~~6.2.2—Profit-making firms or businesses in which SANDAG employees serve as officers, principals, partners, or major shareholders; Persons who, within the~~

immediately preceding twelve (12) months, were employed by SANDAG and (1) were employed in positions of substantial responsibility in the area of service to be performed by the contract, or (2) participated in any way in developing the contract or its service specifications; or

6.2.3—Profit-making firms or businesses in which the former employees described in subsection 6.2.2 serve as officers, principals, partners or major shareholders.

6.3—SANDAG staff and third parties with whom SANDAG does business shall comply with SANDAG administrative policies concerning Standard of Conduct and all relevant Board Policies.

6.4—A Notice of Potential for Conflict of Interest shall be included when relevant in any procurement issued by SANDAG. The Notice shall be the policy of the Board as listed herein. Any agreement issued in accordance with this policy shall include or make reference to the policy listed herein.

6.5—A “firm” shall be defined as any company or family of companies where there is a single parent board of directors or staff of officers who can influence the policies and actions of the design company, construction management company, and the construction company.

6.6—“Ineligible” firms shall include the prime consultant for the services, subcontractors for portions of the services, and affiliates of either. An affiliate is a firm that is subject to the control of the same persons through joint ownership or otherwise.

6.7—If there is any doubt by a firm regarding a potential conflict of interest for a specific project or function, the appropriate member of management staff, depending on type of project, will, upon written request, provide a written ruling. This procedure is encouraged prior to submittal of proposals or bids. In the event a conflict of interest is determined to exist, a written appeal may be made by the affected firm to the Executive Director within five calendar days of notice from SANDAG the conflict. The Executive Director shall determine the adequacy of the appeal and make a subsequent final decision. No further appeal shall be considered.

7.—Job Order Contracting

A Job Order Contract (JOC) is a competitively bid, firm fixed price, indefinite quantity contract that is based upon specific unit pricing contained in a unit price book (prepared by the public agency or by independent commercial sources) setting forth detailed repair and construction items of work, including descriptions, specifications, units of measurement and individual unit prices for each item of work. The JOC includes unit pricing for work at time of award, but not the specified quantity and location of the work to be performed. At the time a Job Order is issued, the scope of work will identify the quantity and specific location of the work to be performed. A JOC may be used when it will result in a cost savings through economies of scale or expedite the delivery of work.

7.1—General Requirements

7.1.1—JOCs shall be awarded under written agreement subject to the following limitations:

- 7.1.1.1—The specifications were advertised in accordance with Board Policy No. 024, Section 1, “Bidding Process” based on the maximum potential value of the JOC.
- 7.1.1.2—The specifications provided for sealed competitive bidding on unit-cost terms for all labor, material, and equipment necessary to perform all work contemplated for individual Job Orders.
- 7.1.1.3—The JOC does not exceed a term of three years in duration.
- 7.1.1.4—The JOC shall only be used for the performance of minor routine or recurring construction, or for the renovation, alteration, or repair of existing public facilities.
- 7.1.2—JOC may not contain any provision which would guarantee the contractor cumulative Job Orders in excess of \$50,000.
- 7.2—Issuance of Job Orders
 - 7.2.1—Following award of a JOC, Job Orders may be issued by the Executive Director in accordance with SANDAG Board Policies, administrative policies, and procedural manuals upon certification by that individual that it is not in conflict with other Board Policies and it is the best interest of SANDAG to use the JOC procurement process because one or more of the following criteria have been met:
 - 7.2.1.1.—Use of the JOC process will result in a cost savings through economies of scale or expedite the delivery of work; or
 - 7.2.1.2.—Compliance with the traditional competitive bidding requirements will not produce an advantage to SANDAG; or
 - 7.2.1.3.—Advertising for bids is undesirable because it will be practically impossible to obtain what is needed or required by an unforeseen deadline if the traditional competitive bidding method is used; or
 - 7.2.1.4.—The entity or entities providing funds for the project have authorized use of the JOC process.
 - 7.2.2—An individual Job Order may not exceed the sum of \$2,000,000, except in the case of an emergency as defined in Section 3.3.1 of this Policy, or as specifically authorized by the Executive Director, whose authorization shall not be delegated.
 - 7.2.3—No public work that logically should be performed as a single contractual transaction requiring the expenditure of more than \$2,000,000 shall be separated into separate Job Orders for purposes of avoiding this limitation.
 - 7.2.4—Non-prepriced items of work may be included in Job Orders provided that the non-prepriced items are within the scope and intent of the JOC and are priced reasonably and in conformity all applicable laws, regulations and policies.
- 7.3—Job Order Contract Intergovernmental Agreements
 - 7.3.1—The SANDAG Executive Director may permit, subject to requirements of this section and subject to such terms and conditions that the Executive Director may prescribe, any public entity, including the California Department of Transportation, or any municipal corporation, school or other special district within San Diego County, to participate via the Service Bureau in JOCs entered into by SANDAG, and may enter into any agreements necessary to do so.

8.—Design-Build Contracting

"Design-build" contracting is a project delivery method in which both the design and construction of a project are procured from a single entity. Notwithstanding Section 7 of this Policy, SANDAG is permitted to use the design-build contracting method on transit projects in accordance with Public Contracts Code section 22160 et seq. A competitive negotiation process similar to the process described in Board Policy No. 016 for the procurement of services will be used to procure design-build services. Selection criteria for design-build procurements shall be subject to Board approval.

9.—Construction Manager/General Contractor Contracting

Construction Manager/General Contractor (CM/GC) contracting is a project delivery method using a best value procurement process in which a construction manager is procured to provide pre-construction services during the design phase of the project and construction services during the construction phase of the project. Notwithstanding Section 7 of this Policy, SANDAG is permitted to use the CM/GC contracting method on transit projects in accordance with Public Contracts Code §§6950-6958. Additionally, Chapter 7 (commencing with) of Division 17 provides for SANDAG to construct the Olay Mesa East Port of Entry Project using CM/GC. A competitive negotiation process similar to the process described in Board Policy No. 016 for the procurement of services will be used to procure CM/GC services. Selection criteria for CM/GC procurements shall be subject to Board approval.

10.—Design Sequencing Contracting

"Design sequencing" contracting is a method of project delivery that enables the sequencing of design activities to permit each construction phase to commence when the design for that phase is complete, instead of requiring design for the entire project to be completed before commencing construction. This is a variation of the design-bid-build project delivery method. SANDAG is permitted to use the design sequencing contracting method on transit projects in accordance with Public Contracts Code §§6950-6958.

Adopted November 2003

Amended December 2006

Amended December 2007

Amended December 2008

Amended January 2010

Amended November 2010

Amended February 2012

Amended November 2012

Amended October 2013

Amended November 2014

Amended January 2017

Amended February 2018

Amended January 2019

Amended June 2021

Consolidated with Board Policy No. 016, April 2025



BOARD POLICY NO. 017

DELEGATION OF AUTHORITY

The purpose of this policy is to establish the authority granted by the Board of Directors to the Chief Executive Officer (CEO). It also provides the CEO with the authority to delegate functions he or she has been delegated by the Board to SANDAG staff.

Definitions

The following words shall have the meanings indicated when used in this policy:

“Agreement” shall be interpreted to include contracts, memorandums of understanding, agreement amendments, purchase orders, invoices, money transfers, or any other document that could be enforced against SANDAG in a court of law.

“Budget” shall be interpreted to include SANDAG’s annual budget, revisions and amendments thereto, and the Overall Work Program.

“Emergency or Urgent Need” for purposes of this policy shall mean a situation in which, in the CEO’s or his/her designee’s opinion, injury to persons, or significant injury to property, covered species, habitats, linkages, and/or corridors identified in the San Diego County Natural Communities Conservation Planning program, or interruption of a public service will occur if immediate action is not taken.

Procedures

1. Adoption of a budget by the Board shall automatically authorize the CEO to enter into any agreements or take any other actions necessary to implement the budget items or other actions approved by the Board.
2. Any authority delegated to the CEO shall automatically vest with ~~a Chief Deputy Executive Director~~ the Chief Financial Officer (CFO) when business must be conducted in the absence of the CEO. In the event the CEO position is vacant, the Chair or their designee shall serve as the supervisor to the CFO. Chief Deputy Executive Director and shall have the authority to authorize salary adjustments, consistent with agency pay practices as set forth in the SANDAG Employee Handbook.
3. In the event of emergency or an urgent need, the CEO is authorized to take all necessary actions to prevent significant unnecessary loss to SANDAG, a shut-down of public services, or to address a situation threatening the health or safety of persons or property, including, but not limited to, authorization to contract with a contractor or consultant on a sole source basis, consistent with applicable state or federal law without prior approval from the Board. In the event such an emergency or urgent need occurs, the CEO will consult with the Chair of the Board, promptly communicate all actions taken to the Board members, and submit a report to the Board at its next regular meeting in order to obtain ratification for those actions.

4. The CEO is hereby authorized to carry out the actions set forth below. In the event any of the authorities in this paragraph are exercised, the CEO will report actions taken to the Board in summary written form on a monthly basis.
- 4.1 Enter into agreements not currently incorporated in the budget and make other modifications to the budget in an amount up to \$300,000 per project per fiscal year so long as the overall annual budget remains in balance. This authority shall refresh in the event the Board of Directors or Policy Advisory Committee authorizes further modifications to a capital project budget within the same fiscal year or a new annual budget has been approved by the Board.
 - 4.2 Approve all design plans, specifications and estimates for capital improvement projects.
 - 4.3 Execute all real property transfer documents, including but not limited to, rights of entry, licenses, leases, deeds, easements, escrow instructions, and certificates of acceptance.
 - 4.4 Approve the establishment of an offer of just compensation based on a qualified appraisal and within approved project budget for property sought to be acquired, and direct payment to persons for such property so long as the payment amount does not exceed 110 percent of the appraised value, or \$100,000 above the appraised value, whichever is greater, or the full satisfaction of court judgments regarding property valuation.
 - 4.5 Reject all bids and/or suspend the competitive procurement process.
 - 4.6 Provide the final determination to persons or firms filing a protest regarding SANDAG's procurement or contracting process or procedures.
 - 4.7 File administrative claims and to initiate and maintain lawsuits on behalf of the Board to recover for damage to or destruction of SANDAG property, or interruption of a public service.
 - 4.8 Settle all lawsuits initiated under paragraph 4.7.
 - 4.9 Settle all lawsuits that SANDAG must defend when the settlement amount does not exceed \$100,000.
 - 4.10 Accept reimbursement from member agencies for use of SANDAG on-call contracts.
 - 4.11 Execute tolling agreements to extend the statute of limitations for litigation involving SANDAG as a potential plaintiff or defendant when deemed in the best interest of SANDAG by the CEO and Office of General Counsel.
 - 4.12 Authorize transfers of funds in the SANDAG budget for capital improvement projects following approval of such a transfer by the affected transit operator's board of directors or designated governing body.
 - 4.13 Authorize the expenditure of Emergency Land Management Funds designated in the most recent Board-adopted Environmental Mitigation Program Funding Strategy based upon support from a cross-section of technical experts not affiliated with the request.

- 4.14 Modify the Board of Directors meeting agenda regarding issues that arise after the most recent Executive Committee meeting with the concurrence of Chair of the Board.
 - 4.15 Execute Right-of-Way Certifications for submittal to the California Department of Transportation, and take all other actions necessary to facilitate the timely filing of such certifications, for SANDAG projects that are either on the State Highway System or for those off-system projects with federal funding.
 - 4.16 Authorize writing off or compromising uncollectable debt in an amount not exceeding \$5,000 per account when, in the judgment of the Director of Finance, after using all appropriate collection tools, it is likely that the full debt is uncollectible and that it would not be cost efficient to pursue collection of the entire debt.
 - 4.17 Approve exemptions and addendums to a previously-approved Environmental Impact Report or Negative Declaration consistent with CEQA Section 15164 where only minor technical changes or additions are necessary.
 - 4.18 Approve administrative modifications to the Regional Transportation Improvement Program (RTIP) which have been prepared consistent with Federal Transportation Improvement Program Amendment and Modification Procedures agreed to between Caltrans and the Federal Highway Administration and Federal Transit Administration.
5. With the exception of any position identified by the Board of Directors in a Board policy, the CEO~~The Executive Director~~ shall act as the appointing authority for SANDAG with the authority to appoint, promote, transfer, discipline, and terminate all employees of SANDAG consistent with the provisions of SANDAG's Employee Handbook, which shall be provided to the Board on an annual basis. The CEO shall have the authority to offer severance to an employee in accordance with the employee's contract and/or at the discretion of the CEO. In the event this discretion is exercised, the CEO shall obtain written concurrence from the Office of General Counsel and shall report any action taken in summary form at the next regular meeting of the Board.
 6. The CEO shall prepare for the Board's consideration, and shall update on a regular basis, an administrative policy that includes a process to conduct staff performance evaluations on a regular basis to determine if the knowledge, skills, and abilities of staff members are sufficient to perform their respective functions in order to allow the Board monitor the staff evaluation process on a regular basis.
 7. Pursuant to Article V, Section 4, paragraph c of the Bylaws, the CEO shall develop and maintain an administrative policy governing the procedures for delegating his/her authority to other SANDAG staff.
 8. In addition to other responsibilities as directed by the Board of Directors, the CEO shall have the following responsibilities:
 - 8.1 Ensure that executive staff take an active role in overseeing the implementation of all accepted audit recommendations and hold staff accountable to timely address all related corrective actions.
 - 8.2 Require that staff managing projects with budgets in excess of \$100,000 have the requisite project management skills, training, and certifications to effectively conduct the analyses of internal resources

- and contractor capacity needed to successfully complete assigned projects, including technical expertise, documented risk assessments, and demonstrated alignment with the agency's budget and goals.
- 8.3 Establish and maintain clearly defined senior management roles, responsibilities, and expectations, and when an individual is given a special project assignment, such as management oversight for a system implementation, the role for the assignment also must have clearly defined responsibilities and expectations. The CEO shall hold staff accountable to their roles, responsibilities, and expectations in their performance evaluations.
- 8.4 Direct staff to have all contract transactions identified in Board Policy No. 008 reviewed by the Office of General Counsel prior to those contracts' final approval by SANDAG.
- 8.5 Ensure proper controls are in place to prevent staff from splitting procurements, awarding sole source contracts, or issuing contracts with a retroactive effect in a manner that is meant to circumvent requirements applicable to such transactions per Board Policy No. 016.
- 6.1 _____

Adopted October 2003
Amended November 2004
Amended December 2006
Amended December 2008
Amended February 2012
Amended November 2012
Amended October 2013
Amended November 2014
Amended January 2019
Amended June 2021
Amended April 2025



Discussion of Proposed Board Policy Changes to Address Previous OIPA and TransNet Findings and Related Recommendations

Board of Directors | Item 8
Julie Wiley, Senior Counsel
Friday, April 25, 2025

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Board Policy No. 11 - Travel

- OIPA Recommendations:
 - Travel request and travel reimbursement request should be two separate forms
 - Staff approving travel forms should have sufficient training
 - Approvals should be made with a digital signature unless an exception applies and documentation for an exception is provided

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Board Policy No. 016 - Procurement

- Section 1: Services (BP 16)
- Section 2: Equipment and Supplies (BP 23)
- Section 3: Construction (BP 24)
- Section 4: Other than Full and Open Competition (mix of old policies and new language)
- Section 5: General Rules (mix of old policies and new language)
- Section 6: Conflicts of Interest (BP 16)
- Section 7: Protests (BP 16)
- Section 8: Claims Against SANDAG (BP 16 and BP 24)
- Section 9: Debarment Procedures (BP 16 and BP 24)
- Section 10: Contractor Assurances (BP 16 and BP 24)
- Section 11: Amendments and Change Orders (mix of old policies and new language)
- Section 12: Contract Administration (new)

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Board Policy No. 016 – OIPA Recommendations

Increased Reporting to Board of Directors
4 Recommendations

Contractor Performance Monitoring
4 Recommendations

Enhanced Internal Controls
(overlap with other changes)
3 Recommendations

Reduction of Sole Sources
5 Recommendations

Training for Procurement and Contract Administration Duties
11 General Recommendations
6 Invoice Review Recommendations

Requirements Related to Open Competition
7 Recommendations

Improved Procurement Planning
5 Recommendations

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Board Policy No. 017 – Delegation of Authority

- Carve out for General Counsel role consistent with Grand Jury recommendation and outside counsel advice on approach of using Board Policies to govern Board's retention of appointing authority
- OIPA Recommendations
 - Additional risk-based internal controls should be implemented for procurement and contracting
 - Senior management roles and responsibilities should be clearly defined, including for large special projects
 - There should be accountability for implementation of accepted audit recommendations
 - Employees should have sufficient training and skills for their roles

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