



**VICTOR VALLEY TRANSIT AUTHORITY  
REGULAR MEETING OF  
THE BOARD OF DIRECTORS  
July 19, 2021 9:30 A.M.**

**Victor Valley Transit Authority  
17150 Smoke Tree Street  
Hesperia, CA 92345**

**Victor Valley Transit Authority Board of Directors**

Curt Emick, Chair, Town of Apple Valley  
Joy Jeannette, Vice-Chair, City of Adelanto  
Larry Bird, Director, City of Hesperia  
Paul Cook, Director, County of San Bernardino  
Dawn Rowe, Director, County of San Bernardino  
Liz Becerra, Director, City of Victorville  
James Noble, Director, City of Barstow

**MISSION STATEMENT**

Our mission is to serve the community with excellent public transportation services in terms of quality, efficiency, and responsiveness.

**AGENDA**

The Board of Directors meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is 760-948-3262 x112, (voice) or for Telephone Device for the Deaf (TDD) service, begin by calling 711 and provide the VVTa phone number and the office is located at 17150 Smoke Tree Street, Hesperia, CA. This agenda available and posted: Thursday, July 8, 2021.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

PUBLIC COMMENTS

This is the time the Board will hear public comments regarding items not on the agenda or the consent calendar. Individuals who wish to speak to the Board regarding agenda items or during public comments should fill out a comment card and submit it to the Clerk of the Board. Each speaker is allowed three (3) minutes to present their comments. The Board will not remark on public comments; however, each comment will be taken into consideration by VVTA.

#### CONSENT CALENDAR

Consent Calendar items shall be adopted by a single vote unless removed for discussion by Board member request.

Pg. 9      ***Item #1: Minutes from Public Hearing and Regular Meeting of The Board of Directors Conducted June 19, 2021.***

Recommendation: Move for approval.

Presented by: None.

Pg. 19      ***Item #2: Warrants, May 2021.***

Recommendation: Move for approval.

Presented by: None.

#### REPORTS

Pg. 25      ***Item #3: Meeting Notes from The Technical Advisory Committee Meeting Conducted on July 7, 2021.***

Recommendation: Information item only.

Presented by: None.

Pg. 31      ***Item #4: Management Reports for Hesperia and Barstow Divisions – Verbal Report from Executive Director.***

Recommendation: Information item only.

Presented by: Kevin Kane, Executive Director.

#### ACTION ITEMS

Pg. 41      ***Item #5: Adjust Board Member Stipend to \$200.00 Per Meeting.***

Recommendation: Consider Adjusting the Board Stipend to \$200.00 effective July 1, 2021.

Presented by: Kevin Kane, Executive Director.

Pg. 45      ***Item #6: Equitable Economic Recovery and Workforce Development Through Construction Hiring Pilot Program – Geographic Preference Update.***

Recommendation: Receive and File.

Presented by: Kevin Kane, Executive Director.

Pg. 49      ***Item #7: Amend VVTA Procurement Policies.***  
Recommendation: Approve amendments to VVTA Procurement Policies:  
1020, 1040, 1070, 2000, 2010, 4000, 6000, and 7000.  
Presented by: Maged Azer, Director of Finance.

Pg. 81      ***Item #8: Release of Request for Qualifications (RFQ) 2021-17  
Hesperia Transfer Hub.***  
Recommendation: Authorize VVTA to release RFQ 2021-17 Hesperia  
Transfer Hub.  
Presented by: Christine Plasting, Procurement Manager.

BOARD OF DIRECTORS COMMENTS
-----------------------------

DATE OF NEXT MEETING
----------------------

Monday, August 16, 2021, at 9:30 AM  
Barstow City Council Chambers  
220 East Mountain View Street  
Barstow, CA 92311

ADJOURNMENT
-------------

## **Victor Valley Transit Acronym List**

**Page 1 of 2**

ADA	Americans with Disabilities Act
APTA	American Public Transit Association
AQMP	Air Quality Management Plan
BAFO	Best and Final Offer
BEB	Battery Electric Bus
BOE	Board of Equalization
CALCOG	California Association of Councils of Governments
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CHP	California Highway Patrol
CIP	Capital Improvement Program
CMAQ	Congestion Mitigation and Air Quality
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CSAC	California State Association of Counties
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
CTSA	Consolidated Transportation Services Agency
CTSGP-CTAF	California Transit Security Grant Program-California Transit Assistance Fund
DAC	Disadvantaged Communities
DBE	Disadvantaged Business Enterprise
DBELO	Disadvantaged Business Enterprise Liaison Officer
DOD	Department of Defense
DOT	Department of Transportation
E&H	Elderly and Handicapped
EEM	Environmental Enhancement and Mitigation
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EPA	United States Environmental Protection Agency
ETC	Employee Transportation Coordinator
FAST	Fixing America's Surface Transportation ACT
FCEB	Fuel Cell Electric Bus
FEIS	Final Environmental Impact Statements
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GIMS	Geographic Information Mapping Systems
GIS	Geographic Information Systems
GPS	Global Positioning System
HOV	High-Occupancy Vehicle
HVIP	Hybrid and Zero-Emission Truck and Bus Voucher Incentive Program.
IAS-FFA	Independent Auditors Statement for Federal Funding Allocation
ITS	Intelligent Transportation Systems
JPA	Joint Powers Authority
LACMTA	Los Angeles County Metropolitan Transportation Authority
LAP	Language Assistance Plan
LCFS	Low Carbon Fuel Standard
LCTOP	Low Carbon Transit Operations Program
LD	Liquidated Damages
LEED	Leadership in Energy and Environmental Design

## Victor Valley Transit Acronym List

Page 2 of 2

LEP	Limited English Proficiency
LTF	Local Transportation Fund
MAP-21	Moving Ahead for Progress in the 21 <sup>st</sup> Century
MBTA	Morongo Basin Transit Authority
MDAQMD	Mojave Desert Air Quality Management District
MDT	Mobile Display Terminal
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MTP	Metropolitan Transportation Planning
MTBP	Mass Transit Benefit Program
NEPA	National Environmental Policy Act of 1969
NTD	National Transit Database
OCTA	Orange County Transportation Authority
OWP	Overall Work Program
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PCA	Personal Care Attendant
PTMISEA	Public Transportation Modernization Improvement and Service Enhancement Account.
POP	Program of Projects
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RTAC	Regional Transportation Agencies' Coalition
RTAP	Rural Technical Assistance Program
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SBCTA	San Bernardino County Transportation Authority (formerly SANBAG)
SCAG	Southern California Association of Governments
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TAM	Transit Asset Management
TCM	Transportation Control Measure
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEAM	Transportation Electronic Award and Management
TNC	Transportation Network Company
TOCP	Transit Operating and Capital Plan
TrAMS	Transit Award and Management System
TREP	Transportation Reimbursement Escort Program
TRIP	Transportation Reimbursement Incentive Program
TSSSDRA	Transit System Safety, Security and Disaster Response Account
TSM	Transportation Systems Management
ULEV	Ultra Low Emission Vehicle
UZAs	Urbanized Areas
VOMS	Vehicles Operated in Maximum Service
ZEB	Zero Emission Bus
ZEV	Zero Emission Vehicle

## Victor Valley Transit Authority Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Victor Valley Transit Authority (VVTa) Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the (VVTa) Board of Directors.

1. **Agendas** - All agendas are posted at the VVTa Administrative offices, and the Victorville, Hesperia, Barstow and Apple Valley city/town halls at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed at the VVTa Administrative offices located at 17150 Smoke Tree Street. Hesperia, CA 92345.
2. **Agenda Actions** - Items listed on both the "Consent Calendar" and "Action/Discussion Items" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.
3. **Closed Session Agenda Items** - Consideration of closed session items exclude members of the public. These items include issues related to personnel, ending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.
4. **Public Testimony on an Item** - Members of the public are afforded an opportunity to comment on any listed item. Individuals wishing to address the Board of Directors should complete a "Request to Speak" form. A form must be completed for each item an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations. If there is a Consent Calendar, it is considered a single item; thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.
5. **Public Comment** - At the beginning of the agenda an opportunity is also provided for members of the public to speak on any subject within VVTa's authority. Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in Rule #4 still apply.
6. **Disruptive Conduct** - If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of persons willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner.

Please be aware that a NO SMOKING policy has been established for VVTa meetings. Your cooperation is appreciated!

# **VICTOR VALLEY TRANSIT AUTHORITY**

## **MISSION STATEMENT**

**Our mission is to serve the  
community with excellent  
public transportation  
services in terms of quality,  
efficiency, and  
responsiveness.**

### **Quality**

**To increase ridership and community support by exceeding expectations.**

### **Efficiency**

**To maintain an efficient operation that represents a highly-valued service.**

### **Responsiveness**

**To provide services and facilities which are responsive to the needs of the community.**

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA ITEM  
ONE**

THIS PAGE INTENTIONALLY LEFT BLANK

**VICTOR VALLEY TRANSIT AUTHORITY**

**AGENDA MATTER**

**Minutes from the Public Hearing and Regular Meeting of the Board of Directors  
Conducted on June 21, 2021.**

**SUMMARY STATEMENT**

Following are copies of the minutes from the public hearing and regular meeting of the Board of Directors conducted on June 21, 2021.

**RECOMMENDED ACTION**

Move for approval.

**PRESENTED BY**  
Debi Lorrach,  
Clerk of the Board

**FISCAL IMPACT**  
  
N/A

**MEETING DATE**  
  
July 19, 2021

**ITEM NUMBER**  
  
1

**VICTOR VALLEY TRANSIT  
PUBLIC HEARING AND REGULAR MEETING OF THE  
BOARD OF DIRECTORS**

**June 21, 2021  
MINUTES**

**CALL TO ORDER**

The Public Hearing and Regular Meeting of the Board of Directors of the Victor Valley Transit Authority was called to order at 9:30 a.m. by Chair Curt Emick.

**ROLL CALL**

Board Members Present: Chair Curt Emick  
Vice-Chair Joy Jeannette  
Director Larry Bird  
Director Liz Becerra  
Director James Noble  
Alternate-Director Kim Mesen  
Alternate-Director Elaine Villareal

Staff Members Present:

Kevin Kane, VVTA	Debi Lorrach, VVTA
John Tubbs, County Counsel	Barbara Miller, VVTA
Ro Ratliff, City of Victorville	Doug Matthews, City of Victorville
Maged Azer, VVTA	Marie Downing, VVTA
Chase Williams, VVTA	Nancie Goff, VVTA
Nancy Strickert, SBCTA	Jonathan McDowell, Keolis
Christine Plasting, VVTA	Ron Zirges, VVTA (via phone)
Craig Barnes, VVTA	Bryan Torres Ayala, VVTA
Julie Ryan, Town of Apple Valley	Sandye Martinez, VVTA
Tamari Denney, VVTA	Shelly Cable, VVTA
Sylvia Harris, VVTA	Christine Ortega, Keolis
Chris Ackerman, VVTA	Dustin Strandberg, VVTA
Ashley Palmer, VVTA	

**PLEDGE OF ALLEGIANCE**

Alternate-Director Villareal led the audience in the pledge of allegiance.

**ANNOUNCEMENTS**

Mr. Kane announced that Supervisor Dawn Rowe will be taking a tour of the new Barstow facility on June 30<sup>th</sup>. He also mentioned that in Item #8, the item itself is correct with the DBE goal at 2%; the agenda is incorrect at 4%.

## PUBLIC COMMENTS

Speaker: EJ Larkins, Victorville, CA

Mr. Larkins stated that several sidewalk and bus stop locations need to be repaired to assist with making stops more accessible. He added that he would like to see misting stations at bus stop to help alleviate the heat.

Speaker: Florence Macy, Victorville, CA

Ms. Macy feels that there is a problem with the scheduling of the routes and would like to know if any staff actually ride the bus or not.

## CONSENT CALENDAR

1. **Minutes from the Public Hearing and Regular Meeting of The Board of Directors Conducted on May 17, 2021.**

Recommendation: Move for approval.

Presented by: None.

2. **Warrants, April, 2021.**

Recommendation: Move for approval.

Presented by: None.

**A MOTION WAS MADE BY** Vice-Chair Jeannette to approve the Consent Calendar, Seconded by Director Bird. The motion passed unanimously.

## REPORTS

3. **Meeting Notes from the Technical Advisory Committee Meeting Conducted on June 2, 2021.**

Recommendation: Information item only.

Presented by: None.

4. **Management Reports for Hesperia and Barstow Divisions – Verbal Report from Executive Director.**

Recommendation: Information item only.

Mr. Kane shared that the contractor billings through April 2021 is under budget by approximately \$1.6 million. VVTA's farebox ratio is pitiful, Mr. Kane shared, however, staff is doing their best to obtain higher ridership.

## ACTION/DISCUSSION ITEMS

5. **Public Hearing and Presentation of the Fiscal Year 2021-22 Annual Operating and Capital Budget.**

Recommendation: 1) Receive input and public testimony. 2) Adopt Resolution 21-02 and based on testimony, approve, or amend the FY 2021-22 Annual Operating and Capital Budget.

Presented by: Maged Azer, Director of Finance.

Chair Emick Opened the Public Hearing:9:38 am

No Testimony

Chair Emick Closed the Public Hearing 9:45 am

Mr. Azer shared that the final budget is the same as the draft budget presented at the May 17, 2021 meeting with two minor exceptions; the Board approved COLA was added and \$76,000 was removed from the capital plan for the car-share program. Mr. Azer explained that Enterprise is no longer in the car-share market and Green Commuter is currently the only option and their fees are far too high for VVTA. Therefore, staff continues to look for other options.

There was a concern mentioned at the TAC meeting as to what funding was available to VVTA after the CARES Act is exhausted. Mr. Azer explained that VVTA is able to use up to 75% of the 5307 funds allocated annually as operating assistance for up to five (5) years. Additionally, each year that VVTA does not use those funds, it rolls over to the next year.

Director Becerra mentioned that she had several questions, however, Mr. Azer answered them before she could ask.

**A MOTION WAS MADE BY** Vice-Chair Jeannette to approve the recommended action, Seconded by Director Noble. The motion passed unanimously.

6. **Public Hearing on Relocation of the Lorene Drive / Seventh Street (Costco) Transfer Hub to the Victor Valley Transportation Center.**

Recommendation: Receive any input and public testimony.

Presented by: Kevin Kane, Executive Director.

Chair Emick Opened the Public Hearing:9:38 am

Speaker: EJ Larkins, Victorville, CA

Mr. Larkins expressed his concern for the safety of the disabled and elderly at the new Victor Valley Transit Center on D Street.

Speaker: Terri Martini, Adelanto, CA

Ms. Martini thanked VVTA for all their great work over the past twenty (20) years.

She stated that she feels the location of the Victor Valley Transportation Center (VVTC) is dangerous for passengers and disabled persons. Ms. Martini cited a sexual assault and homicide that occurred in the area several years ago. Another concern for Ms. Martini is the lack of shopping and restaurants near the VVTC. She ended her comments with a compliment for all the drivers during the COVID-19 pandemic, stating that they have all been kind, caring and wonderful.

Speaker: Dominic Sarabia, Victorville, CA  
Mr. Sarabia presented a list of multiple routes that he feels need changes and/or adjusting.

Chair Emick Closed the Public Hearing 10:00 am

Mr. Kane shared that when the VVTC was first built, it was anticipated that VVTA would move there; at the time, the Costco location was a better choice. Over the years, there have been several problems at the Costco transfer point, including a lack of restrooms, greater distance to travel between bus transfers and a larger area for limited security to cover. VVTC has restrooms, an air-conditioned waiting area and a room for a police presence to be available as well as security guards.

Director Noble said that he had heard there may be a concern about overhead covering during hot days. Mr. Kane said that there are currently slatted overheads, and VVTA will make sure that the coverings are adequate. Director Noble also asked if this area was ADA compliant. Mr. Kane responded that VVTC will be 100% ADA compliant before VVTA moves the transfer point.

Director Becerra asked if Costco would remain a stop; Mr. Kane said yes it will be.

Several directors made comments regarding police presence and security as well as a potential problem with homeless and loitering. Mr. Kane assured the Board that all these concerns will be addressed by VVTA.

**A MOTION WAS MADE BY** Vice-Chair Jeannette to approve the recommended action, Seconded by Alternate-Director Villareal. The motion passed unanimously.

7. **Approve Merit Increase for the VVTA Executive Director Effective July 1, 2021.**  
Recommendation: Adjust the Executive Director's contracted rate to reflect the Board approved amount of a merit increase of Eight (8) percent as of July 1, 2021.  
Presented by: John Tubbs, III, County Counsel.

Mr. Tubbs stated that this item is to approved a merit increase for the Executive Director in the amount of 8% to the base salary.

**A MOTION WAS MADE BY** Director Bird to approve the recommended action, Seconded by Director Noble. The motion passed unanimously.

8. **Overall Triennial Disadvantaged Business Enterprise (DBE) Goal for Federal Fiscal years 2022-2024.**  
Recommendation: Approve a Triennial DBE Goal of **2.00%** for Federal Fiscal Years 2022-2024 to be submitted to the FTA.  
Presented by: Christine Plasting, Procurement Manager.

This Triennial Disadvantaged Business Enterprise (DBE) goal is required by FTA, which allows a level bidding field for DBE businesses; VVTA has set their goal at 2% for fiscal years 2022-2024, Ms. Plasting explained.

**A MOTION WAS MADE BY** Alternate Director Villareal to approve the recommended action. Seconded by Alternate-Director Mesen. The motion passed unanimously.

9. **Present VVTA's FY 2022-2024 Title VI Program.**  
Recommendation: Approve VVTA's FFY 2022-2024 Title VI Program.  
Presented by: Christine Plasting, Procurement Manager.

Ms. Plasting shared that this Title VI update is required by the FTA every three (3) years and must be approved by the Board before submission to FTA. Additionally, Ms. Plasting thanked Ms. Martinez who did all the mapping, census data collection as well as compilation of complaints and compliments for the Title VI document.

**A MOTION WAS MADE BY** Director Becerra to approve the recommended action, Seconded by Director Noble. The motion passed unanimously.

10. **Fiscal Year 2020-2021 Unmet Needs Findings.**  
Recommendation: Review and approve the testimony and findings from October 2020 Unmet Public Needs Public Hearings.  
Presented by: Nancy Strickert, SBCTA.

Ms. Strickert explained that these are the requests received by the public at the Unmet Needs hearing on October 19, 2020. Ms. Strickert provided examples of comments received at the hearing and went on to explain that SBCTA reviews these requests and comments to prioritize funding. Ms. Strickert said that there are no findings for this year. Mr. Kane said that VVTA works closely with SBCTA often addressing passenger concerns long before the unmet needs hearing takes place.

**A MOTION WAS MADE BY** Vice-Chair Jeannette to approve the recommended action, Seconded by Director Noble. The motion passed unanimously.

PRESS CLIPS/CORRESPONDENCE



BOARD OF DIRECTORS COMMENTS

Chair Emick stated that due to current construction, there is an issue with visibility at the bus stop located at Apple Valley Road and Highway 18, near the Valero gas station. Several Directors stated that everything was well put together and presented in a manner that answered any questions before they were asked.

DATE OF NEXT MEETING

The next scheduled Board meeting will be on Monday, July 19, 2021 at Victor Valley Transit Authority, 17150 Smoke Tree Street, Hesperia, CA 92345.

ADJOURNMENT

The meeting was adjourned at 10:19 am.

APPROVED: \_\_\_\_\_  
Curt Emick, Chair

ATTEST: \_\_\_\_\_  
Debi Lorrach, Clerk of the Board

THIS PAGE INTENTIONALLY LEFT BLANK

**AGENDA ITEM  
TWO**

THIS PAGE INTENTIONALLY LEFT BLANK

# VICTOR VALLEY TRANSIT AUTHORITY

## AGENDA MATTER

### Payrolls and Warrants for May 2021.

## SUMMARY STATEMENT

The following registers of Payrolls and Warrants have been audited as required By Section 37202 and 37208 of the Government code, and said documents are accurate and correct.

### Agency's Gross Payroll for Administrative Employees

<u>Payroll Date</u>	<u>Amount</u>	<u>Register#</u>
5//0721	\$ 76,663,14	PR-291-05-21
5/23/2021	\$ 76,659.10	PR-292-05-21
<b>Total Payroll</b>	<b>\$ 153,322.24</b>	

### Agency's Register of Warrants

<u>Register Date</u>	<u>Amount</u>	<u>Check #</u>	<u>Register #</u>
05/06/21	\$ 54,339.71	12348-12364	AP03342AAA EWY
05/12/21	\$ 1,883,401.61	12365-12383	AP03347AAA EXD
05/20/21	\$ 172,021.31	12384-12398	AP03359AAA EXP
05/26/21	\$ 159,733.51	12399-12425	AP03375AAA EXF
	<b>\$ 2,269,496.14</b>		

## RECOMMENDED ACTION

Approve VVTA's expenditures for May 2021.

PRESENTED BY	FISCAL IMPACT	MEETING DATE	ITEM NUMBER
Maged Azer Finance Director	\$2,422,818.38	July 19, 2021	2

**Bank Register Report**  
**Victor Valley Transit Authority**

**May-21**

Check Number	Date	Payee Name	Type	Amount
EFT033760001	05/05/2021	Curt Emick	CHK	\$125.00
12348	05/06/2021	AECOM	CHK	\$22,972.34
12349	05/06/2021	Federal Express Corp.	CHK	\$53.08
12350	05/06/2021	City Of Hesperia Water District	CHK	\$3,309.70
12351	05/06/2021	HI-Desert Communications	CHK	\$1,308.00
12352	05/06/2021	The Marlin Company	CHK	\$332.79
12353	05/06/2021	Type-Set-Go	CHK	\$522.69
12354	05/06/2021	VERIZON WIRELESS	CHK	\$6,005.31
12355	05/06/2021	G&M Automotive Center	CHK	\$1,890.04
12356	05/06/2021	Labor Finders	CHK	\$6,405.16
12357	05/06/2021	Marlin Software, LLC	CHK	\$332.79
12358	05/06/2021	Allied Universal Security Services	CHK	\$2,473.24
12359	05/06/2021	VERIZON WIRELESS	CHK	\$1,824.48
12360	05/06/2021	Charter Communications	CHK	\$820.00
12361	05/06/2021	Frontier	CHK	\$116.17
12362	05/06/2021	SONIC SYSTEMS IT	CHK	\$4,387.42
12363	05/06/2021	Transtrack Systems, Inc.	CHK	\$1,362.50
12364	05/06/2021	Treasury Software	CHK	\$99.00
EFT033810001	05/10/2021	Keolis Transit Services, LLC	CHK	\$1,815,323.14
12365	05/12/2021	Abundant Living Family Church HD	CHK	\$3,213.00
12366	05/12/2021	ADAride.com	CHK	\$4,820.00
12367	05/12/2021	AECOM	CHK	\$5,814.87
12368	05/12/2021	Beck Oil	CHK	\$1,072.40
12369	05/12/2021	Charter Communications	CHK	\$1,075.00
12370	05/12/2021	Clean Energy	CHK	\$9,296.84
12371	05/12/2021	Southern California Edison-CNG	CHK	\$6,559.92
12372	05/12/2021	Southern California Edison	CHK	\$9,051.69
12373	05/12/2021	G&M Automotive Center	CHK	\$291.49
12374	05/12/2021	Konica Minolta Business Solutions	CHK	\$584.37
12375	05/12/2021	Labor Finders	CHK	\$6,045.66
12376	05/12/2021	Special District Risk Management	CHK	\$401.47
12377	05/12/2021	State Compensation Insurance Fund	CHK	\$1,050.08
12378	05/12/2021	Thompson & Colegate	CHK	\$446.43
12379	05/12/2021	US BANK	CHK	\$0.00
12380	05/12/2021	US BANK	CHK	\$0.00
12381	05/12/2021	US BANK	CHK	\$0.00
12382	05/12/2021	US BANK	CHK	\$13,193.31
12383	05/12/2021	West Coast Lights & Sirens, Inc.	CHK	\$5,161.94
EFT033880001	05/14/2021	Creative Bus Sales	CHK	\$48,642.19
EFT033890001	05/17/2021	Keolis Transit Services, LLC	CHK	\$73,909.42
12384	05/20/2021	Beck Oil	CHK	\$8,188.55
12385	05/20/2021	Spectrum Business-Sec	CHK	\$104.97
12386	05/20/2021	UTILITY BILLING	CHK	\$683.20
12387	05/20/2021	Clean Energy	CHK	\$4,767.61
12388	05/20/2021	Cryogenic Industries LLC	CHK	\$17,510.00
12389	05/20/2021	Foothill AIDS Project	CHK	\$1,638.00
12390	05/20/2021	Loomis	CHK	\$576.02
12391	05/20/2021	Nathan Dowd	CHK	\$370.00
12392	05/20/2021	Needles Chamber Of Commerce	CHK	\$100.00
12393	05/20/2021	Shred Your Docs	CHK	\$72.80
12394	05/20/2021	Southwest Gas Corporation	CHK	\$755.75
12395	05/20/2021	Southwest Gas Corporation	CHK	\$997.75
12396	05/20/2021	Southwest Gas Corporation	CHK	\$339.05
12397	05/20/2021	Greater High Desert Chamber Of Commen	CHK	\$430.00
12398	05/20/2021	Xebec Adsorption USA	CHK	\$12,936.00
12399	05/26/2021	AMERICAN NEWS	CHK	\$203.00
12400	05/26/2021	AVR Vanpool	CHK	\$2,500.00
12401	05/26/2021	Elizabeth Becerra	CHK	\$125.00
12402	05/26/2021	Lawrence Bird	CHK	\$125.00
12403	05/26/2021	Bonnie Baker Senior Center	CHK	\$649.88
12404	05/26/2021	Charter Communications	CHK	\$167.73

12405	05/26/2021	Daily Press	CHK	\$217.09
12406	05/26/2021	Southern California Edison	CHK	\$817.72
12407	05/26/2021	Enterprise Ride Share	CHK	\$80,650.00
12408	05/26/2021	Federal Express Corp.	CHK	\$24.70
12409	05/26/2021	FRONTIER-OFFICE LINES	CHK	\$59.68
12410	05/26/2021	FUEL SOLUTIONS	CHK	\$1,025.40
12411	05/26/2021	El Chicano - Inland Empire Community Ne	CHK	\$60.00
12412	05/26/2021	Joy Jeannette	CHK	\$125.00
12413	05/26/2021	Labor Finders	CHK	\$14,087.91
12414	05/26/2021	James Noble	CHK	\$125.00
12415	05/26/2021	Ohio Rack, Inc.	CHK	\$3,011.93
12416	05/26/2021	Pinnacle Petroleum, Inc.	CHK	\$26,285.85
12417	05/26/2021	San Bernardino County	CHK	\$5,577.50
12418	05/26/2021	Tolar Manufacturing Co., Inc	CHK	\$24.47
12419	05/26/2021	Trona Community Senior Center	CHK	\$342.20
12420	05/26/2021	Rebecca Valentine	CHK	\$108.80
12421	05/26/2021	Wirz And Co Printing Inc	CHK	\$360.96
12422	05/26/2021	Woodruff, Spradlin & Smart	CHK	\$8,362.50
12423	05/26/2021	Lincoln Financial Group	CHK	\$1,451.44
12424	05/26/2021	Principal Life Insurance Company	CHK	\$2,176.62
12425	05/26/2021	Southern California Edison	CHK	\$2,705.63
EFT034140001	05/27/2021	SIC USA LLC	CHK	\$8,237.50
EFT034130001	05/28/2021	Curt Emick	CHK	\$125.00
<b>Totals</b>				<b>\$2,269,496.14</b>

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA ITEM  
THREE**

THIS PAGE INTENTIONALLY LEFT BLANK

VICTOR VALLEY TRANSIT AUTHORITY

**AGENDA MATTER**

**Meeting Notes from The Technical Advisory Committee Meeting Conducted on July 7, 2021.**

**SUMMARY STATEMENT**

Meeting Notes from the Technical Advisory Committee meeting conducted on July 7, 2021.

**RECOMMENDED ACTION**

Information item only.

**PRESENTED BY**  
Debi Lorrach,  
Clerk of the Board

**FISCAL IMPACT**  
  
N/A

**MEETING DATE**  
  
July 19, 2021

**ITEM NUMBER**  
  
3

**VICTOR VALLEY TRANSIT AUTHORITY  
TECHNICAL ADVISORY COMMITTEE**

**July 7, 2021  
VIA ZOOM**

**MEETING NOTES**

The meeting of the Technical Advisory Committee (TAC) of Victor Valley Transit Authority was opened at 3:02 p.m. at Victor Valley Transit Authority, Conference room, 17150 Smoke Tree Street, Hesperia, CA.

**TAC Members**

<b>Present:</b>	Ro Ratliff, City of Victorville	Julie Ryan, Town of AV
	Kim Mesen, Co. of SB	
<b>Staff Present:</b>	Kevin Kane, VVTA	Nancie Goff, VVTA
	Barbara Miller, VVTA	Doug Matthews, City of Victorville
	Debi Lorrah, VVTA	Chase Williams, VVTA
	Marie Downing, VVTA	Chris Ackerman, VVTA
	Nancy Strickert, SBCTA	Ron Zirges, VVTA
	Maged Azer, VVTA	Christine Plasting, VVTA
	Craig Barnes, VVTA	

**1. Public Comment.**

None.

**2. Review Draft Board Agenda.**

- a. Equitable Economic Recovery and Workforce Development Through Construction Hiring Pilot Program – Geographic Preference Update.

Mr. Kane explained that in the past, the FTA has not allowed extra points when considering the award of construction projects to local businesses. This is a pilot program that will be in effect through May of 2025, allowing VVTA to offer a scoring boost to local businesses that submit bids for only construction projects.

Mr. Matthews asked how far out the unincorporated areas of San Bernardino are, stating that area goes as far as Baker. Ms. Kane said that the area is determined by VVTA, reaching across VVTA's fixed route service area that is represented by VVTA's Board.

- b. Amend Procurement Policies and Procedures.

Mr. Kane acknowledged the City of Victorville's request for the redlined Procurement Policy stating that it will be provided to them prior to the release of the Board packet.

There are three main points being addressed in this amendment, Mr. Azer shared. The first point is to increase the signing authority for the Executive Director from \$50,000 to \$100,000. Mr. Azer said that this increase makes sense with the rate of inflation as well as the cost of several items that VVTA purchases for day-to-day

operation. Secondly, the current fixed asset threshold is \$1,500, meaning that every item valued at \$1,500 or more is considered a fixed asset and must be categorized and tracked as such. This request is to increase the threshold from \$1,500 to \$2,000. Lastly, Mr. Azer explained, is a title change for the Purchasing and Inventory Specialist to be updated to Procurement Specialist.

Mr. Matthews stated that the \$100,000 signing authority may be a point of contention. He shared that the City of Victorville is \$50,000; Ms. Ryan shared that the Town of Apple Valley is also \$50,000. Ms. Strickert stated that SBCTA's limit is \$100,000. There was conversation about possibly calling out the types of purchases that could be covered by the \$100,000. It was mentioned that most vehicles cost more than \$50,000 and it is cumbersome to bring each purchase to the City Council. Ms. Ryan stated that the fixed asset threshold change is a good idea. Mr. Kane added that maybe VVTA can get the ball rolling for changes for all jurisdictions.

c. Release of Request for Qualifications (RFQ) 2021-17 Hesperia Transfer Hub.

This item speaks for itself, Mr. Kane explained, it is a request for qualifications from prospective bidders for the new Hesperia Transfer Hub. Mr. Matthews had a few questions regarding the hub, such as what the cost is expected to be, how large the building will be and would VVTA be able to provide the City of Victorville with a draft layout of the hub.

Ms. Goff stated that in the past several fiscal years, funds have been set aside for the transfer hub. Mr. Kane explained that the building itself will not be that large, room for a guard shack and restrooms; Mr. Zirges will send over a conceptual drawing.

3. Bus stop shelters/benches/lighting.

Mr. Herrera shared that the trash cans (12) have been delivered to the City of Victorville. VVTA's next project is to outfit the new Victor Valley Transit Center and work with the City of Victorville on relocating the Costco shelters to on street bus stops.

4. SBCTA Update.

Ms. Strickert encouraged everyone to work with Ms. Goff and Ms. Downing on submitting their Article 3 Bus Stop Improvement projects. Additionally, Ms. Strickert stated that she is in receipt of the TDA claim package.

5. Other Business.

Mr. Kane shared that consultant AECOM is working on the CEQA/NEPA applications for the hydrogen fueling station.

6. Adjournment. 3:24 pm

THIS PAGE INTENTIONALLY LEFT BLANK

**AGENDA ITEM  
FOUR**

THIS PAGE INTENTIONALLY LEFT BLANK



VICTOR VALLEY TRANSIT AUTHORITY

**AGENDA MATTER**

**Management reports.**

**SUMMARY STATEMENT**

The attached Performance Reports are presented to the Board of Directors to provide an overview of the transit system's costs and performance.

- Keolis invoice for May.
- Monthly Performance Statistics Systemwide Summary.
- Monthly Ridership Report.
- Monthly ADA Denial Report.
- Monthly Road Call Report.
- Keolis On Time Performance Report FY 2021.

**RECOMMENDED ACTION**

Information items only.

**PRESENTED BY**  
Kevin Kane,  
Executive Director

**FISCAL IMPACT**  
N/A

**MEETING DATE**  
July 19, 2021

**ITEM NUMBER**  
4



INVOICE NO. 0060110-IN

**Keolis Transit Services**17150 Smoke Tree St.  
Hesperia Calif. 92345BILL TO Victor Valley Transit Authority  
17150 Smoke Tree St.  
Hesperia, CA 92345

DATE 6/4/2021

CONTRACT NAME:  
Victor Valley TransitAttention: Mr. Kevin Kane  
Executive Director

MONTH May BILLING PERIOD 05/01/21 to 05/31/21

	Budgeted Revenue hours	Actual Revenue hours	Variance in Missed Service	Budgeted Expense	Actual Expense	Variance ( + or - )	Budgeted Expense Year-to-date	Actual Expense Year-to-date	Variance ( + or - ) Year-to-date
ADA ParaTransit	3,233.00	1,732.27		\$326,242.03	\$174,803.37	(\$151,438.66)	\$2,614,053.73	\$1,764,876.93	(\$849,176.80)
Subscription	1,172.00	912.30		\$118,266.52	\$92,060.19	(\$26,206.33)	\$1,012,196.67	\$263,156.98	(\$749,039.69)
Regional Fixed Rt	10,856.30	10,848.32	(7.98)	\$947,754.99	\$947,058.34	(\$696.65)	\$7,661,970.05	\$7,648,686.49	(\$13,283.56)
County	1,776.00	1,773.09	(2.91)	\$155,044.80	\$154,790.76	(\$254.04)	\$1,247,169.55	\$1,244,990.54	(\$2,179.01)
Vaccine Express	-	3.45		\$0.00	\$348.14	\$348.14	\$11,024.42	\$13,340.30	\$2,315.88
B.V. Link/Lifeline	586.95	585.08	(1.87)	\$51,240.74	\$51,077.48	(\$163.25)	\$418,874.13	\$416,611.32	(\$2,262.81)
Fort Irwin	452.00	449.00	(3.00)	\$41,873.28	\$41,595.36	(\$277.92)	\$353,829.22	\$351,678.12	(\$2,151.10)
Barstow-Fixed Route	1,832.30	1,832.30	-	\$159,959.79	\$159,959.79	\$0.00	\$1,291,078.82	\$1,290,080.99	(\$997.83)
Barstow-County	750.30	750.30	-	\$65,501.19	\$65,501.19	\$0.00	\$529,857.74	\$529,016.17	(\$841.57)
Barstow-DAR	454.00	214.74		\$45,813.14	\$21,669.41	(\$24,143.73)	\$366,505.12	\$143,510.89	(\$222,994.23)
SUBTOTALS	21,112.85	19,100.85	(15.76)	\$1,911,696.48	\$1,708,864.03	-\$202,832.45	\$15,506,559.45	\$13,665,948.73	-\$1,840,610.72

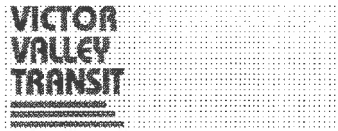
\* County routes include 21,22,23, and 25

TOTAL INVOICE INCLUDING VARIANCE

\$1,708,864.03

Please REMIT TO:  
Keolis Transit Services, LLC  
470 Atlantic Avenue, 5th Floor  
Boston, MA 02210

Manager's Signature and Business Phone



**FY 2021 -- Monthly Performance Statistics by Mode**  
**Systemwide Summary**  
**All Routes**

**Performance Statistics for May**

Mode	Passengers	Revenue Hours	Operating Costs	Passenger Revenue	Passengers Per Rev. Hour	Operating Cost Per Passenger	Operating Cost Per Rev. Hour	Passenger Revenue Per Passenger	Passenger Revenue Per Rev. Hour	Farebox Recovery Ratio
Bus (Motorbus)	48,216	15,762.4	\$1,826,498	\$74,458	3.1	\$37.88	\$115.88	\$1.54	\$4.72	4.08%
Commuter Bus	2,815	448.8	\$59,945	\$31,287	6.3	\$21.29	\$133.56	\$11.11	\$69.71	52.19%
Demand Response	5,624	3,112.3	\$384,239	\$23,012	1.8	\$68.32	\$123.46	\$4.09	\$7.39	5.99%
<b>System Total</b>	<b>56,655</b>	<b>19,323.5</b>	<b>\$2,270,681</b>	<b>\$128,757</b>	<b>2.9</b>	<b>\$40.08</b>	<b>\$117.51</b>	<b>\$2.27</b>	<b>\$6.66</b>	<b>5.67%</b>



# Monthly Ridership Report

May, FY 2021

Bus (Motorbus), Commuter Bus, Demand Response Only

## Total (All Day Types)

Mode	Passengers		Passengers Per Revenue Hour		Farebox Recovery Ratio	
	Prior Year	Current Year	Prior Year	Current Year	Prior Year	Current Year
Bus (Motorbus)	43,070	48,216	4.3	3.0	0.36%	4.08%
Commuter Bus	1,469	2,815	3.3	6.2	50.18%	52.19%
Demand Response	3,485	5,624	1.8	1.8	0.07%	5.99%
<b>System Total</b>	<b>48,024</b>	<b>56,655</b>	<b>3.9</b>	<b>2.9</b>	<b>2.38%</b>	<b>5.67%</b>

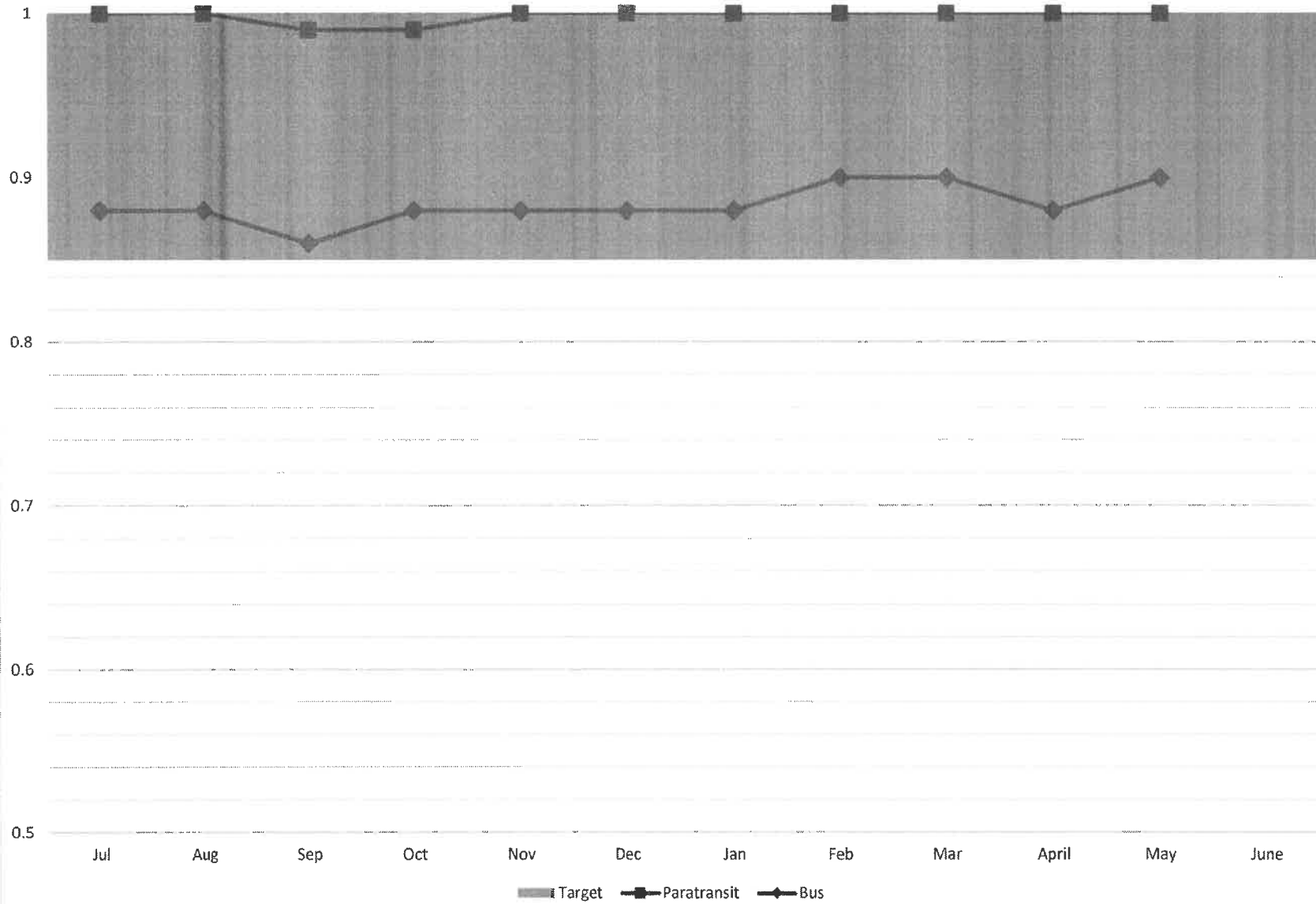
## ADA Dispatch Denial Report For the Month of May 2021

37

**May 2021**  
**Major and Non-Major**  
**Miles between road calls - VVTA and Barstow**

	Total Miles	Road Calls	Miles Between Road Calls
Demand Response	45,803	5	9,161
Commuter Bus	17,555	2	8,778
Motor Bus	271,224	46	5,896
<b>Total System</b>	<b>334,582</b>	<b>53</b>	<b>6,313</b>

## FY 21 System Wide Schedule Adherence



THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA ITEM  
FIVE**

THIS PAGE INTENTIONALLY LEFT BLANK

## VICTOR VALLEY TRANSIT AUTHORITY

### AGENDA MATTER

#### **Adjust Board Member Stipend to \$200.00 Per Meeting.**

### SUMMARY STATEMENT

The VVTA Legislative Rules provide for a stipend to be paid on a per meeting basis for the Board of Directors or their designated alternate for attending meetings. At the Board meeting on May 21, 2007, the Legislative Rules were amended to remove the specific amount of the stipend in order that any future action to amend this amount may be taken without amending the Legislative Rules. Additionally, the Board stipend was raised from \$75.00 per meeting to the current rate of \$125.00 per meeting. The stipend has not been adjusted since 2007.

Over the past 14 years VVTA has experienced considerable growth and complexity in its operations and capital plans. Since 2007, the Board has led VVTA through:

- The incorporation of Barstow Area Transit into VVTA's family;
- Construction of new administration/operations/maintenance facilities in both Hesperia and Barstow;
- The creation of VVTA's Consolidated Transportation Service Agency (CTSA);
- The development and implementation of a vanpool program that is rated as the 19<sup>th</sup> largest in the nation and generates more than \$2 million additional FTA 5307 funds for VVTA;
- The Covid – 19 crisis with timely and effective implementation of safety protocols to protect VVTA passengers and bus operators
- Directed and supported VVTA to become a leader in transitioning its fleet to Battery Electric and Fuel Cell technology as well as developing all the infrastructure needed for this transition; and
- Added new services including Fort Irwin, the BV Link, Sunday service, Express Routes, and half-hour service versus hourly service on several key routes.

### RECOMMENDED ACTION

Consider Adjusting the Board Stipend to \$200.00 effective July 1, 2021.

**PRESENTED BY**  
Kevin Kane,  
Executive Director

**FISCAL IMPACT**  
\$6,300/annually

**MEETING DATE**  
July 19, 2021

**ITEM NUMBER**  
5

## VICTOR VALLEY TRANSIT AUTHORITY

### AGENDA MATTER

**Adjust Board Member Stipend to \$200.00 Per Meeting.**

### SUMMARY STATEMENT

Over this same time period, the VVTA operations and maintenance budget has increased from \$13.4 million in FY 2007-08 to \$46.7 million this fiscal year. These substantial changes along with external forces such as increased government regulation, significant population growth, and inflation have all had an increased impact on the VVTA Board of Directors as related to their responsibilities.

As such, VVTA management asks the Board to consider adjusting the meeting stipend from \$125 to \$200 per meeting.

**AGENDA ITEM  
SIX**

THIS PAGE INTENTIONALLY LEFT BLANK

## VICTOR VALLEY TRANSIT AUTHORITY

### INFORMATIONAL ITEM

#### **Equitable Economic Recovery and Workforce Development Through Construction Hiring Pilot Program – Geographic Preference Update.**

### SUMMARY STATEMENT

For many years, the FTA and Federal Highway Administration (FHWA) have prohibited Transit Agencies from using Geographic Preferences on any projects that are Federally Funded.

On May 21, 2021, the FTA and FHWA have announced pilot programs to permit grant recipients to include **geographic**, economic, or other hiring preferences in contract specification for *construction* projects.

VVTA will implement this ruling by adding points to the evaluation scores for proposers who are deemed to be within the geographic area. The number of points will not be more than 5% of the total evaluation score. VVTA is defining its geographic area to be locations within the Cities of Victorville, Hesperia, Barstow, Adelanto, the Town of Apple Valley, and unincorporated areas of San Bernardino County – where fixed route service is provided and is represented by VVTA's Board of Directors.

This pilot program is effective from May 21, 2021, through May 25, 2025, unless extended. This program is for construction projects, only.

### RECOMMENDED ACTION

Receive and file.

**PRESENTED BY**  
Kevin Kane, Executive  
Director

**FISCAL IMPACT**  
  
None

**MEETING DATE**  
  
July 19, 2021

**ITEM NUMBER**  
  
6

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA ITEM  
SEVEN**

THIS PAGE INTENTIONALLY LEFT BLANK

## VICTOR VALLEY TRANSIT AUTHORITY

### AGENDA MATTER

#### **Amend VVTA Procurement Policies.**

### SUMMARY STATEMENT

On June 19, 2021, the Board of Directors approved the FY 2021-22 Capital and Operating Budget for a total of \$46.7 million. This is a significant increase of almost 45% since the FY 2017-18 Capital and Operating Budget three years ago. Contributing factors include the increase in Operating Expenses plus the general increase of goods and services due to high inflation. In consideration of these changes, the Accounting Department has initiated a review of VVTA's procurement policies.

Staff has a few recommendations to update the procurement policies to better address current conditions. One recommendation is to increase the approval threshold limit for the Executive Director from \$50,000 to \$100,000. The recommended increase would be considered appropriate for the size of VVTA and the current budget. The threshold increase will also allow for more flexibility in the operating of day-to-day work. It will help expedite essential projects without having to delay by waiting for a Board meeting and approval. Further, VVTA payments and expenses (over and under the Executive Director's Authority) are under the supervision of the Board as the Board agenda includes the Monthly Bank Register Report which shows every payment from the previous month.

Staff also recommends an increase to the Fixed Asset level from \$1,500.00 to \$2,000.00. This increase is due to the escalation in prices due to inflation which impacts not only consumers, but also commercial and government agencies, as well.

#### **Summary of changes regarding VVTA Procurement Policies:**

- Policies 1020, 1040, 2000, 2010, 4000, 6000, and 7000 – increases Executive Director approval threshold to \$100,000.00.
- Policies 1020, 1070, and 7000 also include some departmental and position updates.
- Policy 4000 includes the new pilot program to include Geographical Preference on Construction Contracts.

### RECOMMENDED ACTION

Approve amendments to VVTA Procurement Policies: 1020, 1040, 1070, 2000, 2010, 4000, 6000, and 7000.

**PRESENTED BY**  
Maged Azer  
Finance Director

**FISCAL IMPACT**  
  
N/A

**MEETING DATE**  
  
July 19, 2021

**ITEM NUMBER**  
  
7

# **VICTOR VALLEY TRANSIT AUTHORITY PROCUREMENT POLICY MANUAL**

## **TABLE OF CONTENTS**

~~Updated April 15, 2019~~ Updated July 19, 2021

### **GENERAL POLICIES**

1000	General Procurement Policy
1010	Purpose
1020	Responsibilities
1040	Diversity and Economic Opportunity (DBE Program)
1050	Conflict of Interest
1060	Contractor Relations
1070	Special Federal Grantee Requirements and Applicable Laws

### **GENERAL PROCUREMENT**

2000	Purchasing Thresholds
2010	Emergency & Non-Competitive Procurements

### **PROCUREMENT CARD PROGRAM**

3000	Procurement Cards
------	-------------------

### **FORMAL PROCUREMENT PROCEDURES**

4000	Sealed Bids
------	-------------

### **SOLICITATION PROTEST**

5000	Protest Process
------	-----------------

### **CONTRACT ADMINISTRATION PROCEDURES**

6000	Contract Administration
------	-------------------------

### **FIXED ASSET MANAGEMENT**

7000	Asset Management
------	------------------

VVTA Procurement Policy Manual	Policy 1020	Page 1 of 3
GENERAL POLICIES Responsibilities	Approved by VVTA Board of Directors Date Approved: <del>March 18, 2020</del> ; July 19, 2021	

## 1. GENERAL

1.1. This policy provides details on the authority and responsibility of the VVTA's Board of Directors and agency staff in the procurement process. General responsibilities in the overall procurement process are as follows:

- 1.1.1. When departments need a product or service, the Department Manager/Director will make a decision to purchase the product or service. The Department Manager/Director or designee will prepare and approve a Requisition for the item.
- 1.1.2. Under the direction of the Director of Finance, the Procurement Department will be responsible for ensuring full and open competition between vendors and the equitable treatment of vendors, including construction contracts and formal procurements.
- 1.1.3. The Director of Finance will also periodically review the basic procurement process to make certain that VVTA meets Federal and State regulatory requirements for procurements of goods and services.

## 2. INDIVIDUAL RESPONSIBILITIES

### 2.1. Board of Directors

- 2.1.1. Approves VVTA's operating and capital budgets based on recommendations from the Executive Director.
- 2.1.2. Authorizes the release of formal procurements.
- 2.1.3. Approves or rejects all purchases or contracts over ~~\$50,000-100,000.01~~, based on the Executive Director's recommendation.
- 2.1.4. Authorizes disposal of surplus materials, supplies, equipment and property with remaining value in excess of ~~\$50,000~~100,000.01
- 2.1.5. Approves agency purchasing policies and any revisions.

### 2.2. Executive Director

- 2.2.1. Authorizes Requisitions up to ~~\$50,000.00~~100,000.00
- 2.2.2. May sign any contract on behalf of VVTA upon Board approval and as authorized by the Board.
- 2.2.3. Approves disposal of surplus materials, supplies and equipment under ~~\$50,000.00~~100,000.00
- 2.2.4. Assures agency compliance with purchasing policies. Reviews and approves agency purchasing procedures and any revisions.
- 2.2.5. Receives Disadvantaged Business Enterprise (DBE) goals from the Disadvantaged Business Entity Liaison Officer (DBELO) and submits them to the Board of Directors for approval.

### 2.3. Department Manager/Director, or designee

- 2.3.1. Identifies need for goods and services supporting the department's mission.

VVTA Procurement Policy Manual	Policy 1020	Page 2 of 3
GENERAL POLICIES Responsibilities	Approved by VVTA Board of Directors Date Approved: <del>March 18, 2020</del> ; July 19, 2021	
<p>2.3.2. Authorizes Requisitions up to \$1,000.00, assuring that funding for any purchase is available.</p> <p>2.3.3. Provides technical specifications and Statement of Work analysis when applicable.</p> <p>2.3.4. Serves as, or assigns, the Project Manager for formal procurements.</p> <p>2.3.5. Reviews planned purchases, including inventory and non-inventory, contract expirations requiring rebid/exercise option, local and grant-funded capital and project total purchasing requirements during annual budget planning.</p> <p>2.3.6. Evaluates quality of goods or services and gives appropriate feedback.</p> <p><b>2.4. Procurement Manager</b></p> <p>2.4.1. Oversees the Contracts, Procurement and Stores functions.</p> <p>2.4.2. Administers the formal procurement process.</p> <p>2.4.3. Oversees VVTA’s DBE program; including notifying DBE’s of contracting opportunities, recommending DBE contract awards to the Executive Director, keeping DBE participation records, and submitting goals to federal officials. Coordinates with department directors during annual budget cycle to determine DBE goals for the fiscal year. Recommends agency-wide DBE goals to the Executive Director. Submits DBE goals to Board for approval and forwards documentation to FTA. In conjunction with DBELO, provides input for project specific DBE goals. Monitors compliance with agency DBE program. Ensures a level playing field for all aspects of VVTA procurement and contracting.</p> <p><b>2.5. Intentionally Left Blank</b></p> <p><b>2.6. Other Departmental Personnel</b></p> <p>2.6.1. Authorize Requisitions within limits established by the Executive Director.</p> <p><b>2.7. Senior Procurement Specialist (future position) otherwise the Procurement Manager</b></p> <p>2.7.1. Heads the Contracts function of the Procurement Department.</p> <p>2.7.2. Conducts construction, small, and formal procurements as defined in Policy 2000, “General Procurement – Overview.”</p> <p>2.7.3. Assures that VVTA adheres to Federal Transit Administration regulations, guidelines, and circulars, and other applicable state or local regulations.</p> <p>2.7.4. Administers, in coordination with the DBELO, VVTA’s DBE program, including notifying DBE’s of contracting opportunities, recommending DBE contract awards to the Finance Director, keeping DBE participation records, and prepare and submit reporting to federal officials. Ensure compliance with VVTA’s DBE program on bid/proposal packages, vendor proposal submissions, and evaluation and award recommendations. Establish project specific goals in conjunction with the Finance Director.</p>		

VVTA Procurement Policy Manual	Policy 1020	Page 3 of 3
GENERAL POLICIES Responsibilities	Approved by VVTA Board of Directors Date Approved: <del>March 18, 2020</del> ; July 19, 2021	

2.7.5. Ensures Vendor compliance to State of California SB854 Public Works Vendor Registration requirements when soliciting and awarding contracts.

**2.8. ~~Purchasing and Inventory Control Specialist~~Procurement Specialist**

2.8.1. Heads VVTA's Purchasing function and warehouse functions.

2.8.2. Processes Requisitions and Purchase Orders.

2.8.3. Conducts and/or reviews all procurements not handled by Contracts.

2.8.4. Serves as point of contact for all matters involving timely and effective purchase of goods and services.

2.8.5. Receives goods in accordance with VVTA procedures.

~~2.8.4~~2.8.6. Keeps shipment receiving records.

**2.9. Finance Department**

2.9.1. Pays invoices after receiving appropriate documentation.

2.9.2. Maintains Cash funds.

2.9.3. Maintains all vendor invoices.

**~~2.10. Purchasing and Inventory Control Specialist~~**

~~2.10.1. Receives goods in accordance with VVTA procedures.~~

~~2.10.2. Keeps shipment receiving records.~~

Formatted: Font: Bold

Formatted: Body Text Indent, Space Before: 6 pt

VVTA Procurement Policy Manual	Policy 1040 Page 1 of 2
Diversity & Economic Opportunity DBE Program	Approved by VVTA Board of Directors <del>March 16, 2020</del> July 19, 2021

## 1. POLICY STATEMENT

- 1.1. It is the policy of VVTA, pursuant to the provisions of Federal and State laws and regulations, and implemented by directives of VVTA Board, to promote the utilization of Disadvantaged Business Enterprises (DBE) and Small Businesses to the maximum extent feasible. VVTA procurement and contracting processes will provide a level playing field, applying race neutral and race conscious measures for Disadvantaged Business Enterprises (DBE) and Small Businesses to compete for and participate in all aspects of VVTA procurement and contracting.
- 1.2. Specific responsibility for developing and implementing the DBE programs is delegated to the Disadvantaged Business Enterprise Liaison Officer (DBELO). Procedures for establishing DBE goals will be coordinated through Procurement. Responsibility for ensuring compliance to VVTA DBE Policy is shared by all VVTA employees.
- 1.3. In furtherance of this policy, VVTA requires that all requests for proposals (RFP's) estimated over \$2,000.00, for construction and \$~~100,000~~50,000.01 for other goods and services, be forwarded to Procurement for DBE goal evaluation prior to advertisement. Notification of procurement opportunities in purchasing, concessions, real estate and other operating functions are also forwarded to Procurement prior to their public release. Procurement will ensure that all applicable forms are included in bid/proposal packages for identification of DBE participation, description of scope of work to be performed, materials supplied, and service or broker function to be performed by each DBE listed.
- 1.4. In instances where VVTA has not established a specific goal for participation by DBE's on a contract, if the proposer subcontracts, the Proposer is still expected to create a level playing field for DBE firms to utilize the services of subcontractors or purchase goods from suppliers during the performance of the contract. Upon VVTA request, the Prime is required to submit documentation to satisfy VVTA that good faith efforts were made to utilize DBE's during the life of the contract.

## 2. DBE PROGRAM

- 2.1. VVTA is committed to undertaking special efforts to seek socially and economically disadvantaged firms to attain this goal. DBE goals are established tri-annually for VVTA's annual procurements with contracting opportunities, as well as on a project-to-project basis.
- 2.2. It is VVTA's goal to ensure that DBE's are given an equal opportunity to compete, for every VVTA procurement, from the smallest routine requisition to the largest contract.
- 2.3. VVTA's procurement process is structured to ensure that a DBE Program, constitutes a commitment to promote, foster and utilize disadvantaged business enterprises as required and defined by 49 CFR 26. VVTA's procurement and contracting shall provide a level playing field for competition and participation.



VVTA Procurement Policy Manual	Policy 1040 Page 2 of 2
Diversity & Economic Opportunity DBE Program	Approved by VVTA Board of Directors <del>March 16, 2020</del> <u>July 19, 2021</u>

2.4.VVTA's procurement process is a key element in implementing VVTA's DBE policy. DBE certification is achieved through the California State Unified Certification Program (UCP). VVTA will refer potential DBE's to the appropriate certifying agency.

2.5 Complaints and/or protests for handling complaints relating to the DBE Program:

2.5.1 All complaints/protests relating to the DBE Program are to be forwarded to the DBELO. The DBELO will make the determination if the complaint is valid and will respond to the complainant in writing of any determinations or actions related to the complaint.

2.5.2 If the complaint is part of the protest, the DBELO/Procurement Manager will ensure that the established Protest Policy is followed.

### 3. TRIENNIAL GOAL

3.1.VVTA Triennial overall goals must be submitted to FTA on September 1 of each triennial period for the upcoming Federal Fiscal three-year period of October 1, first fiscal year through September 30 end of third fiscal year.

3.2.VVTA's DBE Liaison Officer shall prepare and submit the triennial goal and required FTA reports.

3.3.VVTA projects the number and types of contracts to be awarded and the number and types of DBEs likely to be available to compete for contracts. DBE contractors will be encouraged by VVTA to compete as prime contractors.

### 4. RESPONSIBILITY

4.1.The Procurement Manager serves as VVTA DBE Liaison Officer and reports directly to the Executive Director on all matters concerning the DBE program. The DBE Liaison Officer maintains an "open door" policy and is primarily responsible for the enforcement of the DBE Program.

4.2.VVTA Board of Directors expects all levels of VVTA staff in all VVTA departments to both solicit and encourage DBE participation.

VVTA Procurement Policy Manual	Policy 1070 Page 1 of 2
GENERAL POLICIES Special Federal Grantee Requirements and Applicable Laws	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> July 19, 2021

## 1. GENERAL

- 1.1. VVTA, as a recipient of federal assistance, is required to implement as part of its contracting program, a variety of federal laws and regulations regarding contractor labor relations, affirmative action for qualified handicapped individuals, domestic preference and environmental protection programs, an inspection and verification procedure to ensure compliance with VVTA's specifications, Federal motor vehicle safety standards, and Buy America requirements.
- 1.2. This policy prescribes some of the applicable Federal laws and regulations for VVTA contracts and purchases, and where appropriate, indicates the specific contract types and dollar thresholds requiring contractual coverage.
- 1.3. VVTA Director of ~~Operations-Finance~~ or their designee will assure that the required provisions are included in all appropriate solicitations and contracts.
- 1.4. The Director of ~~Operations-Finance~~ or designee will be responsible for reviewing these references from time to time in order to note updates to the various regulations.

## 2. FEDERAL REFERENCES

- 2.1. Federal references include the most recent version of the following documents:
  - 2.1.1. U.S. Department of Transportation, Federal Transit Administration (FTA), Master Agreement for Federal Transit Administration Agreements.
  - 2.1.2. Executive Office of the President, Office of Management and Budget OM-18-18: Implementing Statutory Changes to the Micro Purchase and the Simplified Acquisition Threshold for Financial Assistance
  - 2.1.3. 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
  - 2.1.4. FTA Circular on *Third Party Contracting Requirements*, FTA 4220.1F (4) (or latest revision)
  - 2.1.5. FTA Circular C5010.1-D.
  - 2.1.6. Section 9(j) of the Urban Mass Transportation Act.
  - 2.1.7. Federal Transit Laws, 49 U.S.C. Chapter 53.
  - 2.1.8. Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), P. L. 102-240.
  - 2.1.9. Sections 4001 and 1555 of the Federal Acquisition Streamlining Act of 1994, 41 U.S.C. § 403(11) and 40 U.S.C. § 481(b), respectively.
  - 2.1.10. 49 CFR part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
  - 2.1.11. 49 CFR part 19, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations.
  - 2.1.12. Executive Order 12612, "Federalism."

VVTAA Procurement Policy Manual	Policy 1070 <div>Page 2 of 2</div>
<div>GENERAL POLICIES</div> Special Federal Grantee Requirements and Applicable Laws	<div>Approved by VVTA Board of Directors</div> Date Approved: <del>April 15, 2019</del> July 19, 2021
<div>2.1.13. Federal Acquisition Regulations, Part 31.</div> <div>2.1.14. FTA Best Practices Procurement Manual.</div> <div>3. REQUIRED CONTRACT PROVISIONS</div> <div>3.1. VVTA shall ensure that its contracts include all applicable Grantee Requirements as required by FTA regulations for all procurements utilizing FTA funds. Procurement Staff are directed to refer to the FTA Best Practices website for a current listing of Grantee Requirements and incorporate all applicable requirements for each FTA procurement.</div> <div>4. STATE AND LOCAL REFERENCES</div> <div>4.1.Joint Powers Authority, created by the member entities in 1992, including subsequent amendments. California Government Code Sections 1090, 1126, 87100, 87306, and any other applicable provisions of the Government Code and any conflict of interest Code applicable to VVTA employment.</div> <div>4.2.All other applicable federal, state and local laws, codes, regulations, and standards.</div>	

VVTA Procurement Policy Manual	Policy 2000	Page 1 of 2
PURCHASING THRESHOLDS	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> July 19, 2021	

## 1. POLICY STATEMENT

- 1.1. This policy sets forth the requirements for micro, mini and small purchases. This policy includes other simplified purchase procedures such as; petty cash and procurement cards.
- 1.2. It is the full responsibility of the requisitioning department to ensure funds are available within the department's budget for any requested procurement.
- 1.3. A procurement value over \$1,000.00 requires approval of the Executive Director.
- 1.4. Under no circumstances shall procurements be separated into smaller amounts for the purpose of avoiding procurement procedures.
- 1.5. The applicable procedure will depend on the purchase amount. Additional requirements will apply depending on the subject of the procurement:
  - 1.5.1. **\$1,000.00 and below** – Petty cash, Micro-procurement, or Procurement Card procedures.
  - 1.5.2. **\$10,000.00 And Below** – Micro Procurement Procedure --
    - 1.5.2.1. Micro-procurements may be used for goods/services costing not more than a \$10,000.00 award amount.
    - 1.5.2.2. Micro-procurements do not require action by the Board of Directors.
    - 1.5.2.3. Although a Micro-procurement does not require multiple quotes, purchases shall be of a fair and reasonable price and should be rotated among vendors offering competitive prices for the same quality.
    - 1.5.2.4. Construction contracts over \$2,000 require compliance with Federal Procurement Requirements such as the Davis Bacon Act; and specific construction terms and conditions must be used for these procurements.
  - 1.5.3. **\$10,000.01 to ~~\$50,000.00~~100,000.00** – Mini procurement procedure --
    - 1.5.3.1. Mini-procurements may be used for goods/services costing \$10,000.01 or more, and not more than a ~~\$50,000.00~~100,000.00 award amount.
    - 1.5.3.2. Mini-Procurements shall be processed through a competitive solicitation process whereby a minimum of 3 quotes are obtained.
    - 1.5.3.3. If unable to obtain the required quotations, justification is required. Sole source and emergency procurements shall follow the requirements in section 7 & 8 of Policy 2010.
    - 1.5.3.4. Mini-procurements do not require action by the Board of Directors.
    - 1.5.3.4.1. All construction procurements of \$2,000.00 or more must be

## PURCHASING THRESHOLDS

Approved by VVTA Board of Directors

Date Approved: ~~April 15, 2019~~ July 19, 2021

reviewed by the Procurement Department.

**1.5.4. \$50,000.01 to \$250,000.00 – Small procurement procedure--**

- 1.5.4.1. Small Procurements may be used for goods/services at least ~~\$50,000~~ 100,000.01 and not more than a \$250,000.00 award.
- 1.5.4.2. Small Procurements require action by the Board of Directors for award and must be signed by the Executive Director.
- 1.5.4.3. In compliance with FTA recommendations and requirements procurements that do not exceed the stated threshold for Small Procurements do not require use of the Formal Procurement procedure.
- 1.5.4.4. In the award of A&E Contracts VVTA will select the most qualified firm and then negotiate a price with that firm only. (See Policy 4050 2.2)
- 1.5.4.5. In compliance with State of California SB854 – Public Works – VVTA will solicit and award Public Works projects to vendors who are registered and certified with the State of California.

**1.5.5. \$250,000.01 and above – Formal procurement procedure**

- 1.5.5.1. In compliance with FTA recommendations, and requirements procurements for goods/services more than a \$250,000.01 award amount require use of a Formal Procurement process which include:
  - 1.5.5.1.1. Acquisition planning and identification of funding sources.
  - 1.5.5.1.2. Development of Specifications.
  - 1.5.5.1.3. Board authorization to release Invitation for Bid (IFB) and Request for Proposals (RFP).
  - 1.5.5.1.4. Advertisements.
  - 1.5.5.1.5. Competitive Bid Process.
  - 1.5.5.1.6. Evaluation of Bids or Proposals.
  - 1.5.5.1.7. Board Authorization of Contract Award.

VVTA Procurement Policy Manual	Policy 2010 Page 1 of 2
GENERAL PROCUREMENT Emergency & Non-Competitive Procurements	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> ; <u>July 19, 2021</u>

## 1. EMERGENCY PROCUREMENT POLICY

- 1.1. In accordance with the Public Utilities Code 130234 and Public Contract Code 20233, VVTA may conduct procurement on an emergency basis if the procurement is essential to a VVTA requirement to deal with an existing emergency condition, as defined in the section below.
- 1.2. Both PUC 130234 and PCC 20233, requires a two-thirds finding by the Board that public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property and proceed to expend or enter into a contract without observance of the provisions of the applicable articles regarding contracts, bids, advertisement or notice.
- 1.3. For purposes of an emergency procurement under this policy, an "emergency condition", is a situation (such as a flood, epidemic, riot, terrorist activity, equipment failure), which creates an immediate threat to the public health, welfare, or safety. The existence of an emergency condition creates an immediate need for supplies, services, or construction which cannot be met through normal procurement methods, and the lack of which would seriously threaten one (1) or more of the following:
  - 1.3.1. The health or safety of any person;
  - 1.3.2. The preservation or protection of property; or
  - 1.3.3. The continuation of necessary VVTA functions.
- 1.4. If that anticipated cost exceeds \$~~50,000~~100,000.01, the Executive Director will attempt to get the approval of the Chairman of the Board before authorizing the request.

## 2. NON-COMPETITIVE/SOLE SOURCE PROCUREMENT POLICY

- 2.1. Procurement of supplies and services, without competition, may be authorized under limited conditions, and subject to written justification documenting the conditions which prevent competitive solicitation. The need for a non-competitive procurement is recognized when VVTA's interests are best served. However, Procurement Staff are encouraged to avoid continuation of non-competitive contracts.
- 2.2. The conditions and limitations for use of service agreements and emergency procedures are mandated by the FTA. Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and one of the following situations prevails:
  - 2.2.1. The item is available only from a single source, i.e. licensed software, patented material or process, etc.
  - 2.2.2. The public exigency or emergency for the requirement prevents any delay caused by competitive solicitation. Upon determining that immediate



VVTA Procurement Policy Manual	Policy 4000	Page 1 of 8
FORMAL PROCUREMENT POLICY Sealed Bids	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> <u>July 19, 2021</u>	

## 1. POLICY OVERVIEW

- 1.1. Procurements over the small acquisition threshold of \$250,000.01, shall require a formal procurement process.
- 1.2. Requirements for goods or services to be purchased exceeding \$250,000.01 per acquisition, or per contract period including options years. These requirements include:
  - 1.2.1. Rental/lease payments;
  - 1.2.2. Maintenance service contracts including option years; and,
  - 1.2.3. Construction projects.
- 1.3. **NOTE:** Purchases in excess of ~~\$50,000.00~~ \$100,000.00, but not greater than \$250,000.01 shall not require formal authorization for release from VVTA's Board of Directors. All purchases in excess of \$250,000.01, however, shall be required to conduct a formal procurement process including authorization for release from VVTA's Board of Directors.

## 2. EXCEPTIONS

There are situations in which procurements that would otherwise meet the requirements for the formal procurement process are exempt. See Policy 2010, *Emergency Procurements* and *Non-Competitive/Sole Source Procurement*, for more information on exceptions to the formal procurement process.

## 3. INVITATIONS FOR BID (IFB)

- 3.1. In support of certain formal procurement transactions, VVTA's staff will send out an Invitation for Bid (IFB) when seeking to procure supplies, equipment, materials and construction projects. The existence of the following factors will determine whether VVTA should use the IFB method of awarding a contract:
  - 3.1.1. A complete, adequate and realistic specification or a clear scope of work (SOW) is available;
  - 3.1.2. Two or more bidders are willing and able to compete effectively for the contract.
  - 3.1.3. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price;
  - 3.1.4. No discussion with bidders is needed after receipt of offers;
  - 3.1.5. Award is made to the lowest, responsive, responsible bidder.

## 4. REQUEST FOR PROPOSAL (RFP)

- 1.1. Formal procurement transactions calling for Request for Proposals (RFP) are normally conducted with more than one anticipated source submitting a proposal, and awards are generally made to the responsible firm whose proposal offers VVTA the most advantageous terms with price and other factors considered.

VVTA Procurement Policy Manual	Policy 4000 Page 2 of 8
<b>FORMAL PROCUREMENT POLICY</b> <b>Sealed Bids</b>	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> <u>July 19, 2021</u>
<p>1.2. The competitive negotiations (RFP) process shall be used for:</p> <ul style="list-style-type: none"> <li>a. Professional Services</li> <li>b. Support Services</li> <li>c. Technical Services</li> <li>d. Operational Services</li> <li>e. Maintenance Services</li> <li>f. Architectural and Engineering Services, or</li> <li>g. Specialized Transit Equipment as defined.</li> </ul> <p>1.3. A request for proposals typically includes all of the elements of an invitation for bids, and in addition usually contains clearly identified evaluation factors and their relative importance.</p> <p><b>5. RFP AWARD PROCESS</b></p> <p>5.1. Unless all bids/proposals are rejected, contract award will be made to the responsive and responsible firm offering the most advantageous terms with price and other factors considered.</p> <p>5.1.1. For projects less than <del>\$50,000</del> <u>\$100,000</u>.00, award will be made with the authorization of the Executive Director.</p> <p>5.1.2. For projects of <del>\$50,000</del> <u>\$100,000</u>.01 or more, award will be made with the authorization of the Board of Directors.</p> <p>5.2. In all sealed bid/proposal procurements, the award of contracts shall be to the responsive and responsible firm offering the most advantageous pricing terms.</p> <p>5.3. If the award is to be made to other than the bidder offering the most advantageous pricing terms, a full justification memorandum should be prepared and put into the contract file.</p> <p>5.4. In the unlikely event that identical bids are received, the successful bidder will be determined based upon the assessment and evaluation of the bids by VVTA's designated Evaluation Committee.</p> <p>5.5. The Board of Directors is not bound by the recommendation of the Evaluation Committee or working staff when they believe their action will further VVTA's statutory functions.</p> <p>5.5.1. However, the decision of the Board of Directors must be consistent with the solicitation's (IFB/RFP) written evaluation criteria and requirements, and must have a rational basis for the decision, which is fully documented for the procurement files.</p> <p><b>6. AWARD OF THE CONTRACT</b></p> <p>6.1. Upon award of the contract by the VVTA's Board of Directors, the Purchasing staff will notify unsuccessful bidders in writing and, if applicable, return their bid bonds.</p>	



VVTA Procurement Policy Manual	Policy 4000	Page 3 of 8
FORMAL PROCUREMENT POLICY Sealed Bids	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> July 19, 2021	

6.2. Bid bonds submitted by the successful bidder will be retained by Purchasing staff.

## 7. REQUIRED FEDERAL CLAUSES

- 7.1. Purchasing staff will review the contract to assure that all the applicable federal, state, and local clauses are included.
- 7.2. These clauses would include, but not be limited to, the following provisions: Civil Rights, DBE, Buy America, Lobbying, Debarment, and Davis-Bacon Act. The Contracts staff will also assure that where required the proper certifications are included with each proposal and signed by the appropriate individual.
- 7.3. Procedure 4080-1 table 1 summarizes the various federal clauses and/or certifications required for third party contracts utilizing federal funds.

## 8. DEFINITIONS

### 8.1. Competitive Purchases \$250,000.01 and over

Competitive Purchases are defined as any purchase with a value of \$250,000.01 and above. Purchases of this amount require full and open competition. Formal procurement methods (sealed bid/competitive proposals) must be utilized and most procurements of this nature are subject to federal/state requirements. Board approval is required prior to the procurement process starting and then prior to contract award. Technical specifications/scope of work and/or any other specific requirements shall be prepared by the requesting department and submitted to the Procurement Department. The Department will prepare and publicly release an Invitation for Bid (IFB) or a Request for Proposal (RFP), as appropriate. (See Policy 4000.3 and 4000.4 for further discussion). IFBs/RFPs are publicly advertised in newspapers of general circulation in addition to being electronically mailed directly to the sources that are listed in VVTA's vendor database. Competitive procurements are also posted in VVTA's website.

The threshold requirements as outlined above apply to the aggregate purchase amount of the required goods or services. It is not VVTA's policy to separate related costs for the express purpose of avoiding the competitive bid process.

### 8.2. Non- Competitive (Sole Source) Procurement

Under some circumstances, noncompetitive negotiations or "sole source" procurements may prove necessary to obtain goods or services without requiring formal procurement procedures. (See Policy 2010).

### 8.3. Intergovernmental Procurement Agreements (Piggyback Purchase Agreements)

- 8.4. FTA's third-party contracting regulations encourage use of available state and local intergovernmental agreements for procurement or use of common goods and services. When obtaining goods or services in this manner, VVTA must ensure all federal requirements, required clauses, and certifications (including Buy America) are properly followed and included, whether in the master intergovernmental contract or in VVTA's purchase document. When buying from these schedule contracts, VVTA should obtain Buy American certification before entering into the purchase order.

VVT Procurement Policy Manual	Policy 4000 Page 4 of 8
FORMAL PROCUREMENT POLICY Sealed Bids	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> July 19, 2021
	<p>Where the product to be purchased is Buy America compliant, there is no problem. Where the product is not Buy America compliant, VVTA will still have to obtain a waiver from FTA before proceeding. <u>State or Local Government Purchasing Schedule or Purchasing Contract</u></p> <p>An arrangement that a State or local government has established with multiple vendors in which those vendors agree to provide an option to the State or local government, and it subordinate government entities and others it might include in its programs, to acquire specific property or services in the future to established prices. These arrangements are somewhat similar to the GAS's Cooperative Purchasing Program available for Federal Government use. If, at a later date, the State or local government permits others to use its schedules, the State or local government might seek the agreement of the vendor to provide the listed property or services to others with access to the schedules might permit the vendor to determine whether or not it wishes to provide others the same contractual arrangement it affords the State or local government that has established the schedules.</p> <p>FTA recognizes that some recipients will use the term "cooperative" in reference to these state and local programs, possibly because they are somewhat similar to GSA's "Cooperative Purchasing Program." These programs are distinct from "Joint Procurement" as described below.</p> <p>8.5. <u>Federal General Service Administration (GSA) Schedules</u></p> <p>A recipient (VVTA) must be authorized specifically by Federal law to use a GSA Federal Supply Schedule. Currently, recipients are limited in their use of the Federal Supply Schedules. These uses include: (1) to acquire information technology (IT); (2) to purchase products and services to facilitate recovery from a major disaster; or (3) to acquire law enforcement, security and certain related items of various types. When using GSA schedules to acquire property or services in this manner, Purchasing staff must ensure all Federal requirements, required clauses, and certifications are properly followed.</p> <p>8.6. <u>State Cooperative Purchasing Contracts – Under section 3019 of the FAST Act, VVTA may purchase rolling stock and related equipment from a State cooperative procurement contract. A "cooperative procurement contract" means a contract entered into between a State government or eligible nonprofit entities and 1 or more vendors under which the vendors agree to provide an option to purchase rolling stock and related equipment to multiple participants. The contract term for a cooperative procurement contract may be for an initial term of not more than two years and may include three optional extensions of one year each. A lead procurement agency or lead nonprofit entity in such a procurement may charge participants in the contract no more than 1 percent of the total value of the contract.</u></p> <p>Under prior law, FTA referred to these types of State contracts as "State purchasing schedules" and, as such, were only available to recipients within that State. Under the FAST Act, a grantee may purchase rolling stock and related equipment from any</p>

FORMAL PROCUREMENT POLICY  
Sealed Bids

Approved by VVTA Board of Directors  
Date Approved: ~~April 15, 2019~~ July 19, 2021

State's cooperative procurement contract or schedule.

- 8.7. Joint Procurement (sometimes informally referred to as “cooperative procurement”) means a method of contracting in which two or more purchasers agree from the onset to use a single solicitation document and enter into a single contract with a vendor for delivery of property or services in a fixed quantity, even if expressed as a total minimum and total maximum. Unlike a State or local government purchasing schedule or contract, a joint procurement is not drafted for the purchase of accommodating the needs of other parties that may later choose to participate in the benefits of that contract.

FTA recognizes that some recipients will use the term “cooperative procurement” informally to refer to arrangements FTA designates as “joint procurement.”

8.8. Options

Option items may be included in contracts entered into by VVTA. An option is a unilateral right in a contract by which, for a specified time, VVTA may elect to purchase additional equipment, supplies, or services called for in the contract, or may elect to extend the term of the contract. If VVTA chooses to use options, the requirements below apply:

1. Evaluation of Options.

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

2. Exercise of Options.

- a. VVTA must ensure that the exercise of an option is in accordance with the terms and conditions of the option provisions stated in the initial contract awarded.
- b. An option may not be exercised unless VVTA has determined that the option price is better than prices available in the market or that the option is the more advantageous offer at the time the option is exercised.
- c. As of May 2002, the FTA has rescinded its five-year contract term limitation for some FTA-funded contracts, including “revenue contracts”. Good procurement practice requires that VVTA enter into contract terms no longer than is minimally necessary to accomplish the purpose of the contract. For contracts that are not Rolling Stock, VVTA will establish contract terms to multi-year contracts that make the most sense for the type of contract and VVTA deems to be in its best interest. Procurements of Rolling Stock and replacement parts remain limited by law to five (5) years.

**FORMAL PROCUREMENT POLICY**  
**Sealed Bids**

Approved by VVTA Board of Directors  
 Date Approved: ~~April 15, 2019~~ July 19, 2021

**8.9. Procurement Department Files**

The Procurement Department maintains a procurement History file which provides an audit trail from the initiation of a purchasing requirement through contract closeout. Where appropriate, the files will include documentation such as, the requisitions, independent cost estimate, list of sources solicited, specifications/scope of work, original solicitation, amendments, proposals, bid evaluation results, determination that price is fair and reasonable, contract or purchase order, change orders, Board agendas, copies of public notices, insurance documents, evidence of performance/payment or other bond documents, notice of award, notice to proceed and all other related correspondence.

**8.10. Geographic Restrictions**

~~VVTA will not use geographic preferences in the award of contracts except in the case of procurement of architectural and engineering (A&E) services, where knowledge of local conditions and building codes is a relevant factor in the quality of the A&E services.~~ Effective May 21, 2021, FTA and FHWA have announced pilot programs to permit grant recipients to include geographic, economic, or other hiring preferences on FTA-funded construction projects. VVTA will implement this ruling by way of adding points to evaluation scores to proposers who are deemed to be in the geographic area. The number of points will not be more than 5% of the total evaluation score. Definition of the geographic area will include the Cities of Hesperia, Victorville, Barstow, Adelanto, the Town of Apple Valley, and unincorporated areas of San Bernardino County who are represented by VVTA's Board of Directors. This pilot program is effective through May 21, 2025, unless extended.

**8.11. Progress Payment**

In some circumstances, VVTA may enter into contracts that require the use of progress payments. Progress payments shall only be made to the contractor for costs incurred in the performance of the contract. In addition, the agency must obtain title to the property (materials, work in progress, finished goods) for which the progress payments are made. The agency does not participate in funding payments (advance payments) to a contractor prior to the incurrence of costs by the contractor.

**8.12. Solicitation Bidder's List**

In addition to the general requirement for full and open competition (publicly advertised solicitations), the agency maintains a bidders list of eligible and qualified vendors who have expressed an interest in receiving solicitations. The bidders list contains the names, addresses and point of contact for entities that will receive the solicitation. Firms responding to the publicly advertised notice for a specific solicitation are added to the mailing list.

**8.13. Pre-Bid and Pre-Proposal Conferences**



VVTa Procurement Policy Manual	Policy 4000 Page 7 of 8
FORMAL PROCUREMENT POLICY Sealed Bids	Approved by VVTa Board of Directors Date Approved: <del>April 15, 2019</del> July 19, 2021
<p>Pre-bid and pre-proposal conferences are generally used in complex acquisitions as a means of briefing prospective bidders and explaining complicated specifications and requirements. The conference is chaired by the responsible Procurement Department staff member and is an open forum where potential respondents may address ambiguities in the solicitation documents. Notice of the conference is included in the solicitation at the time of issuance.</p> <p>8.11 <u>Cost and Price Analysis</u></p> <p>Some form of cost or price analysis shall be made and documented for every procurement action, including contract modifications, except as indicated in the procedure. The method and degree of analysis is dependent on the facts surrounding the particular procurement. At a minimum, VVTa shall develop independent cost estimates for each major procurement before receiving bids or proposals. The intent of performing a cost or price analysis is to insure VVTa receives a fair and equitable price consistent with the required quality, delivery, and overall terms of the transaction.</p> <p>8.10 <u>Prohibited Contract Methods</u></p> <p>Federal regulations have prohibited the following contracting methods:</p> <ul style="list-style-type: none"> <li>* Cost plus a percentage of cost</li> <li>* Percentage of Construction cost</li> </ul>	

VVT Procurement Policy Manual	Policy 2010 Page 2 of 2
GENERAL PROCUREMENT Emergency & Non-Competitive Procurements	Approved by VVT Board of Directors Date Approved: <del>April 15, 2019</del> ; July 19, 2021
<p>remedial measures to avert or alleviate damage to property or to repair or restore damaged or destroyed Authority property, the Executive Director may authorize the expenditure of money for the direct purchase of goods, services or construction without the observance of competitive bidding requirements to ensure the facilities and equipment of the Authority are available to service the transportation needs of the general public. After any such expenditure, the Executive Director shall submit to the Board a complete report explaining the necessity of the action.</p> <p>2.2.3. FTA authorizes non-competitive negotiations.</p> <p>2.2.4. After solicitation from a number of sources, VVT deems competition inadequate.</p> <p>2.2.5. Public Calamity. In a case such as an extraordinary fire, flood, storm, epidemic, terrorist activity, or other disaster or interruption of contracts essential to the provision of daily transit service or catastrophic failure of revenue producing equipment or facilities, the Executive Director declares that public interest and necessity require immediate expenditure of money to safeguard life, health or property and direct the Authority to enter into contract(s) without observance of public bidding requirements. After any such expenditure, the Executive Director shall submit to the Board a complete report explaining the necessity of the action.</p> <p>2.2.6. The item is an associated capital maintenance item procured directly from the original manufacturer or supplier of the item. If this is the case, VVT must certify in writing to the FTA (before approving the contract) that:</p> <p>2.2.6.1. The manufacturer or supplier is the only source for such item.</p> <p>2.2.6.2. The price of such item is no higher than the price paid for the item by other like customers.</p>	

VVTA Procurement Policy Manual	Policy 6000 Page 1 of 6
CONTRACT ADMINISTRATION	Approved by VVTA Board of Directors Date Approved: <del>March 16, 2020</del> <u>July 19, 2021</u>

## 1. POLICY OVERVIEW

- 1.1. When a contract is awarded, the procurement staff's responsibilities change from solicitation to contract administration. This section describes the policies necessary to administer VVTA contracts.
- 1.2. Accurate and consistent contract administration is important to ensuring that VVTA meets its responsibility to uphold the public trust and maximize the value of public funds by using them as efficiently and cost-effectively as possible.
- 1.3. This policy covers how VVTA administers contracts, from signing to closeout. The procedures are as follows:
  - 1.3.1. Project management – see Procedure 6010 for more information.
  - 1.3.2. Contract amendments and change orders – see Procedure 6020 for more information.
  - 1.3.3. File administration – see Procedure 6030 for more information.
  - 1.3.4. Advance payments to contractors – see Procedure 6040 for more information.
  - 1.3.5. Contract closeout – see Procedure 6050 for more information.
  - 1.3.6. Contract termination – see Procedure 6060 for more information.
  - 1.3.7. Liquidated damages – see Procedure 6070 for more information.
  - 1.3.8. Disputes – see Procedure 6080 for more information.
  - 1.3.9. Administration of DBE program – see Procedure 6090 for more information.
- 1.4. VVTA shall ensure Federal and State and local funds are expended in a responsible manner through its contract administration activities.
- 1.5. Contract administration, those activities performed after a contract has been awarded, ensures that the contract's performance meets all requirements set forth in the contract.
- 1.6. Contracts involving the expenditure of public funds are subject to review and audits by funding agencies. A central file for post-award contract activities with all written documentation produced during the life of the contract shall be kept in the Procurement Department. All files will be kept in accordance to VVTA's documents retention policies and procedures. The post-award file contents shall include, at a minimum, the executed contract and notice of award/notice to proceed; bond-related documentation; contract-required insurance documentation; post-award correspondence concerning the contract; documentation of submittals by the contractor and corresponding approvals by VVTA; all documentation relating to changes to the contract, claims, disputes and final close-out of the contract.
- 1.7. The Procurement Department's role in VVTA's contract administration activities is to coordinate all involved parties so that vendor registration compliance, invoice payment, change order approvals, contract modifications, are handled in accordance with VVTA procedures and in accordance with federal guidelines regarding documentation requirements.
- 1.8. Price analysis for change orders, verification of invoiced costs and contract adherence to

VVTA Procurement Policy Manual	Policy 6000 Page 2 of 6
CONTRACT ADMINISTRATION	Approved by VVTA Board of Directors Date Approved: <del>March 16, 2020</del> <u>July 19, 2021</u>
<p>budgets and schedules shall be coordinated with the Project Manager and other involved parties; the Procurement Department will maintain the file documentation for these activities.</p> <p>1.9.Ensuring the contractor submits insurance certificates, bonding documentation and all other contractually required documentation shall be the responsibility of the Procurement Manager.</p> <p>1.10. Final contract closeout activities will be administered by the Procurement Manager (See Policy 6000.8). The Procurement Manager shall ensure all administrative steps have been accomplished prior to VVTA issuing final payment to the contractor.</p> <p><b>2. AUTHORITY AND RESPONSIBILITY</b></p> <p>2.1.The Director of Finance or designee is responsible for the legal, technical and administrative sufficiency of VVTA contracts and shall seek legal, technical and other advice within VVTA in fulfilling these responsibilities.</p> <p>2.2.Contract administration is the process of enforcing the terms of a contract through such actions as evaluating performance and progress, monitoring contract deliveries, inspections, approval of payments, processing contract modifications and closeout.</p> <p>2.3.The administration and monitoring of the contractor’s performance shall be the responsibility of VVTA Procurement Manager (for contractual issues) and the Project Manager (for technical issues).</p> <p><b>3. DELEGATION OF AUTHORITY TO OTHER PERSONNEL</b></p> <p>3.1.The Director of Finance may delegate contract administration functions to other VVTA personnel. The delegation must be in writing. The contract administration functions listed below are typical of those delegated:</p> <p>3.1.1. Inspection of the work for compliance with the contract;</p> <p>3.1.2. Issuance of orders to stop and/or resume work where such orders are authorized by the contract excluding suspension of work under “Suspension of Work” article of the General Provisions;</p> <p>3.1.3. Negotiation with the contractor, within specified limits, as to adjustment of contract price and/or time, and recommendation of acceptance or rejection of negotiation results;</p> <p>3.1.4. Preparation of VVTA estimate of contract modifications;</p> <p>3.1.5. Modification of the contract in accordance with the changes article or other articles of the General Provisions, in each instance not to exceed the dollar amount authorized by the Director of Finance including the preparation of and furnishing to the contractor sketches and clarifications within that limitation;</p> <p>3.1.6. Preparation and approval of payment estimates. In those cases, releasing retained percentage or remitting liquidated damages, the designee will make his/her recommendations thereon in writing to the Director of Finance.</p>	



VVTA Procurement Policy Manual	Policy 6000 Page 3 of 6
CONTRACT ADMINISTRATION	Approved by VVTA Board of Directors Date Approved: <del>March 16, 2020</del> <u>July 19, 2021</u>
<p>3.1.7. Approval of the contractor's shop drawings, working drawings, materials, equipment, and operations and storage areas;</p> <p>3.1.8. Approval of the contractor's progress schedule;</p> <p>3.1.9. Issuing orders for supplies or services under the provision of a blanket purchase agreement, a basic ordering agreement, or other contract type that provides for the placement of orders under the contract terms;</p> <p>3.1.10. Other duties that the Director of Finance may assign because of special situations, e.g., inspection of items for compliance with required safety standards, or examination of components to assure that domestic products are delivered; and</p> <p>3.1.11. Approval of the contractor's invoices.</p> <p><b>4. PROJECT MANAGEMENT</b></p> <p>4.1. The Executive Director, with Board of Directors approval, may designate a third-party Project Manager to oversee selected projects in excess of \$250,000.01. At his/her discretion, the requesting Department Director/Manager can designate a third-party Project Manager to oversee selected projects under <del>\$50,000.00</del> <u>100,000.00</u>, with Executive Director approval.</p> <p>4.2. Generally, the Scope of Work in the negotiated contract defines specific tasks, milestones, and review procedures, which vary depending on the particular project.</p> <p>4.3. The Consultant/Contractor may be required to document the amount of time and money spent on the work related to a particular project for a period specified in the Contract.</p> <p>4.4. If a project is construction-related and will occur over an extended period of time, a Department Director/Manager may request that Procurement staff conduct a competitive solicitation for a third-party Construction/Project Manager to function as VVTA's Project Manager and oversee selected projects in excess of \$250,000.01.</p> <p><b>5. AMENDMENTS AND CHANGE ORDERS</b></p> <p>5.1. Change orders are, in effect, amendments to a contract and may be required periodically to adjust a contract amount or performance period due to unanticipated conditions.</p> <p>5.2. Change Orders are considered a non-competitive procurement and, as such, are subject to the same requirements as noted in Policy 2010.7, "Sole Source Procurement."</p> <p>5.3. The Executive Director has the authority to authorize an expenditure for extra work without the necessity of advertising for competitive bids, provided the cost of the extra work does not exceed <del>\$50,000.00</del> <u>100,000.00</u> or ten (10) percent, whichever is greater, of the original contract amount, unless the VVTA's Board of Directors has authorized a greater amount.</p> <p>5.4. If the change exceeds <del>\$50,000.01</del> <u>100,000.01</u>, the Executive Director must review and recommend approval, and the VVTA Board of Directors must approve the change.</p> <p>5.5. Prior to issuing any change order, procurement staff will determine if funds are available for the proposed change order. Procurement staff will also determine if the proposed</p>	

**CONTRACT ADMINISTRATION**

Approved by VVTA Board of Directors

Date Approved: ~~March 16, 2020~~ July 19, 2021

change order contains a change in the original scope of work, which could be grounds for conducting a separate competitive bid process for the additional work. The Executive Director and the Board of Directors must approve all cardinal changes.

5.6.A cost analysis must be performed for all change orders, unless price reasonableness can be established based on the basis of catalog or market price of a commercial product or on the basis of prices set by law or regulation.

5.7.To be binding, all contract amendments and change orders shall comply with applicable laws and regulations, be appropriately documented, and properly approved.

**6. FILE ADMINISTRATION**

6.1.Orderly documentation of the entire procurement process is essential to sound procurement practices and to comply with FTA 4220.1F (4) or most current update.

6.2.It will be the responsibility of the Procurement staff to review procurement files periodically to ensure that proper documentation is being maintained for each contract and bid solicitation file.

6.3.There shall be two separate files for each procurement, one for bid/solicitation and one for contracts.

6.4.Each procurement action will be assigned a unique number (IFB, RFP, RFI, or RFQ, or non-competitive procurement) by procurement staff.

6.5.Each file will be marked with the IFB, RFP, RFI, or RFQ, or non-competitive procurement number and clearly noted as the "bid" or "contract" file.

6.6.All files will be kept in accordance to VVTA's document retention policies and procedures.

**7. ADVANCED PAYMENT TO CONTRACTS**

7.1.If a vendor will accept payment for goods or services only in advance, the requesting Department must determine if another vendor offering a similar good or service will accept payment after delivery or if the original vendor will accept an alternative payment arrangement (i.e., progress payments).

7.2.If the requesting Department cannot locate an alternate vendor or if other payment terms are unavailable, the Department must proceed cautiously and prepare a detailed Requisition Form specifying the delivery period and the terms for canceling the order to receive a prompt, full refund.

7.3.Requesting department should consult with Procurement staff for negotiating terms before entering into any agreement with a vendor.

**8. CONTRACT CLOSEOUT**

8.1.A completed contract is one which is both physically and administratively complete and in which all aspect of contractual performance has been accomplished, terminated, or

VVTA Procurement Policy Manual	Policy 6000	Page 5 of 6
CONTRACT ADMINISTRATION	Approved by VVTA Board of Directors Date Approved: <del>March 16, 2020</del> <u>July 19, 2021</u>	

otherwise disposed of by contract modification.

8.2. At least 30 days prior to the contract completion date, procurement staff will contact the Project Manager to confirm that all contracted equipment, services and/or goods have been delivered in an acceptable manner including such related items as reports, spare parts, and exhibits, have been delivered to and accepted by VVTA, including those articles and services for which no specific compensation may have been stipulated; and that no consultant/contractor effort will be required after the specified contract completion date and that the contract may be closed out.

## 9. CONTRACT TERMINATION

9.1. All VVTA contracts exceeding \$10,000.01 must contain provisions enabling VVTA to terminate such contracts for the convenience of the VVTA. These provisions shall specify the manner in which such termination will be affected and the basis for settlement. There shall also be included in such contracts appropriate provisions specifying causes for which the contracts may be terminated for default.

9.2. The performance of work under a contract may be terminated in part or in whole when VVTA, in consultation with its legal counsel, determines that such termination is in its best interests.

9.3. VVTA may terminate contracts for the following reasons:

9.3.1. Convenience, such as a reduced need for a product or service, or

9.3.2. Default, which is when the Consultant/Contractor has failed to perform in accordance with contractual terms and conditions.

## 10. LIQUIDATED DAMAGES

10.1. Liquidated damages may be used if there is a reasonable expectation to suffer damages and the extent or amount of such damages would be difficult or impossible to determine.

10.2. Liquidated damages are an amount assessed against a Consultant/Contractor when it fails to complete delivery, installation, services, or the work as specified in a Contract within the Contract period of performance or schedule,

10.3. If VVTA determines that a liquidated damages clause is necessary in a contract, it shall document the derivation of the rate of assessment and ensure it is reasonable, proper, and not arbitrary.

10.4. Any liquidated damages recovered shall be credited to the project account involved unless the FTA permits otherwise.

10.5. The resulting damages assessed against a Consultant/Contractor shall be deducted from any monies due, or which may thereafter become due, to Consultant/Contractor under the Contract.

10.6. Force Majeure applies:

10.6.1. When it is beyond the control of Consultant/Contractor to provide the service, requirements contained in this contract, the Liquidated Damages will be prorated accordingly.

VVTA Procurement Policy Manual	Policy 6000 Page 6 of 6
CONTRACT ADMINISTRATION	Approved by VVTA Board of Directors Date Approved: <del>March 16, 2020</del> <u>July 19, 2021</u>

10.6.2. VVTA shall be the sole judge of the applicability of the Force Majeure clause as relates to Liquidated Damages.

## 11. CONTRACT CLAIMS & DISPUTES

- 11.1. It is the policy of VVTA to promptly review and evaluate all contractor claims.
- 11.2. Procurement staff is responsible for the review, evaluation and determining the merit of contractor claims. In making merit determinations, Procurement staff shall avail themselves of all VVTA resources including specialists in the fields of contracting, finance, law, contract audit, engineering and construction, and others. Determinations of merit shall be reviewed by VVTA's Legal Counsel for legal sufficiency on all claims.
- 11.3. The Consultant/Contractor must present, in writing, all contract dispute claims to VVTA's Procurement staff or VVTA's designated Construction Manager, if one has been retained.
- 11.4. Merit determination is an evaluation of the contractor's claim and facts sufficient to establish that the contractor may, or may not be entitled under the terms of the contract to additional compensation and/or a time extension. The amount of compensation or time is subject to a quantum determination. The Merit determination must be reviewed and formally approved (or disapproved) by VVTA Executive Director or designee with advice from VVTA's General Counsel and appropriate technical personnel before processing and negotiating the claim with the Contractor.
- 11.5. The Federal Transit Administration (FTA) has a vested interest in the settlement of disputes, defaults, or breaches involving any federally assisted third party contract. VVTA must comply with the project management guidelines of FTA Circular 5010.1D (or most recent update) in processing contractor claims against federally funded contracts.

VVTA Procurement Policy Manual	Policy 7000 Page 1 of 3
FIXED ASSET MANAGEMENT	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> <u>July 19, 2021</u>

## 1. POLICY OVERVIEW

- 1.1. VVTA shall meet its responsibility to uphold the public trust and maximize the value of public funds by keeping track of fixed assets and promptly disposing of assets that are no longer needed in an efficient and cost-effective manner.
- 1.2. Fixed asset control is under the general responsibility of the Finance Department.
- 1.3. VVTA's fiscal year budget identifies the fixed assets that have been authorized by the Board of Directors for procurement.
- 1.4. Fixed asset control encompasses the following six major categories:
  - 1.4.1. Land
  - 1.4.2. Buildings and Improvements
  - 1.4.3. Revenue Equipment
  - 1.4.4. Service Vehicles and Equipment
  - 1.4.5. Shop and Garage Equipment
  - 1.4.6. Furniture and Office Equipment
- 1.5. A fixed asset shall be considered as a transit operating property or equipment owned by VVTA and having an expected life in service of one year or more at the time of its installation and a unit cost greater than the transit system's capitalization cutoff of ~~\$1,500~~ \$2,000.00
- 1.6. Agency Reportable acquisitions encompass FTA reportable and FTA non-reportable controllable asset acquisition costs.
  - 1.6.1. Reportable acquisition costs defined in 5010.1E as the net invoice price cost of modifications, attachment accessories, or auxiliary apparatus necessary to make the equipment usable for the intended purpose.
  - 1.6.2. Non-Reportable costs as defined in 5010.1E are inspection, installation, transportation, taxed duty or protective in-transit insurance.

## 2. ASSET TAGS

- 2.1. Upon receipt by VVTA, all assets shall be assigned and marked with a unique ID, and/or via submission of an Asset Reporting Form to the Finance Department.
- 2.2. The Finance Department is responsible for maintaining asset information and reporting to FTA all assets that meet the requirements of Circular 5010.1E.
- 2.3. The Finance Department shall be responsible for creating asset numbers for all land and buildings and reporting on those as well as reporting on the other assets.

## 3. ASSET RECORDS



VVTA Procurement Policy Manual	Policy 7000	Page 2 of 3
FIXED ASSET MANAGEMENT	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> <u>July 19, 2021</u>	

3.1. The ~~Purchasing and Inventory Control Specialist~~Procurement Specialist shall gather the information necessary to maintain the asset database.

3.2. The Asset Database shall include the following information, but is not limited to:

3.2.1. Description and Identification Number of the item.

3.2.2. Acquisition date

3.2.3. Acquisition costs including taxes, delivery charges, and discounts taken

3.2.4. Name of titleholder if other than VVTA

3.2.5. Rate and type of depreciation

3.2.6. Federal grant number under which it was procured

3.2.7. Percentage mix of funding sources

3.2.8. Serial, and/or vehicle identification numbers

3.2.9. Vendor

3.2.10. Location, custodian, condition and use of the asset

3.2.11. Disposition data including the date of disposal and sale price (when

3.2.12. applicable)

**4. ASSET OWNERSHIP**

4.1. Fixed assets acquired entirely with State and Local funds are the sole property of VVTA. VVTA is free to use and dispose of such assets in accordance with the direction of the Board of Directors.

4.1.1. If, however, the assets are included as revenue financing for a subsequent FTA grant, then it shall be treated as though FTA retained an interest in it.

4.2. For fixed assets acquired by VVTA with FTA or other Federal project (grant) funds, the title will not be taken by FTA but will vest with VVTA subject to the conditions outlined in the current version of FTA Circular 5010.1E.

**5. ASSET DISPOSTION**

5.1. An asset which has either reached the end of its useful life, or for which early replacement will result in vastly improved safety, reliability, efficiency, and/or productivity, may be retired from service and disposed of according to FTA regulations in Circular 5010.1E for Capital Assets and VVTA policies for Controllable Assets.

5.2. Assets valued at ~~\$50,000.00~~100,000.00 or less may be retired or disposed of with the approval of the Executive Director.

5.3. Assets valued at more than ~~\$50,000~~100,000.01 may only be retired or disposed of on

VVTA Procurement Policy Manual	Policy 7000 Page 3 of 3
FIXED ASSET MANAGEMENT	Approved by VVTA Board of Directors Date Approved: <del>April 15, 2019</del> <u>July 19, 2021</u>
<p>the instructions of the Board of Directors.</p> <p>5.4. FTA funded assets are governed by FTA rules and regulations in Circular 5010.1E or most updated version.</p> <p>5.5. Complete records shall be maintained on the disposition of all excess and retired assets by the Finance Department.</p> <p>5.6. Assets may be disposed of either through sale, trade, transfer, relocation, scrap, or when irreparable damage results in an insurance loss.</p> <p><b>6. INVENTORY</b></p> <p>6.1. The <del>Purchasing and Inventory Control</del> <u>Procurement</u> Specialist will conduct a physical inventory of all fixed assets at least once every <del>two-years-year</del> The inventory will note the location and condition of all assets, and the results reconciled with records.</p> <p>6.2. Any differences will be investigated. In connection with this inventory, VVTA certifies the existence, current use, and continued need for the asset or real property for purposes specified in its approved FTA grants.</p>	

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA ITEM  
EIGHT**

THIS PAGE INTENTIONALLY LEFT BLANK

## VICTOR VALLEY TRANSIT AUTHORITY

### AGENDA MATTER

#### Release of Request for Qualifications (RFQ) 2021-17 Hesperia Transfer Hub.

### SUMMARY STATEMENT

During the June 2021 Board Meeting the Board approved the Annual Operating and Capital Budget for the Fiscal Year 2021 - 2022, the Budget includes the construction of the new Hesperia Transfer Hub. The current Transfer Point is located at Olive Street and G Avenue adjacent to the Hesperia Post Office.

The new Hesperia Transfer Hub will be located on the property that was recently purchased per Board approval on February 16, 2021. The Transfer Hub will share the property with the future Hydrogen Fueling Station development currently in the planning stages.

This project is being procured in accordance with a two-part, best-value Design-Build procurement process authorized under P.C.C Division 2, Part 3, Chapter 4 [22160-22169] and 49 US Code §5325(d)(2).

The first step in the process is to invite Letters of Interest from contractor teams. The notice will be posted on the VVTA Procurement page, in newspapers of general circulation, in various trade publications, as well as sent to the Construction Community, once approved by the VVTA Board of Directors.

### RECOMMENDED ACTION

Authorize VVTA to release RFQ 2021-17 Hesperia Transfer Hub.

PRESENTED BY	FISCAL IMPACT	MEETING DATE	ITEM NUMBER
Christine Plasting Procurement Manager	None	July 19, 2021	8

THIS PAGE INTENTIONALLY LEFT BLANK

**CORRESPONDENCE  
/PRESS CLIPS**

THIS PAGE INTENTIONALLY LEFT BLANK

# DAILY PRESS

## TRANSPORTATION

# Victor Valley Transit Authority's new EZ Rider buses are servicing routes across the High Desert

*The six buses are shorter in length, giving them increased maneuverability on narrower roads, the agency says*

**Matthew Cabe** Victorville Daily Press

Published 1:59 p.m. PT Jun. 26, 2021 | Updated 2:01 p.m. PT Jun. 26, 2021

The Victor Valley Transit Authority recently announced the arrival of a new fleet of buses that are shorter in length and designed to maneuver narrower roadways, which the agency said makes them ideal in mountain communities and along deviation routes that offer curbside pickup.

The six ElDorado EZ Rider buses are 32 feet in length, which is eight feet shorter than the agency's traditional buses, according to VVTA spokesperson Chris Ackerman.

Ackerman said Friday that the EZ Riders are in use now, and they come with several new features, including plexiglass shields for drivers that VVTA said will provide additional health and safety benefits for both employees and passengers.

Additionally, the EZ Riders offer 27 seats that include USB connections, two wheelchair areas, WiFi and near-zero-emission engines that use renewable natural gas. VVTA said the buses can run their routes for a full service day without refueling.

"I am excited that VVTA keeps up with the latest technology and safety measures, providing our passengers all the benefits of riding with Victor Valley Transit," VVTA Board President Curt Emick said in a prepared statement.

The EZ Rider buses are the product of the Riverside-based ElDorado National Company. VVTA said it moved to ElDorado in 2014 after its former manufacturer, NABI, went out of business.

“The quality of workmanship and efficiency in ElDorado buses is tremendous, ENC is easy to work with, and they are local,” VVTA Facilities Director Ron Zirges said in a prepared statement.

VVTA said the six EZ Riders will replace its 2000 series buses that have reached the end of their “useful life” of either seven years or 200,000 miles. The new buses are expected to last 12 years or 500,000 miles.

Passengers can expect to see the new buses on routes 21P, which services Piñon Hills; 21W, which services Wrightwood; 22, from Victorville to Helendale; and 23, from Apple Valley to Lucerne Valley.

Additionally, they service routes 33 (Adelanto Circulator), 40 (Apple Valley North Deviation), 47 (Apple Valley South Deviation), 54 (Highway395 - Palmdale - Victor Valley Mall) and 66 (Hesperia East Deviation).

For the routes that offer deviation, Ackerman said passengers can pay \$2 extra per trip with advanced notice to receive curb-to-curb service from their location. Pick-up is usually near the passenger’s home, according to Ackerman.

“(S)o the compact ElDorado EZRider is perfect for smaller and narrower streets in our High Desert Community,” Ackerman said in an email.

Earlier this month — a day before California lifted its mandate on mask-wearing in response to the COVID-19 pandemic — Ackerman said VVTA will continue to follow Federal Transportation guidelines.

That means face masks will be required on all VVTA buses until Sept. 13, according to Ackerman.

Visit [vvta.org](http://vvta.org) for more information, including route maps.



***Daily Press Managing Editor Matthew Cabe can be reached at MCabe@VVDailyPress.com or 760-490-0052. Follow him on Twitter @DP\_MatthewCabe.***

[https://www.hddailynews.com/news/local/hydrogen-bus-visits-vvta/article\\_2b9b0a5a-d45e-11eb-b9e3-4b1ea48c9f8e.html](https://www.hddailynews.com/news/local/hydrogen-bus-visits-vvta/article_2b9b0a5a-d45e-11eb-b9e3-4b1ea48c9f8e.html)

FEATURED

## Hydrogen Bus visits VVTA

Andrew Caravella

Jun 23, 2021



VVTA

You've probably seen the all electric city buses that VVTA has in operation around the High Desert. It's possible that not too far in the near future, the fleet may very well acquire hydrogen fuel cell buses for transportation as well. However, before that can happen the organization says

they will need to move forward with their planned expansion of the Hesperia facility in 2022-2023.

The expansion would provide a transit hub and a hydrogen fuel cell station for the hydrogen powered vehicles.

This month, VVTA recieved a special treat from Eldorado Bus manufacturer ENC. The transit authority's staff had an opportunity to test and drive a new Hydrogen Fuel Cell Bus from Ohio's Stark Area Regional Transit Authority (SARTA) on its **"Borrow A Bus Zero Emission Tour."**

The fuel cell/electric 40' bus offers true zero emissions operation with a range of over 220 miles in fixed route transit, with a re-fueling time of 12 to 15 minutes. VVTA told **HDdailynews.com** that "having the opportunity to ride and inspect a Hydrogen Fuel Bus was very exciting and will be another step in the ongoing evolution of Victor Valley Transit."



## ALL NEWS

# Victor Valley Transit Unveils New Compact Eldorado EZ Rider Buses



Published 1 day ago on June 23, 2021  
By Victor Valley News Group



## MORE STORIES



5 Helicopters to land for a crash on 15 freeway

**Victor Valley / Barstow** – Victor Valley Transit is excited to announce the arrival of six new 32' Eldorado EZ Rider transit buses to their fleet.

These smaller compact buses come with many impressive new features, including a plexiglass Driver barrier shield, providing additional health and safety benefits for both drivers and passengers. These buses have 27 seats and two wheelchair areas. There is a USB connection for every seat, passenger Wi-Fi, and near-zero-emission engines by utilizing renewable natural gas for a cleaner ride for the environment. In addition, these smaller models, are designed to easily maneuver in narrow areas with a tighter turning radius, making them perfect to service our local mountain roads and County Routes.

On the arrival of the six new buses, VVTA Board President Curt Emick shared, "I am excited that VVTA keeps up with the latest technology and safety measures, providing our passengers all the benefits of riding with Victor Valley Transit."



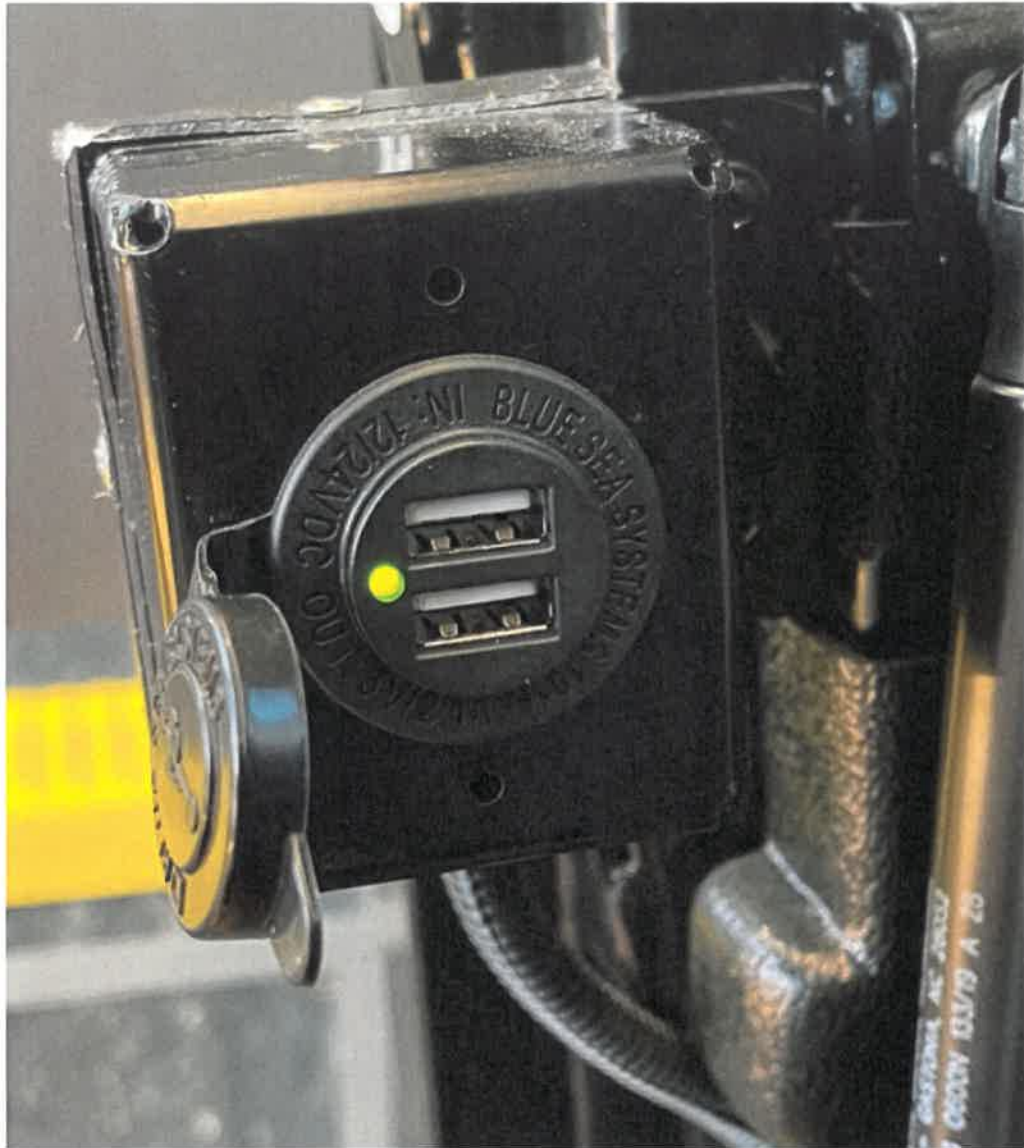
*(Victor Valley Transit Operator Mikina prepares to go out on route with the new plexiglass barrier in place.)*

The Eldorado EZ Rider buses by Eldorado National Company (ENC) in Riverside, California. VVTA moved to ENC in 2014 after the former manufacturer NABI went out of business. According to VVTA Facilities Director Ron Zirges, the move to ENC was easy. “The quality of workmanship and efficiency in Eldorado buses is tremendous, ENC is easy to work with, and they are local.”

ENC has nearly 45 years of experience manufacturing in public transit, para-transit, airport, parking, and university transportation markets. All ENC models successfully complete FTA/Altoona durability testing, and all low floor models pass third-party impact crash and roof crush performance testing. All models undergo a comprehensive battery of crash tests to comply with applicable FMVSS, CMVSS, DOT, EPA, ADA, and NHTSA requirements.

The six EZ Riders will replace VVTA’s 2000 series buses that have completed their useful life of either seven years or 200,000 miles, with a series that now has a useful life of 12 years or 500,000 miles. These buses will service Routes 21P/21W, 22, 23, 33, 40,47,54, and 66, throughout the whole service day, without the need to refuel.





*(New USB ports available under every seat on the Eldorado EZRider Buses.)*

**To follow updates to this article and more,** join our newsgroup on Facebook with over 140,000 members. Like our [Facebook page](#), and Follow us on [Instagram](#) and [Twitter](#).