



**Metropolitan
Transit
System**

Board of Directors Agenda

September 12, 2024 at 9:00 a.m.

In-Person Participation: James R. Mills Building, 1255 Imperial Avenue, 10th Floor Board Room, San Diego CA 92101

Teleconference Participation: (669) 254-5252; Webinar ID: 160 280 5839, <https://www.zoomgov.com/j/1602805839>

NO.	ITEM SUBJECT AND DESCRIPTION	ACTION
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1.	Roll Call	
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2.	Public Comments	
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This item is limited to five speakers with two minutes per speaker. Others will be heard after Board Discussion items. If you have a report to present, please give your copies to the Clerk of the Board.

CONSENT ITEMS

3.	Approval of Minutes	Approve
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Action would approve the July 18, 2024 Board of Directors meeting minutes.

4.	Chief Executive Officer (CEO) Report	Informational
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5.	Fiscal Year (FY) 2025 Transportation Development Act (TDA) Claim	Approve
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Action would adopt Resolution Nos. 24-09, 24-10, and 24-11 approving FY 2025 TDA Article 4.0, 4.5, and 8.0 claims allocating \$135,306,066 in TDA revenues for MTS.

6.	East County Division (ECD) Zero Emission Bus (ZEB) Overhead Charging System Layout and Design – Work Order Agreement	Approve
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Action would authorize the Chief Executive Officer (CEO) to execute Work Order WOA353-AE-26 under MTS Doc No. PWL353.0-22, with Dokken Engineering (Dokken), in the amount of \$396,837.52 to provide engineering planning services for the ECD ZEB master planning.

7.	Blue Line Right of Way Retaining Wall – Construction Change Order	Approve
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Action would authorize the Chief Executive Officer (CEO) to execute Construction Change Order (CCO) 3 to Work Order No. MTSJOC348-01 under Job Order Contract (JOC) MTS Doc. No. PWG348.0-22), with Veterans Engineering Inc. (Veterans), in the amount of \$308,522.52 for unforeseen



conditions discovered during the installation of the new sheet pile retaining wall near Switch 85 along the Blue Line Right of way.

- 8. Clean Natural Gas (CNG) Fueling Station Equipment Replacement – Contract Amendment** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Amendment No. 4 to MTS Doc. No. B0729.4-21, with Trillium, for Imperial Avenue Division (IAD) CNG dryer replacement at \$480,154.14; and South Bay Maintenance Facility (SBMF) CNG dryer B Replacement at \$492,113.02, for a total of \$972,267.16.
- 9. Orange Line Variable Message Sign (VMS) Replacements – Contract Award** Approve

Action would authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL393.0-24, with Balfour Beatty Infrastructure, Inc. (Balfour Beatty), for Orange Line VMS replacements in the amount of \$237,200.00.
- 10. Kearny Mesa Division (KMD) Administration Building Stucco Replacement – Work Order Agreement** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC324-34 under MTS Doc. PWG324.0-21, with ABC General Contractor, Inc. (ABCGC), in the amount of \$275,796.40 for the replacement and repair of the existing exterior stucco for the KMD Administrative Building.
- 11. Imperial Avenue Division (IAD) Zero Emission Bus (ZEB) Overhead Charging Phase I – Work Order Amendment** Approve

Action would 1) Ratify \$50,226.85 that was added to Work Order Amendment WOA353-AE-01.02 under MTS Doc No. PWL353.0-22 with Dokken Engineering, Inc. (Dokken) following Board approval of Amendment No. 1 on January 26, 2023 (Agenda Item (AI) 14). The funds were added for professional services for Envision Verification; and 2) Authorize the Chief Executive Officer (CEO) to execute Work Order Amendment No. WOA353-AE-01.04 under MTS Doc. No. PWL353.0-22, with Dokken, to provide additional engineering and design support during construction services for Phase 1 of the IAD electric bus charging infrastructure project in the amount of \$503,269.57.
- 12. Social Equity Listening Tour (SELT) Orange Line Lighting Upgrades – Work Order Agreement** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC324-42 under Job Order Contract (JOC) to MTS Doc. No. PWG324.0-21, with ABC General Contractor, Inc. (ABCGC), in the amount of \$801,575.13 for upgrades to lighting at various Orange Line Trolley Station platform and parking lot locations.

- 13. Proposed Revisions to MTS Board Policy No. 48 “Transit Service Discrimination Complaints Procedures”** Approve

Action would approve the proposed revisions to MTS Board Policy No. 48 “Transit Service Discrimination Complaint Procedures”.
- 14. Kearny Mesa Division (KMD) HVAC Replacement – Work Order Agreement** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC324-57 under MTS Doc. No. PWG324.0-21, with ABC General Contractor, Inc. (ABCGC), in the amount of \$684,882.39 for replacing all existing Heating, Ventilation, and Air Conditioning (HVAC) at the KMD bus maintenance and administration buildings.
- 15. Investment Report – Quarter Ending June 30, 2024** Informational
- 16. Central Control Heating, Ventilation and Air Conditioning (HVAC) Replacement – Award Work Order Under a Job Order Contract (JOC)** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order MTSJOC324-39 under JOC to MTS Doc. No. PWG324.0-21, with ABC General Contractor, Inc. (ABCGC), in the amount of \$799,965.83 for the HVAC replacement in Building A at MTS Facilities.
- 17. Elevator Maintenance and As-Needed Repairs Contract No. PWG281.5-19 – Contract Amendment** Approve

Action would 1) Ratify Amendment No. 4 to MTS Doc No. PWG281.4-19, with KONE Inc. (KONE) Elevator Maintenance contract, for the addition of two elevators at the University Towne Center (UTC) station, a price reduction related to the Nobel Drive Station elevators, the addition of a subcontractor, and the addition of wireless emergency call monitoring services to the Fashion Valley Station in the amount of \$56,157.69; and 2) Authorize the Chief Executive Officer (CEO) to execute Amendment No. 5 to MTS Doc. No. PWG281.5-19, with KONE, to add as-needed repair funds in the amount of \$305,373.40.
- 18. Lemon Grove Depot Rehabilitation – Award Work Order Under a Job Order Contract (JOC)** Approve

Action would authorize the Chief Executive Officer (CEO) to execute Work Order No. MTSJOC324-52 under Job Order Contract (JOC) to MTS Doc. No. PWG324.0-21, with ABC General Contractor, Inc. (ABCGC), in the amount of \$424,994.06 for the Lemon Grove Depot Rehabilitation.
- 19. E Street Chula Vista Murals – Contract Award** Approve

Action would: 1) Authorize the Chief Executive Officer (CEO) to execute MTS Doc. No. PWL386.0-24, with Michelle Guerrero, DBA Mr. B Baby, a Small Business (SB), for artistic services, inclusive of conceptualization, design and installation and an as-needed five-year maintenance plan for Mural 1 located on the retaining wall North of the E. Street Transit Center in Chula Vista in the

amount of \$207,575.25; and 2) Authorize the CEO to execute MTS Doc. No. PWL416.0-24, with Farallon Design Inc., DBA Rainforest Art Project, for artistic services inclusive of conceptualization, design and installation and an as-needed five-year maintenance plan for Mural 2 located on the retaining wall of the Eastbound, Bayfront, E Street Transit Center platform in Chula Vista in the amount of \$407,910.00.

- 20. Federal Transit Administration Section 5310 Grant Application** Approve
- Action would 1) Adopt Resolution No. 24-12 agreeing to comply with all terms and conditions of the Federal Transit Administration (FTA) Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities program as set forth by the FTA and the San Diego Association of Governments (SANDAG); 2) Authorize the Chief Executive Officer (CEO) to submit the following applications and execute any grant agreements awarded by SANDAG: a) \$600,000 in Federal Fiscal Year (FFY) 2023 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for paratransit vehicle replacement; and b) \$600,000 in FFY 2024 FTA Section 5310 Enhanced Mobility for Seniors and Individuals with Disabilities funding for paratransit vehicle replacement; and 3) Authorize the commitment of up to \$300,000 in local matching funds to fully fund the purchase of seven (7) paratransit vehicles.
- 21. Fiscal Year (FY) 2023-2024 and FY 2024-2025 California Senate Bill (SB) 1 State of Good Repair (SGR) Funding** Approve
- Action would approve Resolution No. 24-13 in order to: 1) Authorize the use of, and application for \$5,815,604 in FY 2024-25 SGR funding to be used for the FY26 Bus Procurement Project; and 2) Approve the acceptance of additional \$183,001 in FY 2023-24 SB1-SGR funding to bring the total FY 2023-24 allocation to \$5,455,018.
- 22. Adoption of 2024 Conflict of Interest Code – Amendment** Approve
- Action would 1) Adopt Resolution No. 24-14 amending the MTS Conflict of Interest Code pursuant to the Political Reform Act of 1974; 2) Adopt the amended 2024 MTS Conflict of Interest Code; and 3) Forward the amended 2024 MTS Conflict of Interest Code to the County of San Diego (the designated code-reviewing body).
- 23. Equity Statement and Policy Development – Contract Award** Approve
- Action would authorize the Chief Executive officer (CEO) to: 1) Execute MTS Doc. G2900.0-24, with Keen Independent Research LLC (Keen), for Equity Statement and Policy Development for a two (2) year base period with three (3) 1-year options, for a total of five (5) years, at a cost of \$829,274.50; and 2) Exercise the option years at the CEO’s discretion.

DISCUSSION ITEMS

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| 24. Senate Bill (SB) 125 Funding Update (Mike Thompson)
Action would approve the revised SB 125 Allocation Package. | Approve |
| 25. Fiscal Year (FY) 2025 Capital Improvement Program (CIP) Update (Mike Thompson) | Informational |
| 26. Transit Operations Insourcing Feasibility Study Project Update (Mike Wygant, Mike Daney, and Russ Chisolm with Transportation Management and Design) | Informational |
| 27. Non-Fare Operating Revenue Report (Mark Olson) | Informational |
| 28. Transit Amenities Study (Beverly Neff) | Informational |

OTHER ITEMS

- 29. Chair, Board Member and Chief Executive Officer’s (CEO’s) Communications**
- 30. Remainder of Public Comments Not on The Agenda**
This item is a continuation of item No. 2 (Public Comment), in the event all speakers who request to comment on item No. 2 are not called. If all Public Comment is accepted during item No. 2, no additional public comment will be accepted under this item.

CLOSED SESSION

- 31. Public Comment for Closed Session**
- 32. Closed Session – Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1)**
Possible Action
Lourdes Maria Guerra, et al. vs. Metropolitan Transit System, et al.
San Diego Superior Court Case No. 37-2022-00023104-CU-PA-CTL

ADJOURNMENT

- 33. Next Meeting Date**
The next Board of Director’s meeting is scheduled for October 17, 2024 at 9:00am.
- 34. Adjournment**