REGULAR MEETING OF THE BOARD OF DIRECTORS

17150 Smoke Tree Street, Hesperia, CA 92345

Monday, September 21, 2026 | 9:30 A.M.

BOARD OF DIRECTORS

MISSION

Moving our Community Forward.

PUBLIC ACCESS & ACCOMMODATIONS

The Board of Directors meeting facility is accessible to people with disabilities. In accordance with the Americans with Disabilities Act and California Government Code section 54954.2, the agenda is available in appropriate alternative formats upon request. If a disability-related modification or accommodation, including assistive listening devices, auxiliary aids, or services, is needed to participate in the meeting, please contact the Clerk of the Board at least three (3) business days prior to the meeting, when possible. The Clerk of the Board may be reached at (760) 995-3454 (voice) and or ClerkoftheBoard@vvta.org. For California Relay Service, dial 711 and provide the VVTA telephone number. The Clerk of the Board's office is located at 17150 Smoke Tree Street, Hesperia, CA, 92345.

This regular-meeting agenda shall be posted at least 72 hours before the meeting in a location freely accessible to the public and on VVTA's website. The agenda contains a brief general description of each item of business to be transacted or discussed, including any closed-session item, as required by the Ralph M. Brown Act.

OPENING OF MEETING

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. ANNOUNCEMENTS

E. PUBLIC COMMENTS

This is the time the Board will hear public comments regarding items on the agenda, not on the agenda, or on 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 comments.

The Board will not take action on an item that does not appear on the posted agenda except as otherwise authorized by law. The Board may briefly respond, ask a clarifying question, make a brief announcement, or refer a matter to staff as permitted by the Brown Act. Public criticism of the policies, procedures, programs, or services of VVTA, or of the acts or omissions of the Board, is permitted.

F. CONSENT CALENDAR

Consent Calendar items shall be adopted by a single vote unless removed for discussion by a Board member. Members of the public may comment on a Consent Calendar item before the Board takes action on the item.

PAGE	STAFF REPORT / RECOMMENDATION	ACTION
Pg. 13	**1. Minutes from the Regular Meeting of the Board of Directors Conducted on August 17, 2026.** **Recommendation:** Move for approval. **Presented by:** Debi Albin, Clerk of the Board.	APPROVE
Pg. 25	**2. Payrolls and Warrants for July 2026.** **Recommendation:** Move for approval. **Presented by:** Maged Azer, CFO	APPROVE

G. REPORTS

Pg. 31 **3. Management Reports - Verbal Report from Chief Executive Officer.** **INFO ONLY**

Recommendation: Information item only.

Presented by: Rod Goldman, CEO.

Pg. 43 **4. Transit Operations Division, Victor Valley Detail Report.** **INFO ONLY**

Recommendation: Information item only.

Presented by: VVTA Transit Operations Division Unit.

H. ACTION ITEMS

Pg. 47 **5. Conduct Public Hearing Regarding VVTA's Fiscal Year (FY) '27 Proposed Fare Adjustments And Approve Proposed Fare Changes** **PUBLIC HEARING**

Recommendation: Conduct Public Hearing regarding VVTA'S FY27 Proposed Fare Adjustments and approve proposed fare changes.

Presented by: Rod Goldman, CEO.

Pg. 55 **6. Approve the 2026 Update to the Victor Valley Transit Authority Public Transportation Agency Safety Plan.** **APPROVE**

Recommendation: Approve the update to the Victor Valley Transit Authority Public Transportation Agency Safety Plan.

Presented by: Esteban Rodriguez, Chief Operating Officer.

Pg. 133 **7. Adopt the Procurement Policy Manual Update** **ADOPT**

Recommendation: Adopt the revised Victor Valley Transit Authority (VVTA) Procurement Policy Manual (Manual), including amendments that: (1) update the Manual to reflect current federal procurement requirements and guidance (2) increase the Chief Executive Officer's (CEO) procurement approval authority from $250,000 to $350,000; (3) increase the fixed-asset capitalization threshold from $2,500 to $3,500; and (4) incorporate the Veterans Hiring Preference applicable to federally assisted capital construction contracts.

Presented by: Christine Plasting, Procurement Manager.

Pg. 243 **8. Authorize Fiscal Year 2025-26 Low Carbon Transit Operations Program (LCTOP) Cycle B Allocation Requests** **APPROVE**

Recommendation: Adopt Resolution No. 26-05 authorizing: (1) submission of Fiscal Year 2025-26 LCTOP Cycle B allocation requests totaling $562,696 for the Sustain and Enhance Vanpool Subsidy and Free Fares for K-12 Students projects; (2) execution and submission of the updated Authorized Agent Form and Certifications and Assurances identifying Chief Executive Officer (CEO) Roderick Goldman as Victor Valley Transit Authority's (VVTA) authorized agent; and (3) the CEO, or designee, to execute and submit documents necessary to receive and administer the funds.

Presented by: Marie Downing, Grants Manager.

Pg. 251 **9. A Resolution of the Board of Directors of the Victor Valley Transit Authority Adopting an Amended Conflict of Interest Code.** **APPROVE**

Recommendation: Adopt Resolution No. 26-04 and authorize the Chief Executive Officer and Clerk of the Board to submit the amended Code to the San Bernardino County Board of Supervisors, acting as the code-reviewing body.

Presented by: Ana Arellano, Clerk of the Board/Executive Assistant.

I. BOARD OF DIRECTORS COMMENTS

J. CORRESPONDENCE AND PRESS CLIPS

K. DATE OF NEXT MEETING

Monday, October 19, 2026, at 9:30 AM, Victor Valley Transit Authority, 17150 Smoke Tree Street, Hesperia, CA 92345

L. ADJOURNMENT

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ACRONYM	DEFINITION
ADA	Americans with Disabilities Act
APTA	American Public Transit Association
AQMP	Air Quality Management Plan
BABA	Build America, Buy America
BAFO	Best and Final Offer
BEB	Battery Electric Bus
BOE	Board of Equalization
CALTRANS	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CFP	Call for Projects
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
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 (Hydrogen)

ACRONYM	DEFINITION
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
IIJA	Infrastructure Investment and Jobs Act
ITS	Intelligent Transportation Systems
JPA	Joint Powers 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
LEP	Limited English Proficiency
LTF	Local Transportation Fund
MaaS	Mobility-as-a-Service
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
NOFO	Notice of Funding Opportunity
NTD	National Transit Database
OCTA	Orange County Transportation Authority
OWP	Overall Work Program

ACRONYM	DEFINITION
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
RTAP	Rural Technical Assistance Program
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SaaS	Software as a Service
SBCTA	San Bernardino County Transportation Authority (formerly SANBAG)
SCAG	Southern California Association of Governments
SGIP	Self-Generation Incentive Program
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

ACRONYM	DEFINITION
TSP	Transit Signal Priority
TSSSDRA	Transit System Safety, Security and Disaster Response Account
ULEV	Ultra Low Emission Vehicle
UZAs	Urbanized Areas
VOMS	Vehicles Operated in Maximum Service
ZEB	Zero Emission Bus
ZEV	Zero Emission Vehicle

Meeting Procedures and Public Participation

The Ralph M. Brown Act protects the public's right to attend and participate in meetings of local legislative bodies. These procedures apply to meetings of the Victor Valley Transit Authority (VVTA) Board of Directors and are intended to promote accessible, orderly, and transparent meetings.

1. Agendas and Meeting Notices

Agendas for regular meetings are posted at least 72 hours before the meeting in a location freely accessible to the public and on VVTA's website. Notices for special meetings are posted at least 24 hours before the meeting. Each agenda identifies the meeting date, time, location, participation instructions, agenda items, and procedures for requesting disability-related accommodations. Other notice periods may apply to emergency or adjourned meetings as permitted by law.

2. Order of Business and Agenda Actions

The Board generally considers business in the order shown on the agenda; however, the Chair may change the order of consideration. Consent Calendar items may be approved together unless a Director requests that an item be considered separately. The Board may discuss or act only on matters listed on the posted agenda, except when a statutory exception applies. Before considering an unlisted matter, the Board must publicly identify the matter and make the findings and obtain the vote required by Government Code section 54954.2.

3. Closed Session

The Board may meet in closed session only for matters authorized by law, including certain personnel, pending litigation, labor negotiation, real property negotiation, and other confidential matters. Before convening in closed session, the Chair or designee will publicly identify the matters to be discussed. Following closed session, the Board will reconvene in open session and report any action required to be disclosed under Government Code section 54957.1.

4. Public Comment on Agenda Items

Members of the public may address the Board before or during its consideration of an agenda item. A Public Comment form may be provided to assist with meeting administration, but completing a form or stating a name, address, or other personal information is not required to speak. When recognized by the Chair, speakers should approach the designated microphone or use the applicable remote-participation method. Unless the Chair announces a different reasonable limit, each speaker is allowed up to three (3) minutes per agenda item and up to 12 minutes total during one meeting. Speakers using an interpreter will receive additional time as required by law unless simultaneous interpretation is provided.

5. General Public Comment

At regular meetings, members of the public may address the Board on matters within VVTA's subject-matter jurisdiction, including matters not listed on the agenda. The Board generally may not discuss or take action on an unlisted matter, but Directors or staff may briefly respond, ask a clarifying question, provide a reference to staff or other resources, make a brief announcement, request a future report, or direct that a matter be placed on a future agenda, as permitted by law. At special meetings, public comment may be limited to matters identified in the meeting notice.

6. Orderly Conduct

Members of the public may criticize VVTA's policies, procedures, programs, services, and the acts or omissions of the Board. All participants must comply with reasonable and lawful meeting rules. If conduct actually disrupts, disturbs, impedes, or makes the orderly conduct of the meeting infeasible, the Chair or designee may warn the individual that continued disruption may result in removal. If the conduct does not promptly cease, the individual may be removed. A warning is not required when a person uses force or makes a true threat of force, as provided by Government Code section 54957.95.

7. Accessibility and Accommodations

VVTA will provide reasonable disability-related modifications, accommodations, auxiliary aids, or services upon request. Instructions for submitting a request, including the appropriate contact information and requested advance-notice period, are provided on each meeting agenda. Agenda materials are available in alternative formats upon request.

Meeting administration. Please silence electronic devices and comply with all applicable facility rules, including VVTA's no-smoking and no-vaping requirements.

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MISSION

Moving Our Community *Forward.*

VISION

To serve the region with excellent public transportation services of the highest quality, efficiency, and responsiveness to the needs of our community.

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.

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AGENDA ITEM

1

STAFF REPORT

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Item Number: 1 **File Type**: Consent

REGULAR BOARD MEETING
September 21, 2026

SUBJECT: **Minutes from the Regular Meeting of the Board of Directors Conducted on August 17, 2026.**
ACTION: **APPROVE**

PRESENTED BY: Debi Albin, Clerk of the Board/Executive Assistant

RECOMMENDATION

Move for approval.

SUMMARY STATEMENT

Minutes from the Regular Meeting of the Board of Directors Conducted on August 17, 2026.

FISCAL IMPACT

None.

VICTOR VALLEY TRANSIT AUTHORITY
REGULAR MEETING OF THE BOARD OF DIRECTORS
MINUTES | AUGUST 17, 2026

CALL TO ORDER

The Regular Meeting of the Board of Directors of the Victor Valley Transit Authority was called to order at 9:31 a.m. by Chair Becerra.

ROLL CALL

Board Members Present

Chair Liz Becerra
Vice Chair Allison Lee
Director Curt Emick
Director James Noble
Alternate Director Angelo Meza
Alternate Director CJ Porter
Alternate Director Sam Shoup

Staff / Guests Present

Gabriel Reyes, City of Adelanto
Juan Robinson, City of Victorville
Corp. Devon Steuerwald, SBCOSD
Adam Ebright, County Counsel
Rod Goldman, VVTA
Dustin Strandberg, VVTA
Esteban Rodriguez, VVTA
Maged Azer, VVTA
Ana Arellano, VVTA
Andrea McDonald, VVTA
Chris Ackerman, VVTA
Christine Plasting, VVTA
Debi Albin, VVTA
Marie Downing, VVTA
Megan Christian, VVTA
Sylvia Harris, VVTA
Angelina Calderone, Keolis
Crescencio Ortega, Keolis
David Moore, Keolis
Jonathan McDowell, Keolis
Mark Albin, Keolis
Morgan Anderson, Keolis
Scott Rippee, Keolis
Tammy Colosimo, Keolis
Willy Perez, Keolis
Yvette Favors, Keolis

PLEDGE OF ALLEGIANCE

Clerk of the Board/ Executive Assistant Ana Arellano led the audience in the pledge of allegiance.

ANNOUNCEMENTS

Mr. Goldman welcomed Chief Operating Officer Esteban Rodriguez and Executive Assistant/Clerk of the Board Ana Arellano to VVTA. Ms. Arellano will succeed Debi Albin upon Ms. Albin's retirement at the end of the year. Mr. Goldman highlighted the experience each brings to the organization and encouraged the Board and staff to support their transition.

The Board recognized the following Employees of the Month:

- Mark Albin, Facilities Department - August Employee of the Month, recognized for reliability, dependability, a positive attitude, and willingness to assist wherever needed.
- Yvette Favors, Safety Trainer - July Employee of the Month, recognized for dedication, professionalism, perfect attendance, quality training of new employees, and willingness to support Operations by covering routes when needed.

The Board and honorees participated in recognition photographs.

Mr. Goldman also reported on the following community and agency activities:

- On August 2, VVTA partnered with Life Church in Victorville for the third annual Stuff the Bus clothing drive. A 40-foot bus and Micro-Link van were nearly filled with donations benefiting Restore Unity in Hesperia for distribution to local nonprofits and community members in need.
- On August 4, VVTA participated in National Night Out events in Hesperia, Victorville, and Apple Valley. VVTA and Keolis staff provided community information and giveaways, new hydrogen buses were displayed, and the Sheriff's Transit Operations Detail participated.
- On August 5, Senior Marketing Manager/Public Information Officer Chris Ackerman spoke at the High Desert Chamber of Commerce monthly breakfast on VVTA services and the agency's future direction.
- VVTA transmitted letters to local state legislators requesting continued support for SB 125 Zero-Emission Transit Capital Program funding and the Low Carbon Transit Operations Program. Staff will keep the Board apprised as the State finalizes the FY 2027 budget.
- On August 11, Operator Christina Unrine used the Narcan kit carried onboard her Route 68 bus to assist an unconscious individual at Escondido Avenue and Main Street. A passenger administered the Narcan, the individual regained consciousness, and paramedics transported the individual to the hospital. Mr. Goldman commended the operator and passenger for their quick action.
- Board members were reminded of the APTA TRANSform Conference & EXPO in Chicago, October 4-7, 2026, and the CALACT conference in Santa Rosa, November 3-5, 2026.

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1 **Minutes from the Regular Meeting of the Board of Directors Conducted on July 20, 2026.** **APPROVED**

Recommendation: Move for approval.

Presented by: None.

2 **Payrolls and Warrants for June 2026.** **APPROVED**

Recommendation: Move for approval.

Presented by: None.

A MOTION WAS MADE BY Director Noble to approve the Consent Calendar and Seconded by Director Becerra. The motion passed.

REPORTS

3 **Management Reports for Hesperia and Barstow Divisions - Verbal Report from Chief Executive Officer.** **INFO ONLY**

Recommendation: Information item only.

Presented by: Rod Goldman, CEO.

Mr. Goldman reported that VVTA's new hydrogen buses entered revenue service on August 12. Five to six buses can currently be fueled each day under the temporary fueling arrangement, with the goal of expanding capacity to operate all 13 buses daily. Initial feedback from riders and operators has been positive. Mr. Goldman recognized Dustin Strandberg and Chris Ackerman for their work to place the buses into service and implement the refreshed vehicle branding.

Mr. Goldman also presented VVTA's three-year Strategic Plan, organized around five priorities: exceptional customer experience; system safety and security; efficient resource management; increased public awareness of VVTA services; and development of a culture of excellence.

Performance highlights included:

- Fixed-route ridership for June 2026 increased approximately 13% compared with June 2025, with several core routes showing double-digit gains. Staff will review year-over-year decreases on certain Barstow routes.
- Combined fixed-route, demand-response, and commuter-bus ridership for FY 2026 ended at approximately 1.28 million trips, slightly above the projected 1.26 million. FY 2027 ridership is projected at approximately 1.3 million trips.
- Fixed-route on-time performance continued to exceed the 85% target. Direct Access performance remained near or above the 85% target, and Micro-Link remained near its 90% target following service adjustments made in October 2025.

There were no additional Board questions on the management report.

4 Transit Operations Division, Victor Valley Detail Report. **INFO ONLY**

Recommendation: Information item only.

Presented by: VVTA, Sheriff Division Unit.

Corp. Devon Steuerwald reported July activity of approximately 2,200 public contacts, 64 arrests, 41 uniformed bus rides, 260 bus-stop checks, 70 reports, and 78 citations.

The Detail highlighted three incidents:

- A bus-stop contact at the Victorville Transit Center led to an investigation and July 14 search warrant. Deputies recovered an un-serialized AR-style rifle and handgun and arrested a convicted felon on multiple weapons violations. The firearms were submitted for forensic analysis.
- On July 28, deputies coordinated with VVTA and transit center security to locate a missing 13-year-old juvenile reported as suicidal. Using transit center cameras and security observations, the juvenile was located near Stoddard Wells Road and D Street in good health.
- Also on July 28, a passenger who had been instructed to exit a bus after consuming alcohol threw a glass bottle at the bus operator, damaging the vehicle. A deputy responded in under ten minutes, located the suspect, and made an arrest on multiple felony charges.

Chair Becerra asked whether calling 911 to report an incident at a VVTA bus stop would result in notification to the Transit Operations Detail. Staff explained that both the local jurisdiction and the VVTA Detail may be notified and that the closest available law enforcement unit would respond to an immediate or critical incident. Staff further described coordination among VVTA deputies, local Sheriff's stations, dispatch, transit security, and VVTA's camera systems, noting increased requests from partner law enforcement agencies for assistance in locating critical missing persons and obtaining transit video for investigations.

INFORMATION ITEM

5 **Future Federal and State Funding Issues Impacting VVTA.** **INFO ONLY**

Recommendation: Information item only.

Presented by: Rod Goldman, CEO.

Mr. Goldman presented the results of a multi-year financial assessment prepared with assistance from SBCTA. The assessment included a five-year projection of anticipated revenue and expenses in relation to planned service, fleet, and facility improvements. VVTA's near-term financial outlook remains strong; however, the transit industry may face increasing challenges approaching FY 2030, including operating costs growing faster than revenue, inflation and tariff pressures, and uncertainty in federal and state transit funding.

Staff identified potential strategies for maintaining long-term fiscal stability, including future fare-structure adjustments, revenue enhancements, expanded pursuit of competitive grants, possible adjustments to the type and timing of vehicle procurements within zero-emission mandates, and a review of VVTA's current contracted operating model compared with in-house operations.

Mr. Azer stated that VVTA remains in a strong financial position, citing approximately $91 million in net position in the most recent financial statements, approximately $47 million in current assets, approximately $15 million in current liabilities, approximately $9.5 million in unearned revenue, and significant reserves. He also discussed the timing of SB 125 receipts and allocations for operating expenses.

Board discussion included the frequency of operating-cost reviews, VVTA's reserve position, the California Air Resources Board Innovative Clean Transit purchasing mandate, comparative costs of hydrogen, battery-electric, CNG and diesel technologies, the temporary hydrogen fueling arrangement, and the Clean Truck Check program. Mr. Strandberg stated that the current goal is full interim hydrogen fueling capability around mid-September, with an internal contingency into October if contractor delays occur. Staff also advised that no responses have yet been received to the recent legislative funding letters.

ACTION ITEMS

6 **A Resolution of the Board of Directors of Victor Valley Transit Authority Approving the Form of, and Authorizing the Execution of, a Memorandum of Understanding (MOU) Authorizing Participation in the Special District Risk Management Authority's (SDRMA) Health Benefits Program.** **APPROVED**

Recommendation: Approve Resolution 26-03 and Authorize the Chief Executive Officer to sign Memorandum of Understanding between VVTA and SDRMA for ancillary benefits.

Presented by: Rod Goldman, CEO.

Mr. Goldman explained that the Board originally approved participation in the Special District Risk Management Authority health-benefits program in 2010 for ancillary employee benefits, including vision, life insurance, and long-term disability coverage. Changes in federal and state regulations require an updated Board resolution and memorandum of understanding.

A MOTION WAS MADE BY Alternate Director Meza to approve the recommended action and Seconded by Director Noble. The motion passed unanimously.

7 **Renewal of Victorville Transportation Center Lease with the City of Victorville.** **APPROVED**

Recommendation: Approve and authorize the CEO to execute the Lease of the Victorville Transportation center with the City of Victorville location at 16838 D. Street, Victorville, CA 92395.

Presented by: Christine Plasting, Procurement Manager

At 10:10 A.M. Chair Becerra recused herself from this item due to the City of Victorville's interest in the lease, and Vice-Chair Lee presided over the item.

Procurement Manager Christine Plasting reviewed the proposed renewal of the Victorville Transportation Center lease at 16838 D Street. The current arrangement has supported enhanced security, additional cameras, and passenger safety. VVTA also maintains subleases with Greyhound and a food-service tenant. The proposed extension continues the lease through 2031 at approximately $8,973 per month with a 2% annual increase. In response to a Board question, Ms. Plasting stated that the two subleases generate approximately $4,500 per month in combined revenue.

A MOTION WAS MADE BY Alternate Director Shoup to approve the recommended action and Seconded by Alternate Director Meza. Chair Becerra recused. The motion passed.

Following consideration of Item 7, Chair Becerra returned to the meeting and resumed as Chair at 10:12 A.M.

BOARD OF DIRECTORS COMMENTS

Board members welcomed Mr. Rodriguez and Ms. Arellano, congratulated the Employees of the Month, praised staff and the Sheriff's Transit Operations Detail, and expressed enthusiasm regarding the new hydrogen buses and VVTA's positive organizational culture.

The Board requested that Operator Christina Unrine be recognized at a future meeting for her actions during the August 11 Narcan incident. Staff confirmed that recognition was already being considered.

A request was made to provide a hydrogen bus for the upcoming Adelanto National Night Out event, if available.

Chair Becerra requested that staff explore a regional traffic-safety awareness campaign using VVTA buses, including messaging encouraging drivers to slow down, obey traffic signals and stop signs, and watch for children and pedestrians.

Staff were asked to develop potential costs and partnership options for the member jurisdictions and to explore available public-safety grant funding.

Mr. Ackerman advised that VVTA is developing the first of four professional commercials, with the initial commercial focused on roadway and transit safety. Filming is anticipated in mid-September, with a goal of releasing the commercial in October. Board members expressed interest in sharing the completed video through city council meetings, billboards, and other community channels. Staff also discussed pursuing placement in local movie theaters.

CORRESPONDENCE AND PRESS CLIPS

The Board received the correspondence and press clips included in the agenda packet, including items regarding Rod Goldman's appointment as VVTA Chief Executive Officer; and VVTA's new transportation service to the Wellness Center.

DATE OF NEXT MEETING

Next Regular Meeting **INFO ONLY**
Monday, September 21, 2026, at 9:30 a.m.
Victor Valley Transit Authority
17150 Smoke Tree Street, Hesperia, California 92345

ADJOURNMENT

The meeting was adjourned at 10:24 A.M.

ATTEST:

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Debi Albin, Clerk of the Board

APPROVED:

____

Liz Becerra, Board Chair

AGENDA ITEM

2

STAFF REPORT

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Item Number: 2 **File Type**: Consent

REGULAR BOARD MEETING
September 21, 2026

SUBJECT: **Payrolls and Warrants for July 2026.**

ACTION: **APPROVE**

PRESENTED BY: **Maged Azer, Chief Financial Officer**

RECOMMENDATION

Approve VVTA's expenditures for July 2026.

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

Payroll Date	Amount	Register No.
7/10/2026	$ 137,246.29	PR-161-07-26
7/24/2026	$ 149,964.30	PR-162-07-26
Total Payroll	**$ 287,210.59**	

Agency's Register of Warrants

Register Date	Amount	Check /ACH	Register No.
7/16/2026	$ 840,598.27	342/1-3211	AP-07-2026
7/22/2026	$ 671,003.41	343/1-3228	AP-07-2026
7/30/2026	$ 216,379.10	346/1-3246	AP-07-2026
Total	**$ 1,727,980.78**		

FISCAL IMPACT

$1,727,980.78.

Victor Valley Transit Authority
Check Register
July 1, 2026 - July 31, 2026

Check Number	Vendor	Date	Amount
00000342/1	San Bernardino County Sheriff's Department	7/7/2026	$245,709.00
00000342/2	San Bernardino County Sheriff's Department	7/7/2026	$64,477.44
00000342/3	San Bernardino County Sheriff's Department	7/7/2026	$67,004.78
00000342/4	GMV Syncromatics	7/7/2026	$26,560.00
00000342/5	GMV Syncromatics	7/7/2026	$9,147.00
3180	State Compensation Insurance Fund	7/9/2026	$2,402.41
3182	Amazon Business	7/16/2026	$483.47
3183	Beck Oil, Inc.	7/16/2026	$2,301.91
3184	Charter Communications	7/16/2026	$114.95
3185	Charter Communications	7/16/2026	$1,099.00
3186	Charter Communications	7/16/2026	$186.23
3187	Charter Communications	7/16/2026	$749.00
3188	Charter Communications	7/16/2026	$1,649.00
3189	Charter Communications	7/16/2026	$820.00
3190	Charter Communications	7/16/2026	$329.99
3191	Charter Communications	7/16/2026	$242.07
3192	Charter Communications	7/16/2026	$269.99
3193	City of Victorville	7/16/2026	$68,375.56
3194	City Of Victorville	7/16/2026	$926.48
3195	Commute With Enterprise	7/16/2026	$156,980.00
3196	Digital Assurance Certification, LLC	7/16/2026	$2,499.55
3197	Digi Vue Advertising	7/16/2026	$885.00
3198	El Chicano - Inland Empire Community Newspapers	7/16/2026	$427.50
3199	Exemplifai LLC	7/16/2026	$17,363.00
3200	Konica Minolta Business Solutions	7/16/2026	$2,485.64
3201	Mountainview Biological Consulting LLC	7/16/2026	$16,727.53
3202	Optibus, Inc.	7/16/2026	$2,400.00
3203	Patterson Ink	7/16/2026	$1,761.05
3204	Principal Life Insurance Company	7/16/2026	$3,453.00
3205	Ring Central, Inc.	7/16/2026	$2,592.44
3206	Ron Turley Associates, Inc	7/16/2026	$11,880.00
3207	Southern California Edsion	7/16/2026	$815.07
3208	Special District Risk Management	7/16/2026	$3,771.92
3209	TMD Transportation Management & Design	7/16/2026	$21,372.13
3210	TransitTalent.com	7/16/2026	$125.00
3211	Southwest Gas	7/16/2026	$102,211.16
00000343/1	Abundant Living Family Church HD	7/20/2026	$1,280.00
00000343/2	Darktrace Holdings Limited	7/20/2026	$55,663.65
00000343/3	Fluxx Labs, Inc.	7/20/2026	$25,000.00
00000343/4	Public Entity Risk Management Auth	7/20/2026	$516,134.00
00000343/5	Public Entity Risk Management Auth	7/20/2026	$900.00
00000343/6	RideCo US, Inc	7/20/2026	$144.49

3212	Academy For Grassroots Organizations	7/22/2026	$160.00
3213	Aramark Refreshment Services, LLC	7/22/2026	$334.28
3214	AVCOM Services, Inc.	7/22/2026	$495.00
3215	Bonnie Baker Senior Center	7/22/2026	$928.71
3216	City of Barstow	7/22/2026	$464.27
3217	Diamond Environmental Services, LP	7/22/2026	$796.55
3218	Southern California Edison	7/22/2026	$5,222.67
3219	Southern California Edison	7/22/2026	$7,073.69
3220	Southern California Edison	7/22/2026	$16,406.16
3221	Foothill AIDS Project	7/22/2026	$2,240.00
3222	HI-Desert Communications	7/22/2026	$726.23
3223	USA TODAY Media Corp.	7/22/2026	$327.60
3224	Pinnacle Petroleum, Inc.	7/22/2026	$34,290.68
3225	Senir Design	7/22/2026	$97.66
3226	Southwest Gas Corporation	7/22/2026	$20.95
3227	Southwest Gas	7/22/2026	$13.08
3228	Trona Community Senior Center	7/22/2026	$2,283.74
00000346/1	Hydrogen Fuel Cell Bus Council	7/27/2026	$4,000.00
3230	The Bank Of New York Mellon	7/30/2026	$2,200.00
3231	Blue Ocean Brokerage	7/30/2026	$2,500.00
3232	Frontier	7/30/2026	$106.44
3233	Frontier	7/30/2026	$380.14
3234	Golden State Water Company	7/30/2026	$540.18
3235	Golden State Water Company	7/30/2026	$304.30
3236	Golden State Water Company	7/30/2026	$54.00
3237	Golden State Water Company	7/30/2026	$638.59
3238	Golden State Water Company	7/30/2026	$545.99
3239	Hi Desert Alarm	7/30/2026	$213.84
3240	Principal Life Insurance Company	7/30/2026	$3,453.00
3241	Rotary Club Of Victorville	7/30/2026	$343.34
3242	Southern California Edsion	7/30/2026	$142,794.31
3243	Special District Risk Management	7/30/2026	$3,794.12
3244	State Compensation Insurance Fund	7/30/2026	$2,402.49
3245	Southwest Gas	7/30/2026	$11.00
3246	Southwest Gas Corporation	7/30/2026	$52,097.36
TOTAL			**$1,727,980.78**

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AGENDA ITEM

3

STAFF REPORT

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Item Number: 3 **File Type**: Information

REGULAR BOARD MEETING
September 21, 2026

SUBJECT: **Management Reports.**

ACTION: **INFORMATION**

PRESENTED BY: **Rod Goldman, Chief Executive Officer**

RECOMMENDATION

Information items only.

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.

- Monthly Performance Statistics Systemwide Summary.
- Monthly Ridership Report.
- July 2025 over July 2026 Ridership - Comparison by Mode.
- Monthly ADA Denial Report.
- Monthly Road Call Report.
- Keolis On Time Performance Report.

FISCAL IMPACT

None.

FY 2027 -- Monthly Performance Statistics by Mode

Systemwide Summary

All Routes

Performance Statistics for July

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)	83,849	18,212.7	$1,462,175	$52,505	4.6	$17.44	$80.28	$0.63	$2.88	3.59%
Commuter Bus	2,381	339.2	$38,219	$18,203	7.0	$16.05	$112.67	$7.65	$53.66	47.63%
Demand Response	10,976	5,705.6	$346,025	$16,459	1.9	$31.53	$60.65	$1.50	$2.88	4.76%
System Total	97,206	24,257.5	$1,846,419	$87,167	4.0	$18.99	$76.12	$0.90	$3.59	4.72%

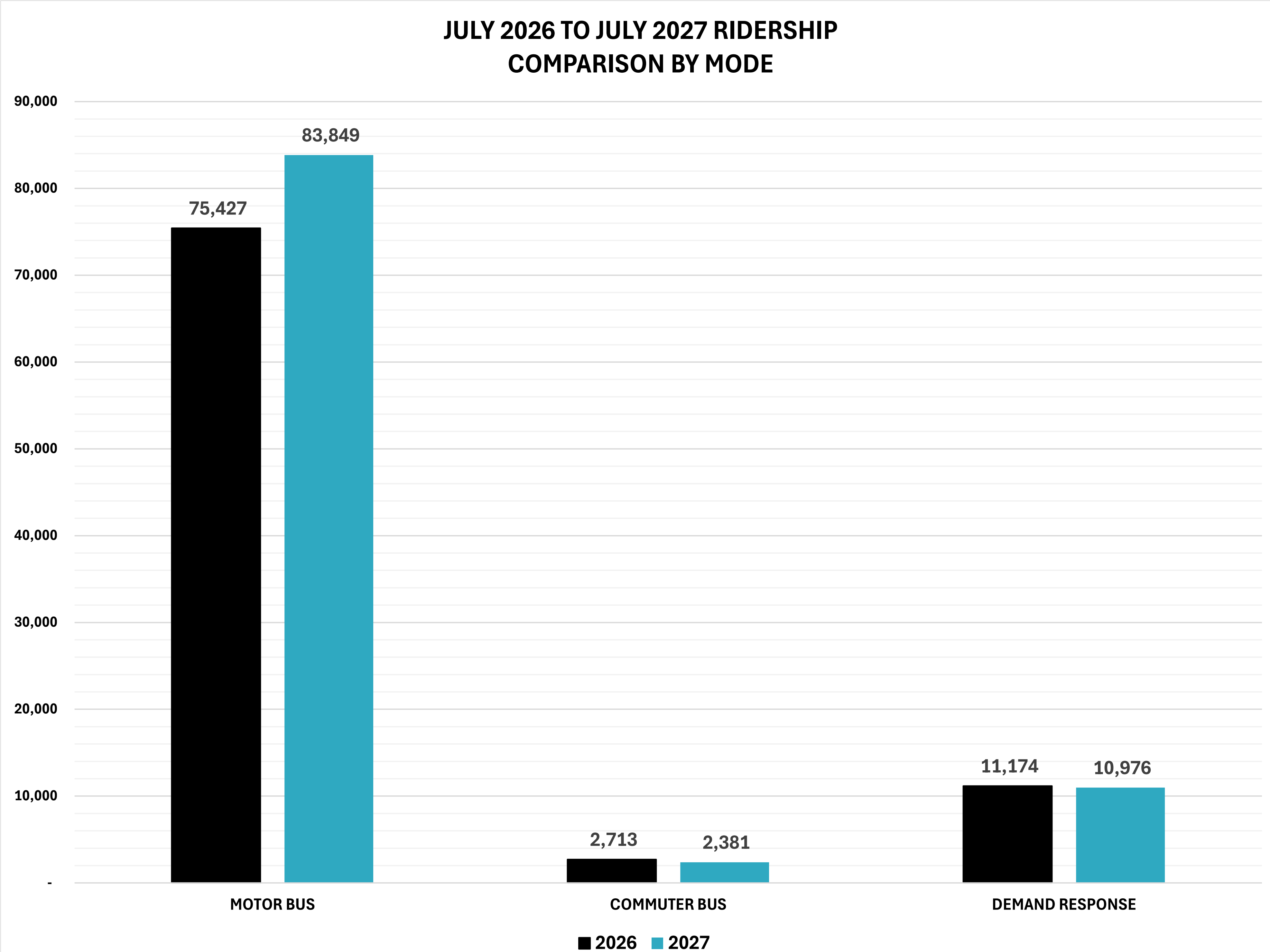
Monthly Ridership Report

July, FY 2027

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)	75,427	83,849	4.3	4.6	1.69%	3.59%
Commuter Bus	2,713	2,381	5.3	7.0	19.02%	47.63%
Demand Response	11,174	10,976	2.0	1.9	1.88%	4.76%
System Total	89,314	97,206	3.8	4.0	2.16%	4.72%



JULY 2026 TO JULY 2027 RIDERSHIP
COMPARISON BY MODE
90,000
80,000
70,000
60,000
50,000
40,000
30,000
20,000
10,000
-
75,427
83,849
2,713
2,381
11,174
10,976
MOTOR BUS
COMMUTER BUS
DEMAND RESPONSE
2026
2027

ADA Dispatch Denial Report For the Month of July 2026

Date	Reservationist Name	Passenger Name	Time Requested	Reason for Denial	Alternate Ride Provided
			All Rides Negotiated		

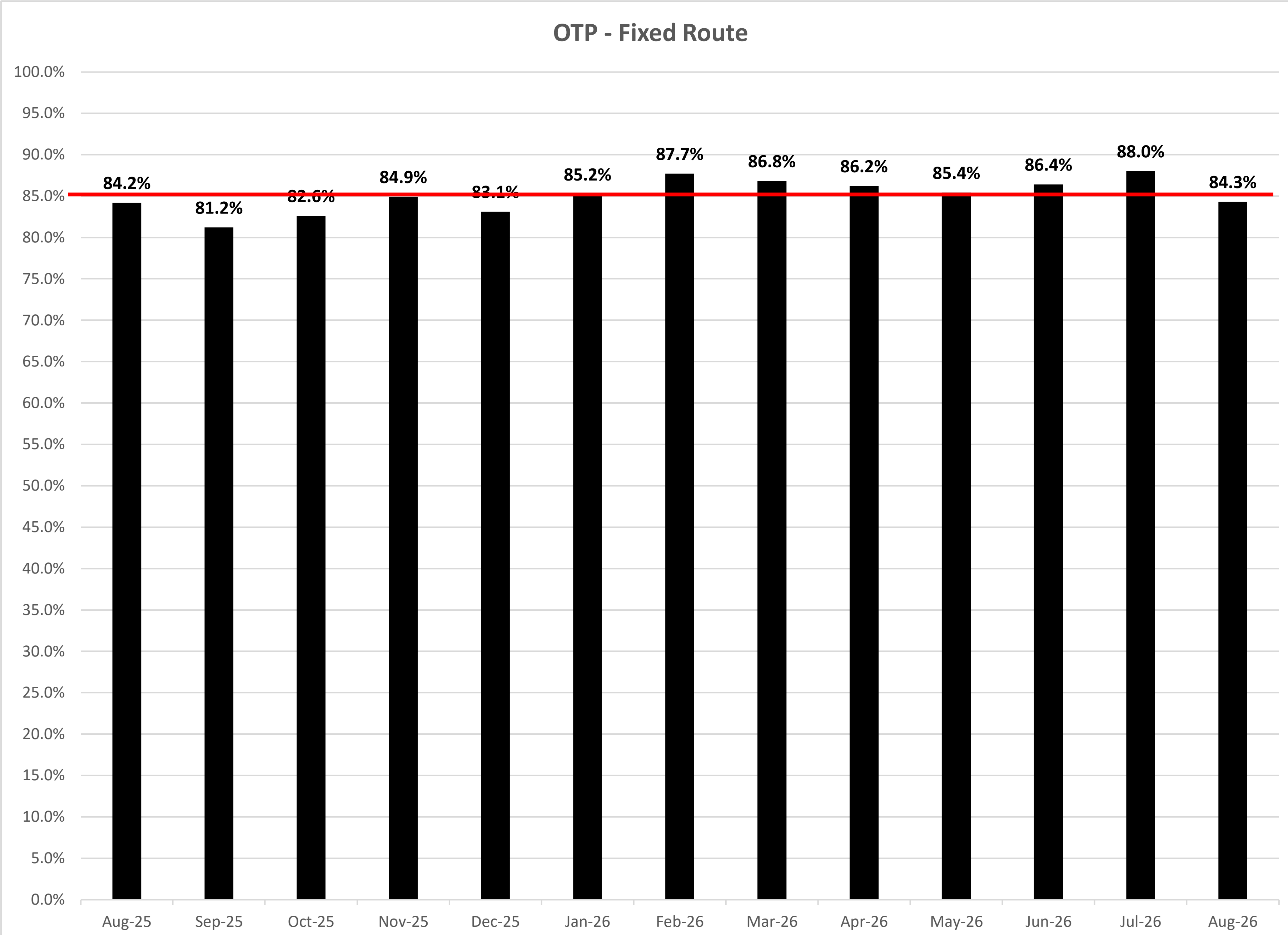
JULY

Major and Non-Major
Miles Between Road Calls

Total Miles	**2026**	**2027**
Demand Response	69,746	60,421
Commuter Bus	19,484	13,251
Motor Bus	259,096	274,411
Total Miles	**348,326**	**348,083**

Total Road Calls	**2026**	**2027**
Demand Response	14	14
Commuter Bus	2	4
Motor Bus	37	48
Total Road Calls	**53**	**66**

Miles Between Road Calls	**2026**	**2027**
Demand Response	4,982	4,316
Commuter Bus	9,742	3,313
Motor Bus	7,003	5,717
Total System	**6,572**	**5,274**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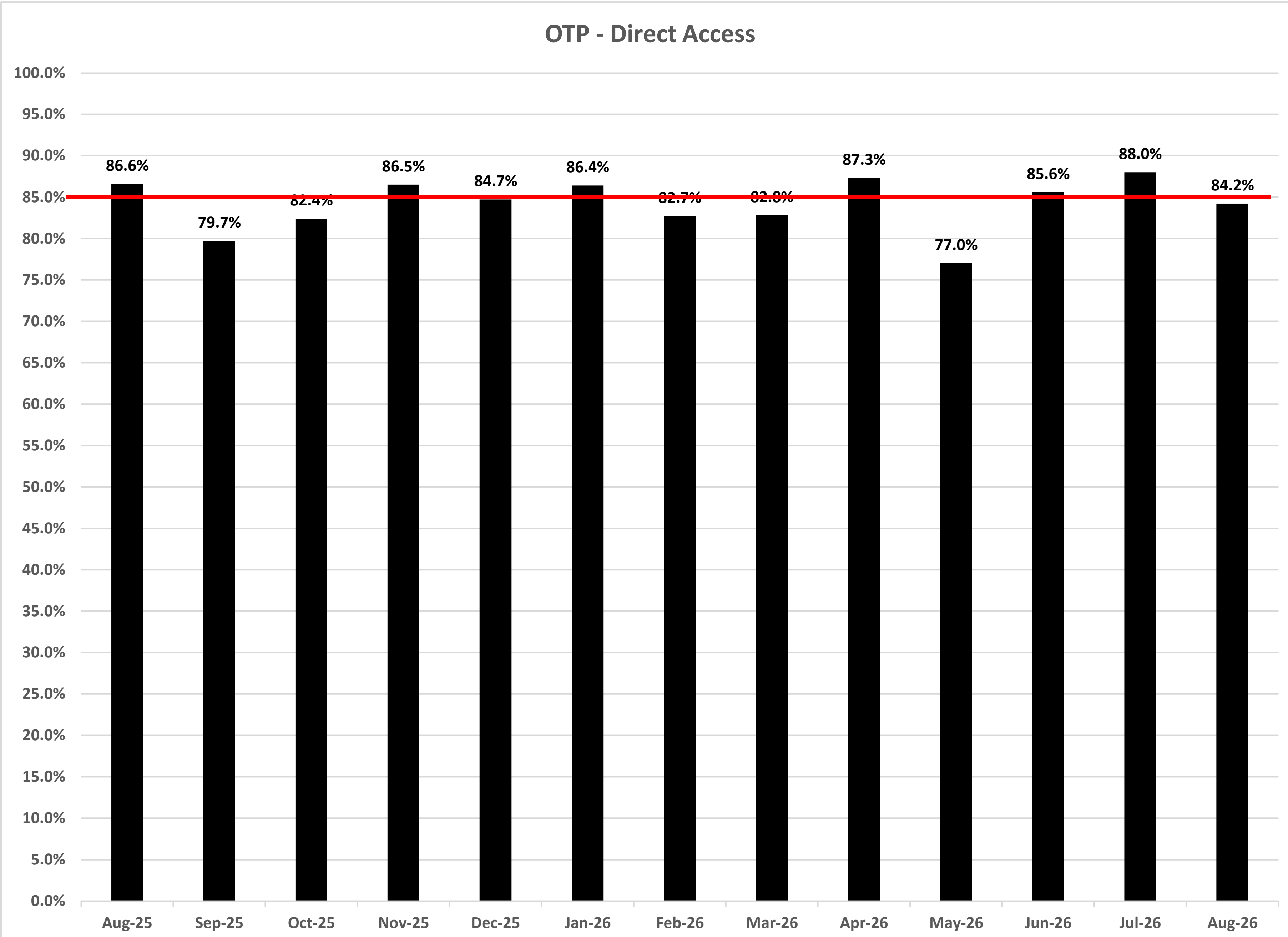
OTP - Direct Access
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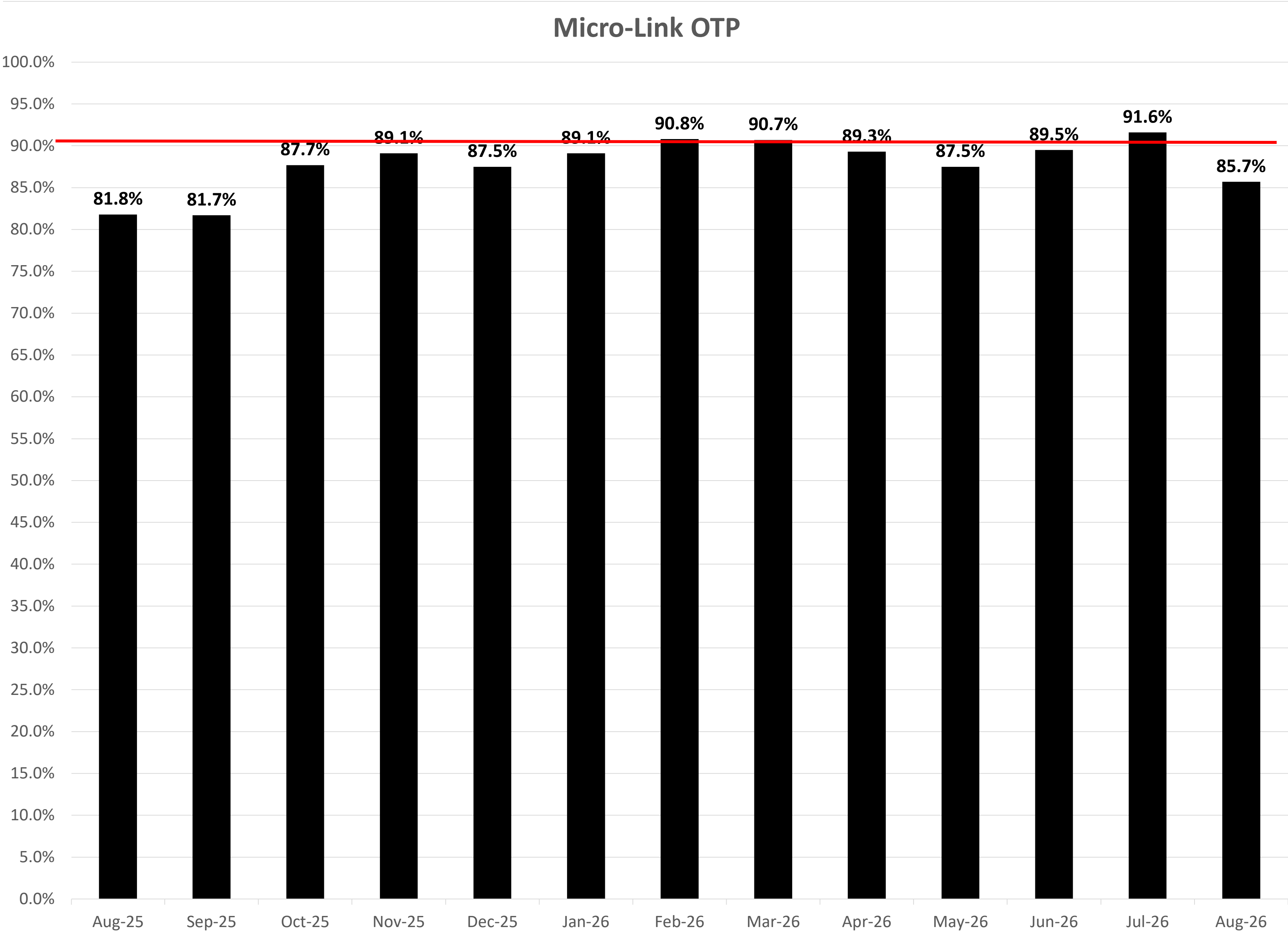
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AGENDA ITEM

4

STAFF REPORT

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Item Number: 4 **File Type**: Information

REGULAR BOARD MEETING
September 21, 2026

SUBJECT: **Transit Operations Division, Victor Valley Detail Report.**

ACTION: **INFORMATION**

PRESENTED BY: VVTA Transit Operations Division Unit

RECOMMENDATION

Information item only.

SUMMARY STATEMENT

At this time, a representative of the VVTA Transit Operations Division, Victor Valley Detail will present highlights and statistics from the last month.

FISCAL IMPACT

None.

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AGENDA ITEM

5

STAFF REPORT

PUBLIC HEARING

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Item Number: 5 **File Type**: Public Hearing

REGULAR BOARD MEETING
September 21, 2026

SUBJECT: **Conduct Public Hearing Regarding VVTA's Fiscal Year (FY) '27 Proposed Fare Adjustments and Approve Proposed Fare Changes**

ACTION: **PUBLIC HEARING**

PRESENTED BY: **Rod Goldman, Chief Executive Officer**

RECOMMENDATION

Conduct Public Hearing regarding VVTA'S FY27 Proposed Fare Adjustments and approve proposed fare changes.

SUMMARY STATEMENT

In accordance with VVTA policy and Federal regulations, notice of this Public Hearing was posted in the Daily Press on August 19, 2026. This meets the 30-day advance public notification requirement.

One of the recommendations in the VVTA Comprehensive Operations Analysis (COA) approved by the Board at its June 17, 2024, meeting was to implement a fare modernization program that would provide a more simplified fare structure and incorporate new fare payment technologies for passenger convenience.

It should be noted that VVTA last initiated modifications to the fare structure in 2017 and prior to that in 2007. Since the 2017 fare modification, the growth in fare revenues has not kept pace with increases in operating costs due to price inflation over the 10-year period. This has resulted in a decrease in the percentage of farebox revenue to operating expenses from a high of 16% in FY19 to approximately 3% in FY26. Additionally, there have been significant advancements in fare technology that can simplify the fare payment process for passengers. The COA recommended a modernization of the VVTA fare structure that would expand fare payment options, incorporate new technology, and enhance fare equity for passengers.

These proposed fare changes would provide several benefits for passengers including:

- Fare Payments Using Credit and Debit Cards
- Fare Capping (pay-as-you-go with a cap on the daily cost using credit, debit, and Smart cards)
- Increased Investment in Service Quality Improvements (Increased service, new buses, passenger amenities)
- Streamlined Fare Structure

With the proposed fare modifications, VVTA regular and student base fares for Local fixed route service would increase by twenty-five cents. County fixed-route fares would be decreased to match Local fixed route service. Micro-Link fares would also be adjusted to match Local fixed route service. Senior/Disabled/Veteran cash fares would remain unchanged. Day Passes would be eliminated and replaced by the new Fare Capping program which would cap the amount of fares paid by a passenger for travel within a day at $2.25. The Fare Capping limits have been modified from the original proposal due to the current inability by Genfare to provide weekly and monthly caps, and to provide passengers with options to make the best financial choice between pay-as-you-go and monthly passes based on their travel needs.

Route 15 fares between Barstow to Victorville and from Victorville to San Bernardino would be increased from $6.00 to $7.00 per segment.

ADA Direct Access fares would increase from $2.50 to $3.00. Additional Zone fares beyond the FTA required 3/4-mile distance from a bus route will be increased from $4.50 to $5.00 for Zone 2 (3/4 of a mile to 1.5 miles from a bus route) and from $6.00 to $6.50 for Zone 3 (1.5 miles to 2.25 miles from a bus route). Fares for ADA Subscription services would also be increased slightly.

There is no fare increase planned for Fort Irwin NTC Commuter Bus service or for route deviations on qualified bus routes. It is also recommended that during the week of Veterans Day veterans and active-duty military service members would be provided with fare-free rides on VVTA fixed-route bus, Direct Access, and Micro-Link services.

Staff will continuously review fare revenues and recommend fare modifications to the Board, if needed, on a bi-annual basis to meet farebox recovery targets.

Table 1 in Attachment A outlines the proposed FY27 fare modifications. Fare modifications would be effective January 3, 2027.

FISCAL IMPACT

The proposed fare modifications to be implemented on January 3, 2027, would result in an estimated increase in fare revenue of $135,000 for FY27.

ATTACHMENTS

A. FY27 Proposed Fare Changes
B. Proof of Publication

VVTA PROPOSED FARE STRUCTURE
Effective January 3, 2027

Fare Category	Current Fare	Proposed Fare	Fare Capping: Daily Paid Trip Cap
Local Routes			
Regular Fare	$ 1.50	$ 1.75	$2.25
Student Fare	$ 1.25	$ 1.50	$2.25
Senior/Disabled/Veteran Fare	$ 0.75	$ 0.75	$2.25
Regular Day Pass	$ 4.00	Day Passes Replaced by Daily Fare Capping	
Student Pass	$ 3.50		
Senior/Disabled/Veteran Day Pass	$ 2.00		
Regular 31-Day Pass	$ 55.00	$ 65.00	N/A
Student 31-Pass	$ 45.00	$ 55.00	N/A
Senior/Disabled/Veteran Day 31-Pass	$ 27.50	$ 32.50	N/A
County Routes			
Regular Fare	$ 2.50	Merged into Local Route Fare Policy	
Student Fare	$ 2.25		
Senior/Disabled/Veteran Fare	$ 2.00		
Regular Day Pass	$ 6.00		
Student Pass	$ 5.00		
Senior/Disabled/Veteran Day Pass	$ 3.00		
Regular 31-Day Pass	$ 80.00		
Student 31-Pass	$ 70.00		
Senior/Disabled/Veteran Day 31-Pass	$ 40.00		
Micro-Link			
Regular Fare	$ 2.00	Merged into Local Route Fare Policy	
Student Fare	$ 1.00		
Senior/Disabled/Veteran Fare	$ 1.00		
Route 15			
Regular Fare	$ 6.50	$ 7.00	No Fare Capping for Route 15 Service
Student Fare	$ 6.50	$ 7.00	
Senior/Disabled/Veteran Fare	$ 3.25	$ 3.25	
Direct Access			
Zone 1	$ 2.50	$ 3.00	No Fare Capping for Direct Access Service
Zone 2	$ 4.50	$ 5.00	
Zone 3	$ 6.00	$ 6.50	
Zone 1 Subscription (Monthly Fare)	$ 130.00	$ 155.00	
Zone 2 Subscription (Monthly Fare)	$ 160.00	$ 175.00	
Zone 3 Subscription (Monthly Fare)	$ 180.00	$ 190.00	
NTC Commuter			
Regular Fare	$ 13.00	$ 13.00	No Fare Capping for NTC Commuter Service
Student Fare	$ 13.00	$ 13.00	
Senior/Disabled/Veteran Fare	$ 13.00	$ 13.00	
NTC Monthly Pass (Mega Pass)	$ 180.00	$ 180.00	
NTC Monthly Military Pass	$ 255.00	$ 255.00	
Deviations			
Regular Fare	$ 2.00	$ 2.00	No Fare Capping for Deviations
Student Fare	$ 2.00	$ 2.00	
Senior/Disabled/Veteran Fare	$ 1.00	$ 1.00	

VICTOR VALLEY TRANSIT AUTHORITY
NOTICE OF PUBLIC HEARING FOR
PROPOSED FY27 FARE MODIFICATIONS
AND REGULAR MEETING

DATE: Monday, September 21, 2026
TIME: 9:30 a.m.
PLACE: Victor Valley Transit Authority
17150 Smoke Tree Street, Hesperia, CA

The Victor Valley Transit Authority is convening a public hearing to solicit input and opinions regarding a system-wide modification to fares.

Interested persons may attend the meeting and submit oral comments during the public hearing. Comments/ statements may also be submitted by e-mail to info@vvta.org or in writing to the Victor Valley Transit Authority, Administrative Offices located at 17150 Smoke Tree St., Hesperia, CA 92345. Details of the proposed fare adjustment will be posted and available at the Administrative Offices, on all buses, and on VVTA's website at www.vvta.org. Questions and comments regarding this proposed fare increase may be directed in writing or by phone to the Clerk of the Board at 760.995.3588 (TDD 760.948.3990), at 17150 Smoke Tree St., Hesperia, CA 92345 or by publiccomments@vvta.org.

VVTA PROPOSED FARE STRUCTURE
Effective January 3, 2027

Fare Category	Current Fare	Proposed Fare	Fare Capping: Daily Paid Trip Cap	Fare Capping: Weekly Paid Trip Cap	Fare Capping: Monthly Paid Trip Cap
Local Routes					
Regular Fare	$ 1.50	$ 1.75	3 Trips	12 Trips	37 Trips
Student Fare	$ 1.25	$ 1.50	3 Trips	12 Trips	37 Trips
Senior/Disabled/Veteran Fare	$ 0.75	$ 0.75	3 Trips	12 Trips	37 Trips
Regular Day Pass	$ 4.00	- After 3 trips in a day additional trips taken in the day are fare free - After 12 trips in a week additional trips taken in the week are fare free - After 37 trips in a month additional trips taken in the month are fare free			
Student Pass	$ 3.50				
Senior/Disabled/Veteran Day Pass	$ 2.00				
Regular 31-Day Pass	$ 55.00				
Student 31-Pass	$ 45.00				
Senior/Disabled/Veteran Day 31-Pass	$ 27.50				
County Routes					
Regular Fare	$ 2.50	Merged into Local Route Fare Policy			
Student Fare	$ 2.25				
Senior/Disabled/Veteran Fare	$ 2.00				
Regular Day Pass	$ 6.00				
Student Pass	$ 5.00				
Senior/Disabled/Veteran Day Pass	$ 3.00				
Regular 31-Day Pass	$ 80.00				
Student 31-Pass	$ 70.00				
Senior/Disabled/Veteran Day 31-Pass	$ 40.00				
Micro-Link					
Regular Fare	$ 2.00	Merged into Local Route Fare Policy			
Student Fare	$ 1.00				
Senior/Disabled/Veteran Fare	$ 1.00				
Route 15					
Regular Fare	$ 6.50	$ 7.00	3 Trips	12 Trips	37 Trips
Student Fare	$ 6.50	$ 7.00	3 Trips	12 Trips	37 Trips
Senior/Disabled/Veteran Fare	$ 3.25	$ 3.50	3 Trips	12 Trips	37 Trips
Direct Access					
Zone 1	$ 2.50	$ 3.00	No Fare Capping for Direct Access Service		
Zone 2	$ 4.50	$ 5.00			
Zone 3	$ 6.00	$ 6.50			
Zone 1 Subscription (Monthly Fare)	$ 130.00	$ 155.00			
Zone 2 Subscription (Monthly Fare)	$ 160.00	$ 175.00			
Zone 3 Subscription (Monthly Fare)	$ 180.00	$ 190.00			
NTC Commuter					
Regular Fare	$ 13.00	$ 13.00	No Fare Capping for NTC Commuter Service		
Student Fare	$ 13.00	$ 13.00			
Senior/Disabled/Veteran Fare	$ 13.00	$ 13.00			
NTC Monthly Pass (Mega Pass)	$ 180.00	$ 180.00			
NTC Monthly Military Pass	$ 255.00	$ 255.00			
Deviations					
Regular Fare	$ 2.00	$ 2.00	No Fare Capping for Deviations		
Student Fare	$ 2.00	$ 2.00			
Senior/Disabled/Veteran Fare	$ 1.00	$ 1.00			

VV-44532045

AGENDA ITEM

6

STAFF REPORT

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Item Number: 6 **File Type**: Approval

REGULAR BOARD MEETING
September 21, 2026

SUBJECT: **Approve the Updated Public Transportation Agency Safety Plan (PTASP).**

ACTION: **APPROVE**

PRESENTED BY: Esteban Rodriguez, Chief Operating Officer

RECOMMENDATION

Approve the 2026 update to the Victor Valley Transit Authority Public Transportation Agency Safety Plan.

SUMMARY STATEMENT

In 2018, the Federal Transit Administration (FTA) required applicable public transportation agencies to develop and implement a Public Transportation Agency Safety Plan (PTASP). The PTASP was required to receive approval from the agency's governing board by July 20, 2020. The VVTA Board of Directors approved VVTA's initial PTASP within the required timeframe.

FTA regulations require each transit agency to establish a process and timeline for the annual review and update of its PTASP. The proposed 2026 update revises the safety performance targets for fatalities, injuries, safety events, and system reliability using a rolling two-year average of VVTA's safety performance data. This methodology provides a more representative assessment of performance trends than a comparison based solely on the preceding year.

The PTASP was reviewed by the VVTA Safety Committee, which is comprised of VVTA and Keolis management and represented employees. The Safety Committee approved the updated plan on September 1, 2026.

FISCAL IMPACT

None.

ATTACHMENTS

A. Public Transportation Agency Safety Plan – Redline
B. Public Transportation Agency Safety Plan – Clean

Public Transportation Agency Safety Plan (PTASP)

September 2026

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VICTOR VALLEY TRANSIT

VICTOR VALLEY TRANSIT

~~PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP)~~

~~SEPTEMBER 2025~~

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VICTOR VALLEY TRANSIT

Table of Contents

VICTOR VALLEY TRANSIT

Chapter 1 – Transit Agency Information

Transit Agency Name:	Victor Valley Transit Authority (VVTA)			
Transit Agency Address:	17150 Smoke Tree Street, Hesperia, CA 92345			
Accountable Executive:	Chief Executive Officer			
Chief Safety Officer:	~~Director of Operations~~Chief Operating Officer			
Modes of Service Covered by This Plan:	Fixed-Route, Paratransit, Commuter	FTA Funding Types:	5307, 5310, 5311, 5339	
Modes of Service Provided by VVTA:	Fixed-Route, Paratransit, Commuter			
Does the agency provide transit services on behalf of another transit agency or entity?	Yes ☐	No ☒	Description of Arrangement(s):	N/A
Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided:	N/A			

VICTOR VALLEY TRANSIT

Chapter 2 – Plan Development, Approval, and Updates

This plan was developed by VVTA and has been reviewed by the VVTA Safety Committee.

Victor Valley Transit Authority Accountable Executive (Name)	
~~Nancie Goff~~Roderick Goldman	
Signature of Accountable Executive	Date of Signature
VVTA Safety Committee, Chair (Name)	
~~Roderick Goldman~~Esteban Rodriguez	
Signature of VVTA Safety Committee, Chair	Date of Certification

Version Number and Updates

Version Number	Section/Pages Affected	Reason for Change	Date Issued
1		New Document	11/16/2020
2	Exhibit A	Addition of Safety Committee Approval	1/17/2023
3	Pages 6, 8, 18	Addition of language re: Mitigation to Infectious Disease Exposure; Change Chief Safety Officer designation; Mitigation of Transit Worker Assaults.	9/16/2024
4	Pages 4, 5, Appendix B	Update of Safety Performance Targets; Safety Committee Approval of PTASP	9/22/2025
5	Page 2, 3, 5, 8, Appendix B,	Target Transmittal Date; Changed Accountable Executive & Chief Safety Officer designation; Safety Committee Approval of PTASP;	9/21/2026

Annual Review and Update of the Public Transportation Agency Safety Plan (PTASP)

VVTA's plan addresses all applicable requirements and standards as set forth in the Federal Transit Administration's (FTA) Public Transportation Safety Program and the National Public Transportation Safety Plan. At VVTA, the review of safety practices is an ongoing process, not one limited to scheduled reviews. The Chief Safety Officer will review and update this plan as needed, or at a minimum, by September 1 of each year. The VVTA Safety Committee will be the first to review and certify changes. Once certified by the ~~s~~Safety ~~C~~committee, the accountable executive will review and approve any changes, sign the new plan, and forward it to the Board of Directors for final review and approval.

Chapter 3: Safety Performance Targets by Mode of Service

Goals and targets listed below are based on the previous 2 years of VVTA's safety performance based on data provided through TransTrack. FY26 data indicates the updated targets for this plan. This data is collected and analyzed to ensure VVTA is progressing towards set goals. In the event it is found that VVTA is deviating from identified goals, VVTA will comply with the processes outlined in this document.

MODE OF SERVICE: FIXED-ROUTE

Fatalities:

- Total number of fatalities reported: FY25 0 FY26 0
- Rate of fatalities per 100,000 vehicle revenue miles (VRM): FY25 0 FY26 0

Injuries:

- Total number of injuries reported: ~~12~~FY25 36 FY26 15
- Rate of injuries per 100K VRM: ~~0.36~~FY25 0.53 FY26 0.48

Safety Events:

- Total number of safety events reported: FY25 15 FY26 6
- Rate of safety events per 100K VRM: FY25 0.22 FY26 0.19

System Reliability:

- Mean distance between major mechanical failures by mode: FY25 1 per 10,619.3 VRM FY26 1 per 6,125.9 VRM

MODE OF SERVICE: DEMAND-RESPONSE

Fatalities:

- Total number of fatalities reported: FY25 0 FY26 0
- Rate of fatalities per 100,000 vehicle revenue miles (VRM): FY25 0 FY26 0

Injuries:

- Total number of injuries reported: FY25 10 FY26 1
- Rate of injuries per 100K VRM: FY25 0.61 FY26 0.12

Safety Events:

- Total number of safety events reported: FY25 2 FY26 2
- Rate of safety events per 100K VRM: FY25 0.12 FY26 .023

System Reliability:

- Mean distance between major mechanical failures by mode: FY25 1 per 17,492.7 VRM FY26 1 per 7,056.6 VRM

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MODE OF SERVICE: COMMUTER

Fatalities:

- Total number of fatalities reported: FY25 0 FY26 0
- Rate of fatalities per 100,000 vehicle revenue miles (VRM): FY25 0 FY26 0~~0~~

Injuries:

- Total number of injuries reported: FY25 0 FY26 0
- Rate of injuries per 100K VRM: FY25 0.0 FY26 0.0

Safety Events:

- Total number of safety events reported: FY25 0 FY26 0
- Rate of safety events per 100K VRM: FY25 0.0 FY26 0.0

System Reliability:

- Mean distance between major mechanical failures by mode: FY25 1 per 16,102.5 VRM FY26 1 per 8,654.0 VRM

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SAFETY PERFORMANCE TARGET COORDINATION

VVTA's Accountable Executive provides a copy of our Agency Safety Plan, including safety performance targets, with the San Bernardino County Transportation Authority (MPO) in our service area each year after its formal adoption by the VVTA Board of Directors. VVTA personnel are available to coordinate with the San Bernardino County Transportation Authority regarding safety performance targets upon request. VVTA's Accountable Executive reviews goals monthly and will review yearly to establish new goals if needed for improvement.

Target Transmittal Dates:

- San Bernardino County Transportation Authority: September 2~~6~~1, 2026~~5~~

VICTOR VALLEY TRANSIT

Chapter 4: Safety Management Policy

VVTA establishes and implements a Safety Management System (SMS) compliant with Part 673. The VVTA SMS is appropriately scaled to the size, scope, and complexity of VVTA, and includes four components as required by 49 CFR 673: Safety Management Policy, Safety Risk Management, Safety Assurance, and Safety Promotion.

Safety Management Policy Statement

The management of safety is one of VVTA's core business functions. VVTA is committed to developing, implementing, maintaining, and constantly improving processes to ensure all transit service delivery activities take place under a balanced allocation of organizational resources aimed at achieving the highest level of safety performance to ensure the safety of our customers, employees, and the public.

All levels of management and all employees are accountable for the delivery of this level of safety performance, starting with the Chief Executive Officer.

VVTA's commitment is to ensure that agency staff and transit contractors:

- Support the management of safety through the provision of appropriate resources that will result in an organizational culture that:
  - fosters safe practices
  - encourages effective employee and contractor safety reporting and communication
  - actively manages safety with the same attention to results of the other management systems of the organization
- Integrate the management of safety among the primary responsibilities of all managers, employees, and contractors
- Clearly define for all staff, managers, employees, and contractors alike, their accountabilities and responsibilities for the delivery of the organization's safety performance and the performance of our safety management system
- Establish and operate hazard identification and analysis (including exposure to infectious diseases) and safety risk evaluation activities, including an employee and contractor safety reporting program as a fundamental source for safety concerns and hazard identification in order to eliminate or mitigate the safety risks of the consequences of hazards resulting from our operations or activities to a point which is consistent with our acceptable level of safety performance; this would include utilizing guidelines from the Centers for Disease Control and Prevention (CDC)
- Ensure no action will be taken against any employee or contractor who discloses a safety concern through the safety reporting program unless disclosure indicates,

beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures

- Comply with, and wherever possible exceed, legislative and regulatory requirements and standards
- Ensure sufficient skilled and trained human resources are available to implement safety management processes
- Ensure all staff and contractors are provided with adequate and appropriate safety-related information and training, are competent in safety management matters, and are allocated only tasks commensurate with their skills
- Establish and measure safety performance against realistic and data-driven safety performance indicators and safety performance targets
- Continually improve safety performance through management processes that ensure appropriate safety management action is taken and is effective
- Ensure externally supplied systems and services to support operations are delivered meeting safety performance standards

Safety Management Policy Communication

VVTA's commitment to the safety of their employees and contractors began with the roll out of the PTASP. The Chief Safety Officer distributed the Safety Management Policy Statement to all VVTA employees and contractors in an All-staff Meeting on October 1, 2020. Each VVTA employee and contractor received a copy of the statement. Following dissemination of the policy, a signed acknowledgement was collected. New VVTA employees and contractor employees are given a copy of the PTASP, and a signed acknowledgement is collected.

Each revision of the PTASP will continue to be provided to VVTA employees and contractors once final approval has been received. Anytime changes are made to the PTASP, a signed acknowledgment by VVTA employees and contractors will be required.

The PTASP Policy Statement is posted on bulletin boards at VVTA Headquarters and in the operations and maintenance break areas of the operating divisions. The PTASP Policy Statement will also be distributed to all new hires during orientation for VVTA employees. Contractors that VVTA does not provide new hire orientation for are required to distribute the PTASP Policy Statement during new hire orientation.

Authorities, Accountabilities, and Responsibilities

Accountable Executive

Chief Executive Officer

The Chief Executive Officer is ultimately responsible for carrying out the PTASP, Transit Asset Management (TAM) Plan, and the allocation of resources needed to develop and maintain both plans. The Accountable Executive is responsible for ensuring the Safety Plan and all

Safety Management System (SMS) components are effectively implemented and for ensuring action is taken, as necessary, to address substandard performance in the agency's SMS.

Chief Safety Officer (CSO)
~~Director of Operations~~ Chief Operating Officer

The Chief Executive Officer has designated the ~~Director of Operations~~Chief Operating Officer as the Chief Safety Officer. In addition to their other duties, the ~~Director of Operations~~Chief Operating Officer has the authority and responsibility for day-to-day implementation and operation of safety and reports directly to the Chief Executive Officer. At minimum, the ~~Director of Operations~~Chief Operating Officer is trained in the training outlined in Section 7 under "Requirements for Chief Safety Officer Training."

Agency Leadership and Executive Management
The Chief Safety Officer has designated the VVTA Operations Manager as the Agency Lead. The Agency Lead is a single identifiable person who will manage the day-to-day operation of the PTASP, including the following key tasks:

- Establish goals and targets
- Ensure the plan is ~~being followed~~followed by all employees
- Report to key management progress of the plan
- Make recommendations to improve the plan after implementation
- Report to any government agency any reporting requirements associated with PTASP

The VVTA Safety Management team have the following authorities, accountabilities, and responsibilities:

- Meet monthly to review safety suggestions to determine next step to resolve
- Participate in the VVTA Safety Committee
- Oversee day-to-day operations in their department
- Modify department policies and procedures to be consistent with PTASP as needed
- Provide subject matter expertise to support implementation of the PTASP as requested by the Accountable Executive or the Chief Safety Officer, including investigation of safety events, development of safety risk mitigations, and monitoring of mitigation effectiveness
- Assess the financial and budgetary impacts of safety mitigation recommendations and allocate resources to accomplish safety goals

The VVTA Safety Management team includes:
- VVTA ~~Director of Operations~~Chief Operating Officer

- VVTA Chief Maintenance Officer
- VVTA Chief Financial Officer
- VVTA Operations Manager
- VVTA Procurement Manager
- VVTA Systems Administrators
- VVTA Contractor Management Team

VVTA Safety Committee

The VVTA Safety Committee purpose is: (I) identifying and recommending risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through the agency's safety risk assessment; (II) identifying mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended; and (III) identifying safety deficiencies for purposes of continuous improvement. The committee will be comprised of an equal number of management staff comprised of staff from VVTA and its contractors and frontline employees chosen by the union. The Chief Safety Officer will act as chair for the committee and will prepare agendas for the meetings. Each entity may name alternates for the committee as needed.

The committee will meet quarterly to review and discuss incidents and issues reported and will annually review the plan and recommend updates. The Safety Committee certifies the plan when edits or updates are made before it can be approved by the VVTA Board of Directors. For the plan to be certified, a majority of the committee members must agree on the edits or updates. Updates will be made to the plan as needed, but at a minimum, it will be reviewed annually. If no updates are made, the plan will not need to be recertified.

At each quarterly safety meeting, the safety committee will make recommendations to improve safety and evaluate any safety hazard reported. Each quarterly safety committee meeting will also include discussion of the following:

- Review of safety related incidents to review causation
- Identify the causes associated with each event
- Develop mitigation measures to reduce the risk of events occurring in the future
- Review of policy and procedures
- Training
- Safety awareness

Driver Safety Meetings

The VVTA Contractor is required to hold monthly safety meetings. Each meeting will include a permanent agenda item dedicated to safety, where safety issues are discussed and documented.

Employee Safety Reporting Program

VVTA is committed to conducting business with honesty and integrity. Employees and contractors are encouraged to speak up and raise questions and concerns promptly about any situation that may violate safety protocols, policies, procedures, the laws, rules, and regulations that govern business operations.

Employees and contractors are expected to tell others if witnessing unsafe work practices or conditions. In instances when employees and/or contractors are not comfortable discussing these unsafe conditions with fellow employees, they are encouraged to discuss the situation with management or report it in writing anonymously.

There are many ways employees can report safety conditions. They may report conditions directly to the Dispatcher, who will add them to the daily Operations Log. They may also report conditions using their name or anonymously to Safety@vvta.org.

However, where matters are more serious or the employee or contractor feels management has not addressed the concern or they are not comfortable reporting to their immediate manager, employees can report the concern to the next level manager, any member of the safety committee, Chief Safety Officer or VVTA Operations Manager.

Retaliation against anyone who, in good faith, reports observations of unsafe or illegal activities, or against anyone who cooperates in any investigation of such report, is strictly prohibited, and is not tolerated, regardless of the outcome of the complaint. In other words, employees and contractors are protected for speaking up in good faith under this policy. Any manager, or coworker who retaliates against a complaining employee, contractor, or anyone involved in an investigation of a complaint is subject to discipline and/or termination.

Managers are charged with assuring that they, their staff, and contractors comply with whistleblower protections and that no retaliation occurs because of a reported safety-related issue. However, VVTA may take disciplinary action if the report involves any of the following:

- Willful participation in illegal activity
- Gross negligence, such as knowingly utilizing heavy equipment for purposes other than intended such that people or property are put at risk
- Deliberate or willful disregard of regulations or procedures, such as reporting to work under the influence of controlled substances

Examples of Information Typically Reported:

If an employee or contractor is involved in a near miss, or determines something to be a hazard, the event should be reported so all may learn from the event and prevent a collision or injury from occurring in the future. If the safety hazard requires immediate attention, a supervisor must be notified immediately. If immediate attention is not required, the employee or contractor is encouraged to submit the information to management by the end of their workday. VVTA management or contractor's management then initiates conversations with employees about their observations of both safe and unsafe behaviors. If an incident has occurred, the vehicle operator must stop the vehicle immediately as it is safe to do so.

VVTA encourages anyone who sees, hears, or learns of any conduct or statement that seems threatening or suspicious, and/or any weapons on company premises or in company vehicles, to immediately report such conduct or statement. If there is an immediate risk or imminent threat of violence, serious harm, or life-threatening conduct, employees should immediately call 911, local police, or other law enforcement.

Once the safety issue is submitted, it is reviewed by the VVTA Operations Manager or the Chief Safety Officer. Following the review, a report is to be sent via email to the department responsible for addressing the reported issue.

The safety issues are also reviewed to determine if they should be presented to the Safety Committee for discussion. Types of safety issues reported that would be presented for discussion to the Safety Committee, including issues that a solution would benefit the employees or contractors, are within the scope of the operations for VVTA or that require action by VVTA to complete.

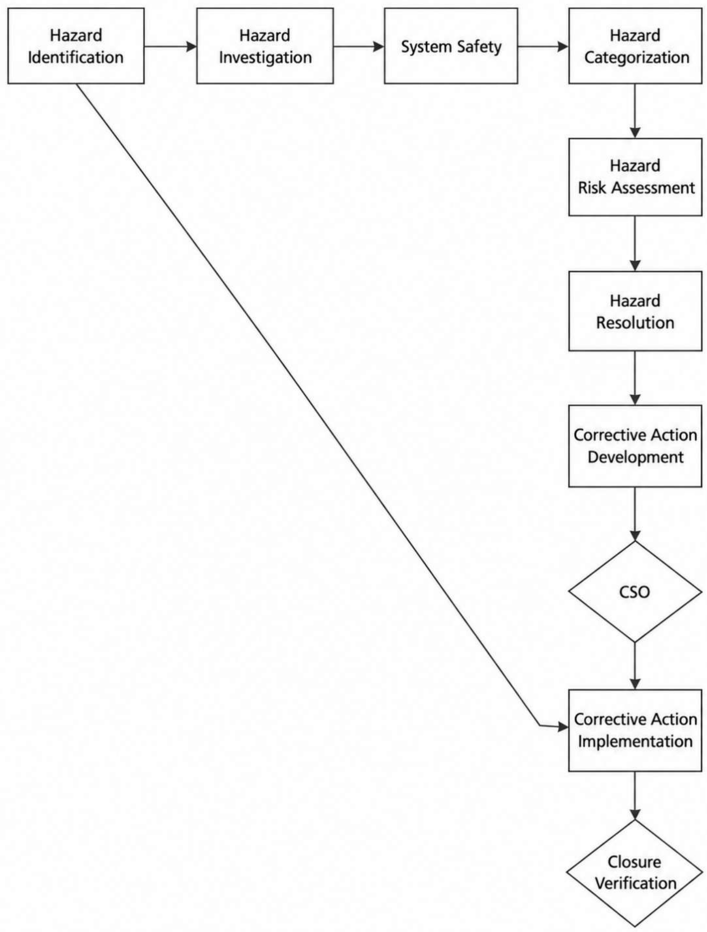
The Chief Safety Officer or designee, supported by the Safety Committee, will review and address reported safety issues at each quarterly Safety Committee meeting. Each safety issue will be reviewed to ensure hazards and their consequences are appropriately identified and resolved through the Safety Risk Management process. All reported deficiencies and non-compliance with rules or procedures are managed through the Safety Assurance process.

The Chief Safety Officer or designee will also notify contractors of all actions taken to address reported safety issues annually. The contractors will be responsible for disseminating the information to their employees. Additionally, if the reporting employee provided his or her name during the reporting process, the Chief Safety Officer or designee will follow up directly with the employee when VVTA determines if action should be taken and after any mitigations are implemented.

Chapter 5: Safety Risk Management

Safety Risk Management Process

Safety management is at the core of everything done at VVTA. All employees and contractors are responsible for performing their jobs in a safe manner, which includes identifying safety risks and participating in developing and implementing effective mitigation techniques. The process for managing hazards, from identification through corrective action and closure, is illustrated by the following chart.


Hazard Identification
Hazard Investigation
System Safety
Hazard Categorization
Hazard Risk Assessment
Hazard Resolution
Corrective Action Development
CSO
Corrective Action Implementation
Closure Verification

As described earlier, a structure exists to address all safety concerns. To ensure safety, the VVTA Safety Committee is responsible for reviewing safety related incidents to review culpability, to identify the causes associated with each event, and develop mitigation measures to reduce the risk of events occurring in the future. Having this committee provides a way for employees and contractors to report safety risks in a timely manner and for teams that understand the conditions associated with each area. Additionally, the opportunity exists for more timely, appropriate, and effective mitigation measures.

Safety Hazard Identification

The safety hazard identification process offers VVTA the ability to identify hazards and potential consequences in the operation and maintenance of our system. Hazards can be identified through a variety of sources, including:

- Employee Safety Reporting
- Review of contractor monthly performance data and safety performance targets
- Comments from customers, passengers, and third parties, including VVTA's insurance provider and vendors
- Safety Committee, drivers, and staff meetings
- Audits and inspections of vehicles and facilities
- Training assessments
- Investigations into safety events, incidents, and occurrences
- Federal Transit Administration (FTA) and other oversight authorities (mandatory information sources)
- Road conditions
- Safety and performance data targets
- Camera footage
- Supervisor or employee observations
- Maintenance reports

When a safety concern is observed, whatever the source, it is reported to VVTA's Chief Safety Officer or designee. Procedures for reporting hazards are reviewed during new hire orientation and at the quarterly Safety Committee meetings. The Chief Safety Officer or designee may also identify hazards based on review of results of audits and observations, and information received from FTA and other oversight authorities, as well as the National Transportation Safety Board.

The Chief Safety Officer or designee may conduct further analyses of identified hazards and consequences to collect information and identify additional consequences and to inform which hazards should be prioritized for safety risk assessment. In following up on identified hazards, the Chief Safety Officer or designee may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard
- Conduct a walkthrough of the affected area, assessing the possible hazardous condition, generating visual documentation (photographs and/or video), and taking any measurements deemed necessary
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard
- Review any documentation associated with the hazard (records, reports, procedures, inspections, technical documents, etc.)
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard
- Review any past reported hazards of a similar nature
- Evaluate tasks and/or processes associated with the reported hazard

The Chief Safety Officer or designee will prepare an agenda to discuss identified hazards and consequences with the VVTA Safety Committee during quarterly meetings. This agenda may include additional background on the hazards and consequences, such as the results of trend analyses, vehicle camera footage, vendor documentation, reports and observations, or information supplied by FTA or other oversight authorities.

Any identified hazard that poses a real and immediate threat to life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the Safety Risk Management process (with or without the full VVTA Safety Committee) for safety risk assessment and mitigation. This means the Chief Safety Officer believes immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment that would constitute a violation of Environmental Protection Agency or any state environmental protection standards. Otherwise, the VVTA Safety Committee will prioritize hazards for further Safety Risk Management activity.

Safety Risk Assessment:

VVTA assesses safety risk associated with identified safety hazards using its safety risk assessment process. This includes an assessment of the likelihood and severity of the consequences of hazards, including existing mitigations and prioritizing hazards based on safety risk. Pursuant to 49 C.F.R. Part 673.5, “Risk” is defined as the composite of predicted severity and likelihood of the potential effect of a hazard.

Once a hazard has been identified, the Chief Safety Officer or designee and VVTA Safety Committee will categorize the hazard into the following severity levels. The categorization of hazards is consistent with risk-based criteria for severity, reflecting the principle that not all hazards pose an equal amount of risk to personal safety.

Category 1: Catastrophic
Operating conditions are such that human error, design deficiencies, element, subsystem or component failure, or procedural deficiencies may cause death or major system loss and require immediate termination of the unsafe activity or operation.

Category 2: Critical
Operating conditions are such that human error, subsystem or component failure, or procedural deficiencies may cause severe injury, severe occupational illness, or major system damage and require immediate corrective action.

Category 3: Marginal
Operating conditions are such that they may result in minor injury, occupational illness or system damage and are such that human error, subsystem, or component failures can be counteracted or controlled.

Category 4: Negligible
Operating conditions are such that human error, subsystem, or component failure or procedural deficiencies will result in less than minor injury, occupational illness, or system damage.

The next step in assessing the hazard is to determine the likelihood of an event occurring. Likelihood is determined based on the analysis of transit system operating experience, evaluation of VVTA safety data, the analysis of reliability and failure data, and/or from historical safety data from other passenger bus systems.

The following chart describes the likelihood categories:

Likelihood of Occurrence or Event

Description	Frequency for Specific Item	Selected Frequency for Fleet/Inventory
Frequent	Likely to occur frequently	Continuously experienced
Probable	Will occur several times in the life of the item	Will occur frequently in the system
Occasional	Likely to occur sometime in the life of the item	Will occur several times in the system
Remote	Unlikely but possible to occur in the life of an item	Unlikely but can be expected to occur

Improbable	So unlikely it can be assumed occurrence may not be experienced	Unlikely to occur but possible

Identified hazards are placed into the following Risk Assessment Matrix to enable the decision maker to understand the amount of risk involved in accepting the hazard in relation to the cost (schedule, cost, operations) to reduce the hazard to an acceptable level.

	Severity			
Frequency	Catastrophic	Critical	Marginal	Negligible
Frequent	High	High	High	Medium
Probable	High	High	Serious	Medium
Occasional	High	Serious	Serious	Low
Remote	Serious	Serious	Medium	Low
Improbable	Medium	Medium	Medium	Low

Based on the company policy and the analysis of historical data, VVTA has made the following determinations regarding risk acceptance.

Hazard Risk Index	Criteria by Index
High	Unacceptable
Serious	Undesirable (management decision)
Medium	Acceptable with management review
Low	Acceptable without management review

The Chief Safety Officer or designee schedules safety risk assessment activities on the VVTA Safety Committee agenda and prepares a Safety Risk Assessment Package. This package is distributed at least one week in advance of the VVTA Safety Committee meeting. During the meeting, the Chief Safety Officer or designee reviews the hazard and its consequence(s) and reviews available information distributed in the Safety Risk Assessment Package on severity and likelihood. The Chief Safety Officer or designee may request support from members of the VVTA Safety Committee in obtaining additional information to support the safety risk assessment.

Once sufficient information has been obtained, the Chief Safety Officer or designee will document the VVTA Safety Committee's safety risk assessment, including hazard rating and mitigation options for each assessed safety hazard. The Chief Safety Officer will maintain a file on VVTA Safety Committee agendas, Safety Risk Assessment Packages, and additional information collection for a period of three years from the date of generation.

Safety Risk Mitigation

The Accountable Executive and Chief Safety Officer review current methods of safety risk mitigation and establish methods or procedures to mitigate or eliminate safety risk associated with specific hazards based on recommendations from the VVTA Safety Committee. VVTA can reduce safety risks by reducing the likelihood and/or severity of potential consequences of hazards.

Prioritization of safety risk mitigations is based on the results of safety risk assessments. The Chief Safety Officer or designee tracks and updates safety risk mitigation information and makes the reports available to the VVTA Safety Committee during quarterly meetings and to VVTA staff upon request. The Chief Safety Officer or designee will also document any specific measures or activities, such as reviews, observations, or audits, which will be conducted to monitor the effectiveness of mitigations once implemented. The follow-up actions will be implemented as follows.

Unacceptable: The hazard must be mitigated in the most expedient manner possible before normal service may resume. Interim corrective action may be required to mitigate the hazard to an acceptable level while the permanent resolution is in development.

Undesirable: A hazard at this level of risk must be mitigated unless the Chief Executive Officer and Chief Safety Officer issue a documented decision to manage the hazard until resources are available for full mitigation.

Acceptable with Review: The Chief Executive Officer and Chief Safety Officer must determine if the hazard is adequately controlled or mitigated as is.

Acceptable without Review: The hazard does not need to be reviewed by the management team and does not require further mitigation or control.

Risk Reduction Program

- To prevent accidents, within VVTA facilities the vehicle speed limit is 5 mph. High visibility vests must be worn while in the bus yard on VVTA property.

- VVTA and its contractor are required to provide adequate training to reduce vehicular and pedestrian incidents involving buses and other vehicles. Training will include measures to reduce visibility impairments for bus operators that contribute to incidents and accidents. VVTA and its contractor will also continuously evaluate technologies that can reduce visibility impairments and assess the inclusion of new specifications for future procurements.

- VVTA and its contractor will ensure assaults on transit workers are mitigated. This will include the deployment of assault mitigation infrastructure and technology on buses, and the deployment of San Bernardino County Sheriff Transit Unit deputies to monitor transit service and respond to incidents.

Chapter 6: Safety Assurance

Safety Performance Monitoring and Measurement

Through our Safety Assurance process, VVTA will:

- Evaluate VVTA's contractor compliance with operations and maintenance procedures to determine whether existing rules and procedures are sufficient to control safety risk
- Assess the effectiveness of safety risk mitigations of VVTA's contractor to make sure the mitigations are appropriate and are implemented as intended
- Require VVTA's contractor to investigate safety events to identify causal factors
- Ensure that VVTA's contractor analyze information from safety reporting, including data about safety failures, defects, or conditions

VVTA has many processes in place to monitor its entire transit system for compliance with the VVTA contractor's operations and maintenance procedures, including:

- Safety audits
- Informal inspections
- Regular review of onboard camera footage to assess specific incidents
- Safety surveys
- Employee Safety Reporting Program
- Investigation of safety occurrences
- Safety review prior to the launch or modification of service
- Data gathering and monitoring of data related to the delivery of service
- Regular vehicle inspections and preventative maintenance

Results from the above processes are compared against recent performance trends quarterly and annually by the Chief Safety Officer to determine where action needs to be taken. The Chief Safety Officer enters any identified non-compliant or ineffective activities, including mitigations, back into the Safety Risk Management process for reevaluation by the VVTA Safety Committee. This information is also utilized to impact operational and budget decisions.

Monitoring for Ineffective, Inappropriate, or Unimplemented Safety Risk Mitigations

VVTA monitors safety risk mitigations to determine if they have been implemented and are effective, appropriate, and working as intended. The Chief Safety Officer or designee maintains a list of safety risk mitigations. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The Chief Safety Officer establishes one or more mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigns monitoring activities to the appropriate director, manager, or supervisor. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports; conducting job performance observations; or other activities. The Chief Safety Officer will endeavor to make use of existing processes and activities before assigning new information collection activities.

The Chief Safety Officer or designee and VVTA Safety Committee review the performance of individual safety risk mitigations during quarterly meetings based on the reporting schedule determined for each mitigation and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performing as intended, the VVTA Safety Committee will propose a course of action to modify the mitigation or take other action to manage the safety risk. The Chief Safety Officer or designee will approve or modify this proposed course of action and oversee its execution.

The Chief Safety Officer or designee and VVTA Safety Committee also monitor operations on a large scale to identify mitigations that may be ineffective, inappropriate, or not implemented as intended by:

- Reviewing results from incident, and occurrence investigations
- Monitoring employee safety reporting
- Reviewing results of internal safety audits and inspections
- Analyzing operational and safety data to identify emerging safety concerns

The Chief Safety Officer works with the VVTA Safety Committee and Accountable Executive to carry out and document all monitoring activities.

Safety Investigations

Any occurrence involving a passenger, while under the care, custody, and control of VVTA's contractor, is considered an incident. Any contact between a VVTA vehicle and another person, vehicle, or object while under the care, custody, and control of VVTA's contractor is considered an incident, whether or not there was damage or injury.

All incidents, regardless of severity, will be investigated by VVTA's contractor staff. The investigation will include law enforcement assistance, if needed, photos, accident/incident report, fault determination, incident tracking and retraining when necessary.

VVTA's contractor will maintain documented procedures for conducting safety investigations of events (incidents, and occurrences, as defined by FTA) to find causal and contributing factors and review the existing mitigations in place at the time of the event. VVTA's contractor maintains all documentation of the investigation policies, processes, forms, checklists, activities, and results. VVTA's contractor is expected to document the following information for each incident:

- Whether the incident was preventable or non-preventable
- Personnel requiring discipline or retraining
- The causal factor(s) indicate(s) that a safety hazard contributed to or was present during the event
- The incident appears to involve underlying organizational causal factors beyond just individual employee behavior

VVTA has zero tolerance for preventable injuries and collisions. Elimination of preventable injuries and collisions is our number one goal. VVTA's contractor is expected to follow VVTA requirements for safety event investigations.

The Chief Safety Officer or designee maintains all documentation of VVTA audits of the VVTA contractor's investigation policies, processes, forms, checklists, activities, and results. As detailed in VVTA's procedures, an investigation report is prepared and sent to the VVTA Safety Committee for integration into their analysis of the event at each quarterly meeting.

VVTA's contractor will hold monthly staff meetings to discuss concerns and progress in the area of safety and safety related concerns. Recommendations are considered, and necessary changes implemented. All complaints are addressed immediately and reviewed monthly.

Internal Safety Reporting Program Monitoring

The VVTA Safety Management Team routinely review safety data captured in employee safety reports, safety meeting minutes, customer complaints, and other safety communication channels, including safety incident reporting software. When necessary, the Chief Safety Officer and VVTA Safety Committee ensure the concerns are investigated or analyzed through the Safety Risk Management process.

The Chief Safety Officer, VVTA Safety Management Team and VVTA Safety Committee also review internal and external reports, including audits and assessments, with findings concerning safety performance, compliance with operations and maintenance procedures, or the effectiveness of safety risk mitigations.

Continuous Improvement

VVTA will continuously assess the safety performance of the PTASP. If VVTA identifies safety deficiencies as part of its safety performance assessment, VVTA will develop and carry out, under the direction of the Accountable Executive, a plan to address the identified safety deficiencies.

Chapter 7: Safety Promotion

Competencies and Training

The education and training programs provided by VVTA and its contractor are to be a highly regimented and professionally developed program built around a curriculum featuring learning opportunities in knowledge and skills. This training applies to all employees directly responsible for safety, including, but not limited to:

- Vehicle operators
- Dispatchers
- Road Supervisors
- Maintenance personnel
- Managers, supervisors, and administrators
- Chief Safety Officer
- Accountable Executive

Upon hire, all new employees will receive an orientation to include review of policies and procedures. Continuing training for all employees will occur at regular intervals to promote a high degree of safety, skill, performance, and morale. Retraining may be required following a leave of absence or if the need is otherwise determined by an employee's supervisor.

Various delivery mechanisms for driver training, such as classroom, multimedia presentations, closed course observation, and behind-the-wheel skill building are used to support the learning process. Learning is evaluated through written quizzes, driving tests, observation, and customer service evaluations.

Basic training requirements, including refresher training, are to be documented in the VVTA Employee Handbook.

Safety related training will include:

- New hire training for vehicle operators and maintenance personnel
- Continued refresher training for vehicle operators and maintenance personnel
- Retraining for vehicle operators and maintenance personnel
- De-escalation training for vehicle operators and maintenance personnel

- Classroom and on the job training for dispatchers/road supervisors
- Ongoing skill training for maintenance personnel and supervisors
- Ongoing vehicle maintenance training for maintenance personnel
- OSHA standards for vehicle maintenance personnel and supervisors
- Accident investigation training for managers and supervisors
- Ongoing hazardous material training for vehicle maintenance personnel and supervisors
- Ongoing maintenance training provided by vendors
- Classroom and on the job training for operations supervisors and managers
- Reasonable suspicion determination and reporting training for supervisors and managers
- Accident investigation training for supervisors and managers

The education and training programs provided by VVTA are to be a highly regimented and professionally developed program built around a curriculum featuring learning opportunities in knowledge and skills. This training applies to all employees directly responsible for safety, including, but not limited to:

- Agency Leadership
- Chief Safety Officer
- Accountable Executive

Agency leadership safety related training includes:

- Classroom and on-the-job training
- SMS Awareness online training
- Accident investigation training

The Chief Safety Officer will be trained, at minimum, in

- Reasonable Suspicion Determination and Reporting
- OSHA requirements

Emergency drills and simulations are conducted in accordance with regulatory and contractual requirements. Additional drills and simulations may also be conducted during monthly safety meetings, or as risks are identified during internal audits, risk assessments, and facility inspections. VVTA's Accountable Executive, agency leadership, and Chief Safety Officer must complete FTA's SMS Awareness online training.

Safety Communication

Establishing and maintaining a culture that demands safe behavior at all times is at the core of VVTA's safety plan. This is done, in part, by providing a regular flow of positive information and recognizing those who are performing safely.

Safety Awareness Communications

VVTA's Chief Safety Officer or designee, and VVTA's contractor will coordinate safety communication by:

- Communicating information on safety and safety performance in monthly staff reports
- Posting safety bulletins and flyers on the bulletin boards located on all administrative bulletin boards
- Providing safety policies and procedures as part of new-hire training to all VVTA and contractor staff
- Issuing memos or messages to employees that are reinforced by supervisors, for newly emerging issues or safety events
- Providing targeted communications to inform employees or contractors of safety actions, which include handouts, flyers, updates to bulletin boards, or one-on-one discussions between employees and supervisors
- Generating system-wide participation in safety issues through positive reinforcement
- Creating safety incentives for employees to encourage and reward safe practices
- Encouraging all employees to "take ownership" for safety results
- Communicating safety policies, procedures, and processes
- Engaging executives and managers at all levels, encouraging their active participation in safety management and communication
- Sharing safety results at the individual, departmental, and project levels by celebrating success stories
- Establishment of emergency "Communication Tree" between VVTA and Contractor staff with three priority levels to expedite response to emergency situations

Chapter 8: Additional Information

Supporting Documentation

Numerous standard operating procedures (SOPs), in addition to those mentioned in this plan, have been developed and incorporated into operational practices at VVTA. Documents are maintained for three years after they are created and are made available upon request by FTA or CalTrans.

The SOPs have been designed to create operational consistency, increase awareness of risks and hazards, and provide easily duplicated processes for identifying and mitigating the risks associated with providing transit services.

Definitions of Terms

VVTA incorporates all of FTA's definitions that are in 49 CFR § 673.5 of the Public Transportation Agency Safety Plan regulation.

Accident/Incident means an event that involves any of the following: a loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; an evacuation for life safety reasons; a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Accountable Executive means a single, identifiable person who has ultimate responsibility for carrying out the PTASP of a public transportation agency. This individual is responsible for carrying out the agency's Transit Asset Management Plan, the control or direction over the human and capital resources needed to develop and maintain both the agency's PTASP, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.

Contractor means one that contracts or is party to a contract, that performs work or provides supplies.

Equivalent Authority means an entity who carries out duties similar to that of a Board of Directors for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's PTASP.

Event means any Incident, or Occurrence.

Hazard means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Injury means any harm to persons as a result of an event that requires immediate medical attention away from the scene.

Investigation means the process of determining the causal and contributing factors of an incident, or hazard, for the purpose of preventing recurrence and mitigating risk.

National Public Transportation Safety Plan means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

Occurrence means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

Operator of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302.

Performance Measure means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

Performance Target means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time-period required by the FTA.

Public Transportation Agency Safety Plan (or Agency Safety Plan) means the documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.

Risk means the composite of predicted severity and likelihood of the potential effect of a hazard.

Risk Mitigation means a method or methods to eliminate or reduce the effects of hazards.

Safety Assurance means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Safety event means an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Safety Management Policy means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees regarding safety.

Safety Management System means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.

Safety Management System (SMS) Executive means a Chief Safety Officer or an equivalent.

Safety Performance Target means a performance target related to safety management activities.

Safety Promotion means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

Safety Risk Assessment means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.

Safety Risk Management means a process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

Serious Injury means any injury which:

(1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received.
(2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses).
(3) Causes severe hemorrhages, nerve, muscle, or tendon damage.
(4) Involves any internal organ; or
(5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

Small Public Transportation Provider means a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service and does not operate a rail fixed guideway public transportation system.

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State of Good Repair means the condition in which a capital asset is able to operate at a full level of performance.

Transit Agency means an operator of a public transportation system.

Transit Asset Management Plan means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost- effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.

List of Acronyms

Acronym	Word or Phase
ADA	American's with Disabilities Act of 1990
CAP	Corrective Action Plan
CEO	Chief Executive Officer
DOT	Department of Transportation
IR	Incident Report
FOF	Field Observation and Feedback
FTA	Federal Transit Administration
MPO	Metropolitan Planning Organization
PTASP	Public Transportation Agency Safety Plan
SA	Safety Assurance
SMP	Safety Management Policy
SMS	Safety Management System
SOP	Standard Operating Procedure

SRM	Safety Risk Management
U.S.C.	United States Code

Appendix A: PTASP Acknowledgement Form

PUBLIC TRANSPORTATION AGENCY SAFETY PLAN ACKNOWLEDGEMENT FORM

I have received a copy and have reviewed the Public Transportation Agency Safety Plan.

Printed Name: ______________________________________

Signature: ___________________________________ Date: _________________________

Employer: ___________________________________

VICTOR VALLEY TRANSIT

Appendix B: Safety Committee Approval of PTASP

RE: PTASP Safety Committee Approval of VVTA PTASP.

In accordance with the Bipartisan Infrastructure Law to the Public Transportation Agency Safety Plan (PTASP) requirements, transit agencies that receive Section 5307 funding and serve a large, urbanized area (population 200,000 or more) must have the agency's Safety Committee approve updates to the agency's PTASP.

On September 01, 2026 representatives of the VVTA Safety Committee met to review changes to the current PTASP. The members of the Safety Committee are listed in the table and have reviewed and approved updates to the VVTA PTASP.

Name of Committee Member	Signature	Date
Esteban Rodriguez, Co-Chair	[illegible]	9/01/2026
David Moore, Co-Chair	D. Moore	09/01/2026
Willie Perez		
Sylvia Harris	[illegible]	9.1.26
Contract Compliance		
Jonathan McDowell	[illegible]	9/1/26
Cresencio Ortega	[illegible]	9-1-2026
Morgan Anderson	[illegible]	09/01/26
Dana Curtis		
Lori Robinson		
Mitch Paszkowski		
Amber Sainz	[illegible]	9-1-26
Monica Vega	Monica Vega	9-1-26
Tracy Gumke	[illegible]	09-01-2026
Monica Carillo	[illegible]	9/1/26
Delena Gonzalez		
Stephanie Mejia	Stephanie Mejia	9/1/26.
Lisa Arellano	[illegible]	
Jennife Rios	[illegible]	9-1-26
Dustin Strandberg	[illegible]	9/1/2026
Vanessa Estrada	[illegible]	9/1/2026
Melissa Perry	[illegible]	9/1/2026
Sayre Garcia	[illegible]	9/1/2026
Tammy Colosimo	Tammy Colosimo	9/1/2026

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RE: PTASP Safety Committee Approval of VVTA PTASP

In accordance with the Bipartisan Infrastructure Law changes to the Public Transportation Agency Safety Plan (PTASP) requirements, transit agencies that receive Section 5307 funding and serve a large, urbanized area (population 200,000 or more) must have the agency's Safety Committee approve updates to the agency's PTASP.

On September 3, 2025 representatives of the VVTA Safety Committee met to review changes to the current PTASP. The members of the Safety Committee are listed in the table below and have reviewed and approved updates to the VVTA PTASP.

Name of Committee Member	Signature	Date
Rod Goldman, Co-Chair		9/3/25
David Moore, Co-Chair		
Willy Perez		9/3/25
Sylvia Harris		9·03·25
Shelly Cable	Shelly a Cable	9/3/25
Jonathan McDowell		9/3/25
Cresencio Ortega		9-3-2025
Morgan Anderson		09/03/25
Dana Curtis		9/3/25
Lori Robinson	Lori Robinson	9/3/25
Mitch Paszkowski		
Amber Sainz		
Monica Vega	Monica Vega	9-3-25
Tracy Gumke		
Monica Carillo		9-3-25
Delena Gonzalez		
Stephanie Mejia		
Lisa Arellano.	L Arellano	9/3/25.
Jennife Rios		9/3/25

Appendix C: VVTA Board Approval of PTASP

Attachment B

VVTA

Public Transportation Agency Safety Plan (PTASP)

September 2026

Table of Contents

Chapter 1 – Transit Agency Information

Transit Agency Name:	Victor Valley Transit Authority (VVTA)			
Transit Agency Address:	17150 Smoke Tree Street, Hesperia, CA 92345			
Accountable Executive:	Chief Executive Officer			
Chief Safety Officer:	Chief Operating Officer			
Modes of Service Covered by This Plan:	Fixed-Route, Paratransit, Commuter	FTA Funding Types:	5307, 5310, 5311, 5339	
Modes of Service Provided by VVTA:	Fixed-Route, Paratransit, Commuter			
Does the agency provide transit services on behalf of another transit agency or entity?	Yes ☐	No ☒	Description of Arrangement(s):	N/A
Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided:	N/A			

Chapter 2 – Plan Development, Approval, and Updates

This plan was developed by VVTA and has been reviewed by the VVTA Safety Committee.

Victor Valley Transit Authority Accountable Executive (Name)	
Roderick Goldman	
Signature of Accountable Executive	**Date of Signature**
VVTA Safety Committee, Chair (Name)	
Esteban Rodriguez	
Signature of VVTA Safety Committee, Chair	**Date of Certification**

Version Number and Updates

Version Number	Section/Pages Affected	Reason for Change	Date Issued
1		New Document	11/16/2020
2	Exhibit A	Addition of Safety Committee Approval	1/17/2023
3	Pages 6, 8, 18	Addition of language re: Mitigation to Infectious Disease Exposure; Change Chief Safety Officer designation; Mitigation of Transit Worker Assaults.	9/16/2024
4	Pages 4, 5, Appendix B	Update of Safety Performance Targets; Safety Committee Approval of PTASP	9/22/2025
5	Page 2, 3, 5, 8, Appendix B,	Target Transmittal Date; Changed Accountable Executive & Chief Safety Officer designation; Safety Committee Approval of PTASP;	9/21/2026

Annual Review and Update of the Public Transportation Agency Safety Plan (PTASP)

VVTA's plan addresses all applicable requirements and standards as set forth in the Federal Transit Administration's (FTA) Public Transportation Safety Program and the National Public Transportation Safety Plan. At VVTA, the review of safety practices is an ongoing process, not one limited to scheduled reviews. The Chief Safety Officer will review and update this plan as needed, or at a minimum, by September 1 of each year. The VVTA Safety Committee will be the first to review and certify changes. Once certified by the Safety Committee, the accountable executive will review and approve any changes, sign the new plan, and forward it to the Board of Directors for final review and approval.

Chapter 3: Safety Performance Targets by Mode of Service

Goals and targets listed below are based on the previous 2 years of VVTA's safety performance based on data provided through TransTrack. FY26 data indicates the updated targets for this plan. This data is collected and analyzed to ensure VVTA is progressing towards set goals. In the event it is found that VVTA is deviating from identified goals, VVTA will comply with the processes outlined in this document.

MODE OF SERVICE: FIXED-ROUTE

Fatalities:

- Total number of fatalities reported: FY25 0 FY26 0
- Rate of fatalities per 100,000 vehicle revenue miles (VRM): FY25 0 FY26 0

Injuries:

- Total number of injuries reported: FY25 36 FY26 15
- Rate of injuries per 100K VRM: FY25 0.53 FY26 0.48

Safety Events:

- Total number of safety events reported: FY25 15 FY26 6
- Rate of safety events per 100K VRM: FY25 0.22 FY26 0.19

System Reliability:

- Mean distance between major mechanical failures by mode: FY25 1 per 10,619.3 VRM FY26 1 per 6,125.9 VRM

MODE OF SERVICE: DEMAND-RESPONSE

Fatalities:

- Total number of fatalities reported: FY25 0 FY26 0
- Rate of fatalities per 100,000 vehicle revenue miles (VRM): FY25 0 FY26 0

Injuries:

- Total number of injuries reported: FY25 10 FY26 1
- Rate of injuries per 100K VRM: FY25 0.61 FY26 0.12

Safety Events:

- Total number of safety events reported: FY25 2 FY26 2
- Rate of safety events per 100K VRM: FY25 0.12 FY26 .023

System Reliability:

- Mean distance between major mechanical failures by mode: FY25 1 per 17,492.7 VRM FY26 1 per 7,056.6 VRM

MODE OF SERVICE: COMMUTER

Fatalities:

- Total number of fatalities reported: FY25 0 FY26 0
- Rate of fatalities per 100,000 vehicle revenue miles (VRM): FY25 0 FY26 0

Injuries:

- Total number of injuries reported: FY25 0 FY26 0
- Rate of injuries per 100K VRM: FY25 0.0 FY26 0.0

Safety Events:

- Total number of safety events reported: FY25 0 FY26 0
- Rate of safety events per 100K VRM: FY25 0.0 FY26 0.0

System Reliability:

- Mean distance between major mechanical failures by mode: FY25 1 per 16,102.5 VRM FY26 1 per 8,654.0 VRM

SAFETY PERFORMANCE TARGET COORDINATION

VVTA's Accountable Executive provides a copy of our Agency Safety Plan, including safety performance targets, with the San Bernardino County Transportation Authority (MPO) in our service area each year after its formal adoption by the VVTA Board of Directors. VVTA personnel are available to coordinate with the San Bernardino County Transportation Authority regarding safety performance targets upon request. VVTA's Accountable Executive reviews goals monthly and will review yearly to establish new goals if needed for improvement.

Target Transmittal Dates:

- San Bernardino County Transportation Authority: September 21, 2026

Chapter 4: Safety Management Policy

VVTA establishes and implements a Safety Management System (SMS) compliant with Part 673. The VVTA SMS is appropriately scaled to the size, scope, and complexity of VVTA, and includes four components as required by 49 CFR 673: Safety Management Policy, Safety Risk Management, Safety Assurance, and Safety Promotion.

Safety Management Policy Statement

The management of safety is one of VVTA's core business functions. VVTA is committed to developing, implementing, maintaining, and constantly improving processes to ensure all transit service delivery activities take place under a balanced allocation of organizational resources aimed at achieving the highest level of safety performance to ensure the safety of our customers, employees, and the public.

All levels of management and all employees are accountable for the delivery of this level of safety performance, starting with the Chief Executive Officer.

VVTA's commitment is to ensure that agency staff and transit contractors:

- Support the management of safety through the provision of appropriate resources that will result in an organizational culture that:
    - fosters safe practices
    - encourages effective employee and contractor safety reporting and communication
    - actively manages safety with the same attention to results of the other management systems of the organization
- Integrate the management of safety among the primary responsibilities of all managers, employees, and contractors
- Clearly define for all staff, managers, employees, and contractors alike, their accountabilities and responsibilities for the delivery of the organization's safety performance and the performance of our safety management system
- Establish and operate hazard identification and analysis (including exposure to infectious diseases) and safety risk evaluation activities, including an employee and contractor safety reporting program as a fundamental source for safety concerns and hazard identification in order to eliminate or mitigate the safety risks of the consequences of hazards resulting from our operations or activities to a point which is consistent with our acceptable level of safety performance; this would include utilizing guidelines from the Centers for Disease Control and Prevention (CDC)
- Ensure no action will be taken against any employee or contractor who discloses a safety concern through the safety reporting program unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures

- Comply with, and wherever possible exceed, legislative and regulatory requirements and standards
- Ensure sufficient skilled and trained human resources are available to implement safety management processes
- Ensure all staff and contractors are provided with adequate and appropriate safety-related information and training, are competent in safety management matters, and are allocated only tasks commensurate with their skills
- Establish and measure safety performance against realistic and data-driven safety performance indicators and safety performance targets
- Continually improve safety performance through management processes that ensure appropriate safety management action is taken and is effective
- Ensure externally supplied systems and services to support operations are delivered meeting safety performance standards

Safety Management Policy Communication

VVTA's commitment to the safety of their employees and contractors began with the roll out of the PTASP. The Chief Safety Officer distributed the Safety Management Policy Statement to all VVTA employees and contractors in an All-staff Meeting on October 1, 2020. Each VVTA employee and contractor received a copy of the statement. Following dissemination of the policy, a signed acknowledgement was collected. New VVTA employees and contractor employees are given a copy of the PTASP, and a signed acknowledgement is collected.

Each revision of the PTASP will continue to be provided to VVTA employees and contractors once final approval has been received. Anytime changes are made to the PTASP, a signed acknowledgment by VVTA employees and contractors will be required.

The PTASP Policy Statement is posted on bulletin boards at VVTA Headquarters and in the operations and maintenance break areas of the operating divisions. The PTASP Policy Statement will also be distributed to all new hires during orientation for VVTA employees. Contractors that VVTA does not provide new hire orientation for are required to distribute the PTASP Policy Statement during new hire orientation.

Authorities, Accountabilities, and Responsibilities

Accountable Executive

Chief Executive Officer

The Chief Executive Officer is ultimately responsible for carrying out the PTASP, Transit Asset Management (TAM) Plan, and the allocation of resources needed to develop and maintain both plans. The Accountable Executive is responsible for ensuring the Safety Plan and all Safety Management System (SMS) components are effectively implemented and for ensuring action is taken, as necessary, to address substandard performance in the agency's SMS.

Chief Safety Officer (CSO)

Chief Operating Officer

The Chief Executive Officer has designated the Chief Operating Officer as the Chief Safety Officer. In addition to their other duties, the Chief Operating Officer has the authority and responsibility for day-to-day implementation and operation of safety and reports directly to the Chief Executive Officer. At minimum, the Chief Operating Officer is trained in the training outlined in Section 7 under “Requirements for Chief Safety Officer Training.”

Agency Leadership and Executive Management

The Chief Safety Officer has designated the VVTA Operations Manager as the Agency Lead. The Agency Lead is a single identifiable person who will manage the day-to-day operation of the PTASP, including the following key tasks:

- Establish goals and targets
- Ensure the plan is followed by all employees
- Report to key management progress of the plan
- Make recommendations to improve the plan after implementation
- Report to any government agency any reporting requirements associated with PTASP

The VVTA Safety Management team have the following authorities, accountabilities, and responsibilities:

- Meet monthly to review safety suggestions to determine next step to resolve
- Participate in the VVTA Safety Committee
- Oversee day-to-day operations in their department
- Modify department policies and procedures to be consistent with PTASP as needed
- Provide subject matter expertise to support implementation of the PTASP as requested by the Accountable Executive or the Chief Safety Officer, including investigation of safety events, development of safety risk mitigations, and monitoring of mitigation effectiveness
- Assess the financial and budgetary impacts of safety mitigation recommendations and allocate resources to accomplish safety goals

The VVTA Safety Management team includes:

- VVTA Chief Operating Officer
- VVTA Chief Maintenance Officer
- VVTA Chief Financial Officer
- VVTA Operations Manager
- VVTA Procurement Manager
- VVTA Systems Administrators
- VVTA Contractor Management Team

VVTA Safety Committee

The VVTA Safety Committee purpose is: (I) identifying and recommending risk-based mitigations or strategies necessary to reduce the likelihood and severity of consequences identified through the agency's safety risk assessment; (II) identifying mitigations or strategies that may be ineffective, inappropriate, or were not implemented as intended; and (III) identifying safety deficiencies for purposes of continuous improvement. The committee will be comprised of an equal number of management staff comprised of staff from VVTA and its contractors and frontline employees chosen by the union. The Chief Safety Officer will act as chair for the committee and will prepare agendas for the meetings. Each entity may name alternates for the committee as needed.

The committee will meet quarterly to review and discuss incidents and issues reported and will annually review the plan and recommend updates. The Safety Committee certifies the plan when edits or updates are made before it can be approved by the VVTA Board of Directors. For the plan to be certified, a majority of the committee members must agree on the edits or updates. Updates will be made to the plan as needed, but at a minimum, it will be reviewed annually. If no updates are made, the plan will not need to be recertified.

At each quarterly safety meeting, the safety committee will make recommendations to improve safety and evaluate any safety hazard reported. Each quarterly safety committee meeting will also include discussion of the following:

- Review of safety related incidents to review causation
- Identify the causes associated with each event
- Develop mitigation measures to reduce the risk of events occurring in the future
- Review of policy and procedures
- Training
- Safety awareness

Driver Safety Meetings

The VVTA Contractor is required to hold monthly safety meetings. Each meeting will include a permanent agenda item dedicated to safety, where safety issues are discussed and documented.

Employee Safety Reporting Program

VVTA is committed to conducting business with honesty and integrity. Employees and contractors are encouraged to speak up and raise questions and concerns promptly about any situation that may violate safety protocols, policies, procedures, the laws, rules, and regulations that govern business operations.

Employees and contractors are expected to tell others if witnessing unsafe work practices or conditions. In instances when employees and/or contractors are not comfortable discussing these unsafe conditions with fellow employees, they are encouraged to discuss the situation with management or report it in writing anonymously.

There are many ways employees can report safety conditions. They may report conditions directly to the Dispatcher, who will add them to the daily Operations Log. They may also report conditions using their name or anonymously to Safety@vvta.org.

However, where matters are more serious or the employee or contractor feels management has not addressed the concern or they are not comfortable reporting to their immediate manager, employees can report the concern to the next level manager, any member of the safety committee, Chief Safety Officer or VVTA Operations Manager.

Retaliation against anyone who, in good faith, reports observations of unsafe or illegal activities, or against anyone who cooperates in any investigation of such report, is strictly prohibited, and is not tolerated, regardless of the outcome of the complaint. In other words, employees and contractors are protected for speaking up in good faith under this policy. Any manager, or coworker who retaliates against a complaining employee, contractor, or anyone involved in an investigation of a complaint is subject to discipline and/or termination.

Managers are charged with assuring that they, their staff, and contractors comply with whistleblower protections and that no retaliation occurs because of a reported safety-related issue. However, VVTA may take disciplinary action if the report involves any of the following:

- Willful participation in illegal activity
- Gross negligence, such as knowingly utilizing heavy equipment for purposes other than intended such that people or property are put at risk
- Deliberate or willful disregard of regulations or procedures, such as reporting to work under the influence of controlled substances

Examples of Information Typically Reported

If an employee or contractor is involved in a near miss, or determines something to be a hazard, the event should be reported so all may learn from the event and prevent a collision or injury from occurring in the future. If the safety hazard requires immediate attention, a supervisor must be notified immediately. If immediate attention is not required, the employee or contractor is encouraged to submit the information to management by the end of their workday. VVTA management or contractor's management then initiates conversations with employees about their observations of both safe and unsafe behaviors. If an incident has occurred, the vehicle operator must stop the vehicle immediately as it is safe to do so.

VVTA encourages anyone who sees, hears, or learns of any conduct or statement that seems threatening or suspicious, and/or any weapons on company premises or in company vehicles, to immediately report such conduct or statement. If there is an immediate risk or imminent threat of violence, serious harm, or life-threatening conduct, employees should immediately call 911, local police, or other law enforcement.

Once the safety issue is submitted, it is reviewed by the VVTA Operations Manager or the Chief Safety Officer. Following the review, a report is to be sent via email to the department responsible for addressing the reported issue.

The safety issues are also reviewed to determine if they should be presented to the Safety Committee for discussion. Types of safety issues reported that would be presented for discussion to the Safety Committee, including issues that a solution would benefit the employees or contractors, are within the scope of the operations for VVTA or that require action by VVTA to complete.

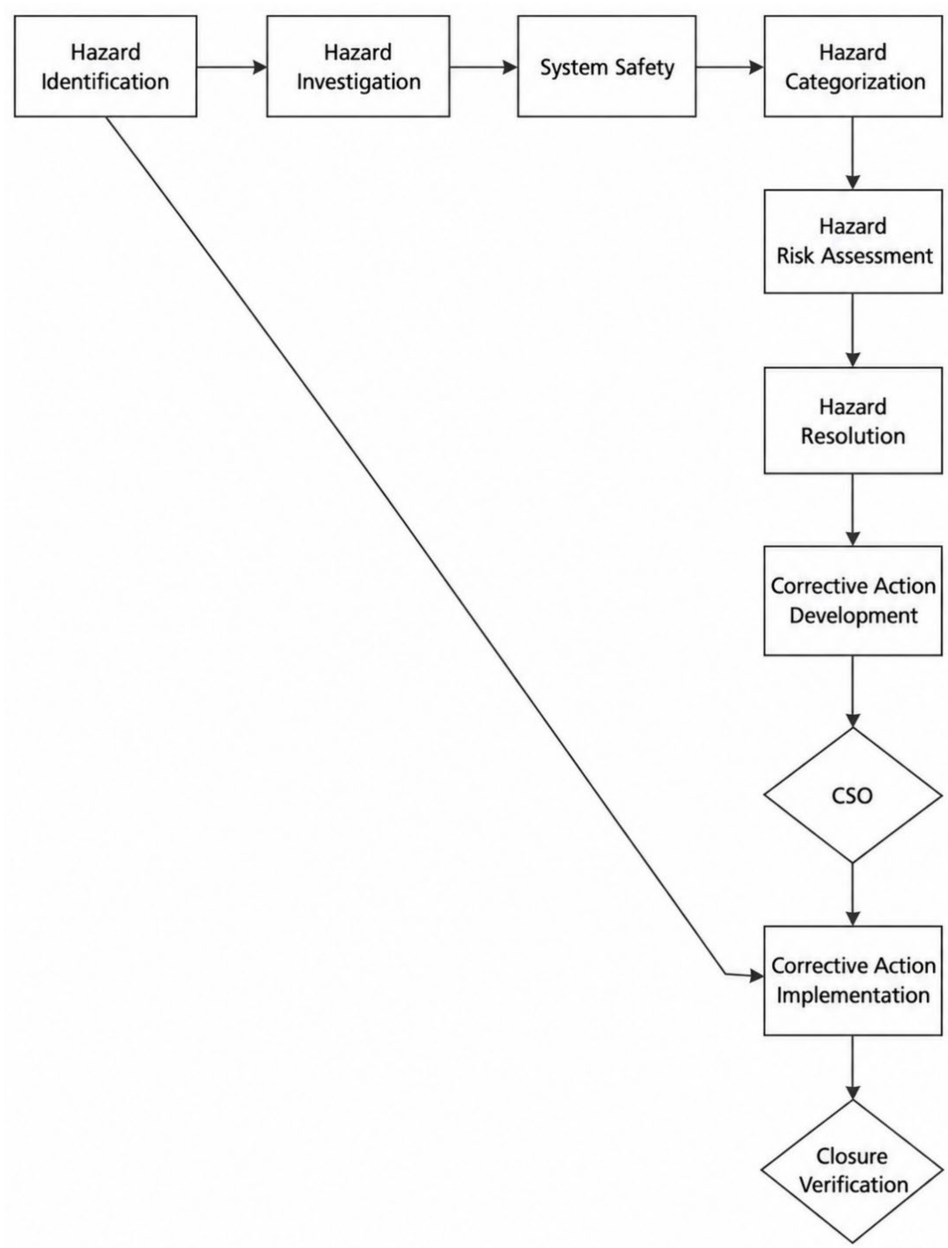
The Chief Safety Officer or designee, supported by the Safety Committee, will review and address reported safety issues at each quarterly Safety Committee meeting. Each safety issue will be reviewed to ensure hazards and their consequences are appropriately identified and resolved through the Safety Risk Management process. All reported deficiencies and non-compliance with rules or procedures are managed through the Safety Assurance process.

The Chief Safety Officer or designee will also notify contractors of all actions taken to address reported safety issues annually. The contractors will be responsible for disseminating the information to their employees. Additionally, if the reporting employee provided his or her name during the reporting process, the Chief Safety Officer or designee will follow up directly with the employee when VVTA determines if action should be taken and after any mitigations are implemented.

Chapter 5: Safety Risk Management

Safety Risk Management Process

Safety management is at the core of everything done at VVTA. All employees and contractors are responsible for performing their jobs in a safe manner, which includes identifying safety risks and participating in developing and implementing effective mitigation techniques. The process for managing hazards, from identification through corrective action and closure, is illustrated by the following chart.



As described earlier, a structure exists to address all safety concerns. To ensure safety, the VVTA Safety Committee is responsible for reviewing safety related incidents to review culpability, to identify the causes associated with each event, and develop mitigation measures to reduce the risk of events occurring in the future. Having this committee provides a way for employees and contractors to report safety risks in a timely manner and for teams that understand the conditions associated with each area. Additionally, the opportunity exists for more timely, appropriate, and effective mitigation measures.

Safety Hazard Identification

The safety hazard identification process offers VVTA the ability to identify hazards and potential consequences in the operation and maintenance of our system. Hazards can be identified through a variety of sources, including:

- Employee Safety Reporting
- Review of contractor monthly performance data and safety performance targets
- Comments from customers, passengers, and third parties, including VVTA's insurance provider and vendors
- Safety Committee, drivers, and staff meetings
- Audits and inspections of vehicles and facilities
- Training assessments
- Investigations into safety events, incidents, and occurrences
- Federal Transit Administration (FTA) and other oversight authorities (mandatory information sources)
- Road conditions
- Safety and performance data targets
- Camera footage
- Supervisor or employee observations
- Maintenance reports

When a safety concern is observed, whatever the source, it is reported to VVTA's Chief Safety Officer or designee. Procedures for reporting hazards are reviewed during new hire orientation and at the quarterly Safety Committee meetings. The Chief Safety Officer or designee may also identify hazards based on review of results of audits and observations, and information received from FTA and other oversight authorities, as well as the National Transportation Safety Board.

The Chief Safety Officer or designee may conduct further analyses of identified hazards and consequences to collect information and identify additional consequences and to inform which hazards should be prioritized for safety risk assessment. In following up on identified hazards, the Chief Safety Officer or designee may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard
- Conduct a walkthrough of the affected area, assessing the possible hazardous condition, generating visual documentation (photographs and/or video), and taking any measurements deemed necessary
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard
- Review any documentation associated with the hazard (records, reports, procedures, inspections, technical documents, etc.)
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard
- Review any past reported hazards of a similar nature
- Evaluate tasks and/or processes associated with the reported hazard

The Chief Safety Officer or designee will prepare an agenda to discuss identified hazards and consequences with the VVTA Safety Committee during quarterly meetings. This agenda may include additional background on the hazards and consequences, such as the results of trend analyses, vehicle camera footage, vendor documentation, reports and observations, or information supplied by FTA or other oversight authorities.

Any identified hazard that poses a real and immediate threat to life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the Safety Risk Management process (with or without the full VVTA Safety Committee) for safety risk assessment and mitigation. This means the Chief Safety Officer believes immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment that would constitute a violation of Environmental Protection Agency or any state environmental protection standards. Otherwise, the VVTA Safety Committee will prioritize hazards for further Safety Risk Management activity.

Safety Risk Assessment:

VVTA assesses safety risk associated with identified safety hazards using its safety risk assessment process. This includes an assessment of the likelihood and severity of the consequences of hazards, including existing mitigations and prioritizing hazards based on safety risk. Pursuant to 49 C.F.R. Part 673.5, “Risk” is defined as the composite of predicted severity and likelihood of the potential effect of a hazard.

Once a hazard has been identified, the Chief Safety Officer or designee and VVTA Safety Committee will categorize the hazard into the following severity levels. The categorization of hazards is consistent with risk-based criteria for severity, reflecting the principle that not all hazards pose an equal amount of risk to personal safety.

Category 1: Catastrophic
Operating conditions are such that human error, design deficiencies, element, subsystem or component failure, or procedural deficiencies may cause death or major system loss and require immediate termination of the unsafe activity or operation.

Category 2: Critical
Operating conditions are such that human error, subsystem or component failure, or procedural deficiencies may cause severe injury, severe occupational illness, or major system damage and require immediate corrective action.

Category 3: Marginal
Operating conditions are such that they may result in minor injury, occupational illness or system damage and are such that human error, subsystem, or component failures can be counteracted or controlled.

Category 4: Negligible
Operating conditions are such that human error, subsystem, or component failure or procedural deficiencies will result in less than minor injury, occupational illness, or system damage.

The next step in assessing the hazard is to determine the likelihood of an event occurring. Likelihood is determined based on the analysis of transit system operating experience, evaluation of VVTA safety data, the analysis of reliability and failure data, and/or from historical safety data from other passenger bus systems.

The following chart describes the likelihood categories:

Likelihood of Occurrence or Event

Description	Frequency for Specific Item	Selected Frequency for Fleet/Inventory
Frequent	Likely to occur frequently	Continuously experienced
Probable	Will occur several times in the life of the item	Will occur frequently in the system
Occasional	Likely to occur sometime in the life of the item	Will occur several times in the system
Remote	Unlikely but possible to occur in the life of an item	Unlikely but can be expected to occur
Improbable	So unlikely it can be assumed occurrence may not be experienced	Unlikely to occur but possible

Identified hazards are placed into the following Risk Assessment Matrix to enable the decision maker to understand the amount of risk involved in accepting the hazard in relation to the cost (schedule, cost, operations) to reduce the hazard to an acceptable level.

	Severity			
Frequency	Catastrophic	Critical	Marginal	Negligible
Frequent	High	High	High	Medium
Probable	High	High	Serious	Medium
Occasional	High	Serious	Serious	Low
Remote	Serious	Serious	Medium	Low
Improbable	Medium	Medium	Medium	Low

Based on the company policy and the analysis of historical data, VVTA has made the following determinations regarding risk acceptance.

Hazard Risk Index	Criteria by Index
High	Unacceptable
Serious	Undesirable (management decision)
Medium	Acceptable with management review
Low	Acceptable without management review

The Chief Safety Officer or designee schedules safety risk assessment activities on the VVTA Safety Committee agenda and prepares a Safety Risk Assessment Package. This package is distributed at least one week in advance of the VVTA Safety Committee meeting. During the meeting, the Chief Safety Officer or designee reviews the hazard and its consequence(s) and reviews available information distributed in the Safety Risk Assessment Package on severity and likelihood. The Chief Safety Officer or designee may request support from members of the VVTA Safety Committee in obtaining additional information to support the safety risk assessment.

Once sufficient information has been obtained, the Chief Safety Officer or designee will document the VVTA Safety Committee's safety risk assessment, including hazard rating and mitigation options for each assessed safety hazard. The Chief Safety Officer will maintain a file on VVTA Safety Committee agendas, Safety Risk Assessment Packages, and additional information collection for a period of three years from the date of generation.

Safety Risk Mitigation

The Accountable Executive and Chief Safety Officer review current methods of safety risk mitigation and establish methods or procedures to mitigate or eliminate safety risk associated with specific hazards based on recommendations from the VVTA Safety Committee. VVTA can reduce safety risks by reducing the likelihood and/or severity of potential consequences of hazards.

Prioritization of safety risk mitigations is based on the results of safety risk assessments. The Chief Safety Officer or designee tracks and updates safety risk mitigation information and makes the reports available to the VVTA Safety Committee during quarterly meetings and to VVTA staff upon request. The Chief Safety Officer or designee will also document any specific measures or activities, such as reviews, observations, or audits, which will be conducted to monitor the effectiveness of mitigations once implemented. The follow-up actions will be implemented as follows.

Unacceptable: The hazard must be mitigated in the most expedient manner possible before normal service may resume. Interim corrective action may be required to mitigate the hazard to an acceptable level while the permanent resolution is in development.

Undesirable: A hazard at this level of risk must be mitigated unless the Chief Executive Officer and Chief Safety Officer issue a documented decision to manage the hazard until resources are available for full mitigation.

Acceptable with Review: The Chief Executive Officer and Chief Safety Officer must determine if the hazard is adequately controlled or mitigated as is.

Acceptable without Review: The hazard does not need to be reviewed by the management team and does not require further mitigation or control.

Risk Reduction Program

- To prevent accidents, within VVTA facilities the vehicle speed limit is 5 mph. High visibility vests must be worn while in the bus yard on VVTA property.
- VVTA and its contractor are required to provide adequate training to reduce vehicular and pedestrian incidents involving buses and other vehicles. Training will include measures to reduce visibility impairments for bus operators that contribute to incidents and accidents. VVTA and its contractor will also continuously evaluate technologies that can reduce visibility impairments and assess the inclusion of new specifications for future procurements.

- VVTA and its contractor will ensure assaults on transit workers are mitigated. This will include the deployment of assault mitigation infrastructure and technology on buses, and the deployment of San Bernardino County Sheriff Transit Unit deputies to monitor transit service and respond to incidents.

Chapter 6: Safety Assurance

Safety Performance Monitoring and Measurement

Through our Safety Assurance process, VVTA will:

- Evaluate VVTA's contractor compliance with operations and maintenance procedures to determine whether existing rules and procedures are sufficient to control safety risk
- Assess the effectiveness of safety risk mitigations of VVTA's contractor to make sure the mitigations are appropriate and are implemented as intended
- Require VVTA's contractor to investigate safety events to identify causal factors
- Ensure that VVTA's contractor analyze information from safety reporting, including data about safety failures, defects, or conditions

VVTA has many processes in place to monitor its entire transit system for compliance with the VVTA contractor's operations and maintenance procedures, including:

- Safety audits
- Informal inspections
- Regular review of onboard camera footage to assess specific incidents
- Safety surveys
- Employee Safety Reporting Program
- Investigation of safety occurrences
- Safety review prior to the launch or modification of service
- Data gathering and monitoring of data related to the delivery of service
- Regular vehicle inspections and preventative maintenance

Results from the above processes are compared against recent performance trends quarterly and annually by the Chief Safety Officer to determine where action needs to be taken. The Chief Safety Officer enters any identified non-compliant or ineffective activities, including mitigations, back into the Safety Risk Management process for reevaluation by the VVTA Safety Committee. This information is also utilized to impact operational and budget decisions.

Monitoring for Ineffective, Inappropriate, or Unimplemented Safety Risk Mitigations

VVTA monitors safety risk mitigations to determine if they have been implemented and are effective, appropriate, and working as intended. The Chief Safety Officer or designee maintains a list of safety risk mitigations. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The Chief Safety Officer establishes one or more mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigns monitoring activities to the appropriate director, manager, or supervisor. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports; conducting job performance observations; or other activities. The Chief Safety Officer will endeavor to make use of existing processes and activities before assigning new information collection activities.

The Chief Safety Officer or designee and VVTA Safety Committee review the performance of individual safety risk mitigations during quarterly meetings based on the reporting schedule determined for each mitigation and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performing as intended, the VVTA Safety Committee will propose a course of action to modify the mitigation or take other action to manage the safety risk. The Chief Safety Officer or designee will approve or modify this proposed course of action and oversee its execution.

The Chief Safety Officer or designee and VVTA Safety Committee also monitor operations on a large scale to identify mitigations that may be ineffective, inappropriate, or not implemented as intended by:

- Reviewing results from incident, and occurrence investigations
- Monitoring employee safety reporting
- Reviewing results of internal safety audits and inspections
- Analyzing operational and safety data to identify emerging safety concerns

The Chief Safety Officer works with the VVTA Safety Committee and Accountable Executive to carry out and document all monitoring activities.

Safety Investigations

Any occurrence involving a passenger, while under the care, custody, and control of VVTA's contractor, is considered an incident. Any contact between a VVTA vehicle and another person, vehicle, or object while under the care, custody, and control of VVTA's contractor is considered an incident, whether or not there was damage or injury.

All incidents, regardless of severity, will be investigated by VVTA's contractor staff. The investigation will include law enforcement assistance, if needed, photos, accident/incident report, fault determination, incident tracking and retraining when necessary.

VVTA's contractor will maintain documented procedures for conducting safety investigations of events (incidents, and occurrences, as defined by FTA) to find causal and contributing factors and review the existing mitigations in place at the time of the event. VVTA's contractor maintains all documentation of the investigation policies, processes, forms, checklists, activities, and results. VVTA's contractor is expected to document the following information for each incident:

- Whether the incident was preventable or non-preventable
- Personnel requiring discipline or retraining
- The causal factor(s) indicate(s) that a safety hazard contributed to or was present during the event
- The incident appears to involve underlying organizational causal factors beyond just individual employee behavior

VVTA has zero tolerance for preventable injuries and collisions. Elimination of preventable injuries and collisions is our number one goal. VVTA's contractor is expected to follow VVTA requirements for safety event investigations.

The Chief Safety Officer or designee maintains all documentation of VVTA audits of the VVTA contractor's investigation policies, processes, forms, checklists, activities, and results. As detailed in VVTA's procedures, an investigation report is prepared and sent to the VVTA Safety Committee for integration into their analysis of the event at each quarterly meeting.

VVTA's contractor will hold monthly staff meetings to discuss concerns and progress in the area of safety and safety related concerns. Recommendations are considered, and necessary changes implemented. All complaints are addressed immediately and reviewed monthly.

Internal Safety Reporting Program Monitoring

The VVTA Safety Management Team routinely review safety data captured in employee safety reports, safety meeting minutes, customer complaints, and other safety communication channels, including safety incident reporting software. When necessary, the Chief Safety Officer and VVTA Safety Committee ensure the concerns are investigated or analyzed through the Safety Risk Management process.

The Chief Safety Officer, VVTA Safety Management Team and VVTA Safety Committee also review internal and external reports, including audits and assessments, with findings concerning safety performance, compliance with operations and maintenance procedures, or the effectiveness of safety risk mitigations.

Continuous Improvement

VVTA will continuously assess the safety performance of the PTASP. If VVTA identifies safety deficiencies as part of its safety performance assessment, VVTA will develop and carry out, under the direction of the Accountable Executive, a plan to address the identified safety deficiencies.

Chapter 7: Safety Promotion

Competencies and Training

The education and training programs provided by VVTA and its contractor are to be a highly regimented and professionally developed program built around a curriculum featuring learning opportunities in knowledge and skills. This training applies to all employees directly responsible for safety, including, but not limited to:

- Vehicle operators
- Dispatchers
- Road Supervisors
- Maintenance personnel
- Managers, supervisors, and administrators
- Chief Safety Officer
- Accountable Executive

Upon hire, all new employees will receive an orientation to include review of policies and procedures. Continuing training for all employees will occur at regular intervals to promote a high degree of safety, skill, performance, and morale. Retraining may be required following a leave of absence or if the need is otherwise determined by an employee's supervisor.

Various delivery mechanisms for driver training, such as classroom, multimedia presentations, closed course observation, and behind-the-wheel skill building are used to support the learning process. Learning is evaluated through written quizzes, driving tests, observation, and customer service evaluations.

Basic training requirements, including refresher training, are to be documented in the VVTA Employee Handbook.

Safety related training will include:

- New hire training for vehicle operators and maintenance personnel
- Continued refresher training for vehicle operators and maintenance personnel
- Retraining for vehicle operators and maintenance personnel
- De-escalation training for vehicle operators and maintenance personnel
- Classroom and on the job training for dispatchers/road supervisors
- Ongoing skill training for maintenance personnel and supervisors
- Ongoing vehicle maintenance training for maintenance personnel
- OSHA standards for vehicle maintenance personnel and supervisors
- Accident investigation training for managers and supervisors
- Ongoing hazardous material training for vehicle maintenance personnel and supervisors

- Ongoing maintenance training provided by vendors
- Classroom and on the job training for operations supervisors and managers
- Reasonable suspicion determination and reporting training for supervisors and managers
- Accident investigation training for supervisors and managers

The education and training programs provided by VVTA are to be a highly regimented and professionally developed program built around a curriculum featuring learning opportunities in knowledge and skills. This training applies to all employees directly responsible for safety, including, but not limited to:

- Agency Leadership
- Chief Safety Officer
- Accountable Executive

Agency leadership safety related training includes:

- Classroom and on-the-job training
- SMS Awareness online training
- Accident investigation training

The Chief Safety Officer will be trained, at minimum, in

- Reasonable Suspicion Determination and Reporting
- OSHA requirements

Emergency drills and simulations are conducted in accordance with regulatory and contractual requirements. Additional drills and simulations may also be conducted during monthly safety meetings, or as risks are identified during internal audits, risk assessments, and facility inspections. VVTA's Accountable Executive, agency leadership, and Chief Safety Officer must complete FTA's SMS Awareness online training.

Safety Communication

Establishing and maintaining a culture that demands safe behavior at all times is at the core of VVTA's safety plan. This is done, in part, by providing a regular flow of positive information and recognizing those who are performing safely.

Safety Awareness Communications

VVTA's Chief Safety Officer or designee, and VVTA's contractor will coordinate safety communication by:

- Communicating information on safety and safety performance in monthly staff reports
- Posting safety bulletins and flyers on the bulletin boards located on all administrative bulletin boards
- Providing safety policies and procedures as part of new-hire training to all VVTA and contractor staff
- Issuing memos or messages to employees that are reinforced by supervisors, for newly emerging issues or safety events
- Providing targeted communications to inform employees or contractors of safety actions, which include handouts, flyers, updates to bulletin boards, or one-on-one discussions between employees and supervisors
- Generating system-wide participation in safety issues through positive reinforcement
- Creating safety incentives for employees to encourage and reward safe practices
- Encouraging all employees to "take ownership" for safety results
- Communicating safety policies, procedures, and processes
- Engaging executives and managers at all levels, encouraging their active participation in safety management and communication
- Sharing safety results at the individual, departmental, and project levels by celebrating success stories
- Establishment of emergency "Communication Tree" between VVTA and Contractor staff with three priority levels to expedite response to emergency situations

Chapter 8: Additional Information

Supporting Documentation

Numerous standard operating procedures (SOPs), in addition to those mentioned in this plan, have been developed and incorporated into operational practices at VVTA. Documents are maintained for three years after they are created and are made available upon request by FTA or CalTrans.

The SOPs have been designed to create operational consistency, increase awareness of risks and hazards, and provide easily duplicated processes for identifying and mitigating the risks associated with providing transit services.

Definitions of Terms

VVTA incorporates all of FTA's definitions that are in 49 CFR § 673.5 of the Public Transportation Agency Safety Plan regulation.

Accident/Incident means an event that involves any of the following: a loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; an evacuation for life safety reasons; a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Accountable Executive means a single, identifiable person who has ultimate responsibility for carrying out the PTASP of a public transportation agency. This individual is responsible for carrying out the agency's Transit Asset Management Plan, the control or direction over the human and capital resources needed to develop and maintain both the agency's PTASP, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.

Contractor means one that contracts or is party to a contract, that performs work or provides supplies.

Equivalent Authority means an entity who carries out duties similar to that of a Board of Directors for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's PTASP.

Event means any Incident, or Occurrence.

Hazard means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Injury means any harm to persons as a result of an event that requires immediate medical attention away from the scene.

Investigation means the process of determining the causal and contributing factors of an incident, or hazard, for the purpose of preventing recurrence and mitigating risk.

National Public Transportation Safety Plan means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

Occurrence means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

Operator of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302.

Performance Measure means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

Performance Target means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time-period required by the FTA.

Public Transportation Agency Safety Plan (or Agency Safety Plan) means the documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.

Risk means the composite of predicted severity and likelihood of the potential effect of a hazard.

Risk Mitigation means a method or methods to eliminate or reduce the effects of hazards.

Safety Assurance means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Safety event means an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Safety Management Policy means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees regarding safety.

Safety Management System means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.

Safety Management System (SMS) Executive means a Chief Safety Officer or an equivalent.

Safety Performance Target means a performance target related to safety management activities.

Safety Promotion means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

Safety Risk Assessment means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.

Safety Risk Management means a process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

Serious Injury means any injury which:

(1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received.
(2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses).
(3) Causes severe hemorrhages, nerve, muscle, or tendon damage.
(4) Involves any internal organ; or
(5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

Small Public Transportation Provider means a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service and does not operate a rail fixed guideway public transportation system.

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State of Good Repair means the condition in which a capital asset is able to operate at a full level of performance.

Transit Agency means an operator of a public transportation system.

Transit Asset Management Plan means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost- effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.

List of Acronyms

Acronym	Word or Phase
ADA	American's with Disabilities Act of 1990
CAP	Corrective Action Plan
CEO	Chief Executive Officer
DOT	Department of Transportation
IR	Incident Report
FOF	Field Observation and Feedback
FTA	Federal Transit Administration
MPO	Metropolitan Planning Organization
PTASP	Public Transportation Agency Safety Plan
SA	Safety Assurance
SMP	Safety Management Policy
SMS	Safety Management System
SOP	Standard Operating Procedure
SRM	Safety Risk Management
U.S.C.	United States Code

Appendix A: PTASP Acknowledgement Form

PUBLIC TRANSPORTATION AGENCY SAFETY PLAN ACKNOWLEDGEMENT FORM

I have received a copy and have reviewed the Public Transportation Agency Safety Plan.

Printed Name: ______________________________________

Signature: ___________________________________ Date: _________________________

Employer: ___________________________________

Appendix B: Safety Committee Approval of PTASP

RE: PTASP Safety Committee Approval of VVTA PTASP.

In accordance with the Bipartisan Infrastructure Law to the Public Transportation Agency Safety Plan (PTASP) requirements, transit agencies that receive Section 5307 funding and serve a large, urbanized area (population 200,000 or more) must have the agency's Safety Committee approve updates to the agency's PTASP.

On September 01, 2026 representatives of the VVTA Safety Committee met to review changes to the current PTASP. The members of the Safety Committee are listed in the table and have reviewed and approved updates to the VVTA PTASP.

Name of Committee Member	Signature	Date
Esteban Rodriguez, Co-Chair		9/01/2026
David Moore, Co-Chair	D. Moore	09/01/2026
Willie Perez		
Sylvia Harris		9.1.26
Contract Compliance		
Jonathan McDowell		9/1/26
Cresencio Ortega		9-1-2026
Morgan Anderson		09/01/26
Dana Curtis		
Lori Robinson		
Mitch Paszkowski		
Amber Sainz		9-1-26
Monica Vega	Monica Vega	9-1-24
Tracy Gumke		09-01-2026
Monica Carillo		9/1/26
Delena Gonzalez		
Stephanie Mejia	Stephanie Mejia	9/1/26.
Lisa Arellano	Arellano	
Jennife Rios		9-1-26
Dustin Strandberg		9/1/2026
Vanessa Estrada		9/1/2026
Melissa Perry		9/1/2024
Sayre Garcia		9/1/2026
Tammy Colosimo	Tammy Colosimo	9/1/2026

Appendix C: VVTA Board Approval of PTASP

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AGENDA ITEM

7

STAFF REPORT

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Item Number: 7 **File Type**: Adopt

REGULAR BOARD MEETING
September 21, 2026

SUBJECT: **Adopt the Procurement Policy Manual Update**

ACTION: **ADOPT**

PRESENTED BY: Christine Plasting, Procurement Manager

RECOMMENDATION

Adopt the revised Victor Valley Transit Authority (VVTA) Procurement Policy Manual (Manual), including amendments that: (1) update the Manual to reflect current federal procurement requirements and guidance (2) increase the Chief Executive Officer's (CEO) procurement approval authority from $250,000 to $350,000; (3) increase the fixed-asset capitalization threshold from $2,500 to $3,500; and (4) incorporate the Veterans Hiring Preference applicable to federally assisted capital construction contracts.

SUMMARY STATEMENT

On June 15, 2026, the VVTA Board of Directors (Board) adopted the Fiscal Year 2026-27 Capital and Operating Budget of approximately $74.9 million, an increase of approximately six percent over the prior fiscal year. This increase reflects, in part, inflationary pressures and higher costs for goods and services supporting transit operations.

In response to these financial and operational changes, the Finance Department reviewed the Manual and recommends amendments to maintain operational efficiency and alignment with applicable federal requirements and procurement practices.

Updated Federal Procurement Best Practices

On July 31, 2026, the Federal Transit Administration (FTA) issued updated *Procurement Policy Best Practices and Lessons Learned*. Staff reviewed the updated guidance and incorporated applicable provisions into VVTA's Procurement Policy Manual.

CEO Procurement Authority and Oversight

As of October 1, 2025, the federal Simplified Acquisition Threshold (SAT) increased from $250,000 to $350,000. Staff recommend establishing the same amount as the CEO's procurement approval limit to provide a consistent threshold and allow timely action on operational procurements.

The proposed delegation does not alter the Board-approved budget or reduce financial oversight. Procurements will remain subject to available appropriations, applicable procurement requirements, and VVTA's established internal controls. The Board will also continue to receive the Monthly Bank Register Report detailing payments issued by VVTA.

Fixed-Asset Capitalization Threshold

In addition to the proposed adjustment to the CEO's procurement authority, staff recommend an increase to the fixed-asset capitalization threshold from $2,500 to $3,500 to reflect current asset costs and streamline the accounting treatment of lower-value assets.

Veterans Hiring Preference

Federal law requires recipients and subrecipients, to the extent practicable, to ensure that contractors working on federally assisted capital projects give a hiring preference to qualified veterans who possess the skills and abilities required for construction work. The proposed amendment incorporates this requirement within its applicable statutory scope.

Summary of Proposed Policy Changes

Policy or Policies	Proposed Amendment
Policies 1010, 1020, 1040, 1050, 2000, 2010, 4000, 6000, and 7000	Increase the CEO's procurement approval authority from $250,000 to $350,000.
Policy 7000	Increase the fixed-asset capitalization threshold from $2,500 to $3,500 to reflect current asset costs and streamline the accounting treatment of lower-value assets.
Policy 4000	Incorporate the Veterans Hiring Preference applicable to construction contracts for federally assisted capital projects, consistent with 49 U.S.C. section 5325(k).

Staff recommend that the Board adopt the proposed amendments to the Manual.

FISCAL IMPACT

The proposed policy revisions do not result in a direct fiscal impact. The changes are intended to improve procurement efficiency, align VVTA policies with updated federal thresholds and guidance, and streamline administrative processes within existing Board-approved budgets and appropriations.

ATTACHMENTS

A. 2026 Procurement Policy Manual – Redline
B. 2026 Procurement Policy Manual – Clean
C. Procurement Policy Manual Narrative

PROCUREMENT POLICY MANUAL

September ~~22~~~~21~~, 2026~~5~~

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VICTOR VALLEY TRANSIT AUTHORITY
PROCUREMENT POLICY MANUAL

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~~Updated September 22, 2025~~21, 2026

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GENERAL PROCUREMENT POLICY — Policy 1000

1. PURPOSE AND SCOPE

The purpose of this section is to set forth general procurement policy and standards that will govern the conduct of VVTA acquisition activities and of personnel engaged in these activities.

2. PROCUREMENT BACKGROUND

VVTA's Statement of Guiding Principles establishes the framework for VVTA's Procurement Policy Manual (Manual) and is approved by the VVTA Board of Directors. Procedures implementing the Procurement Policy Manual will be approved and issued by the VVTA Chief Executive Officer (CEO).

3. STATEMENT OF GUIDING PRINCIPLES FOR VVTA's ACQUISITION SYSTEM

The vision for the VVTA acquisition system is to deliver on a timely basis the best value product or service to the client, while maintaining the public's trust and fulfilling public policy objectives. Participants in the acquisition (procurement) process must work together as a team and are empowered to make decisions within their area of responsibility.

3.1. The VVTA acquisition system will:

3.1.1. Satisfy the client in terms of cost, quality, and timeliness of the delivered product or service by:

3.1.1.1. Maximizing the use of commercial products and services,

3.1.1.2. Using contractors with a track record of successful past performance or who demonstrate a current superior ability to perform, and

3.1.1.3. Promoting competition

3.1.2. Minimize administrative operating costs,

3.1.3. Conduct business with integrity, fairness, and openness, and

3.1.4. Fulfill public policy objectives.

3.2. The Acquisition Team consists of all participants in the VVTA acquisition, including representatives of the technical, supply, support services and procurement communities but also the clients they serve, and the contractors who provide the products and services.

3.3. The role of each member of the Acquisition Team is to exercise personal initiative and sound business judgment in providing the best value product or service to meet the client's needs. In exercising initiative, VVTA members of the Acquisition Team may assume that a strategy, practice, policy or procedure is a permissible exercise of authority if it is in the best interest of the VVTA and is not prohibited by law, applicable regulations, or Board adopted policy.

4. PROCUREMENT STANDARDS

4.1. VVTA will maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

4.2. Members of the VVTA Board of Directors will adhere to the standards of conduct adopted by the Board. VVTA employees will adhere to the standards of conduct approved by the CEO under a delegation of authority from the Board.

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4.3. VVTA procedures will provide for a review of proposed procurements to avoid purchase of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.

4.4. The CEO or designee will be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurement. These issues include, but are not limited to, source evaluations, protests, disputes, and claims.

4.5. Competition - The following requirements for competition are applicable to VVTA procurements:

4.5.1. All procurement transactions shall be conducted in a manner providing full and open competition consistent with the above-mentioned procurement standards and the statement of guiding principles. Some of the situations considered to be restrictive to competition include, but are not limited to:

4.5.1.1. Placing unreasonable requirements on firms for them to qualify to do business.

4.5.1.2. Noncompetitive pricing practices between firms or between affiliated companies.

4.5.1.3. Noncompetitive awards to professionals and other consultants that are on VVTA retainer contracts.

4.5.1.4. Organizational conflicts of interest (Policy1050).

4.5.1.5. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other salient characteristics of the brand name product.

4.5.1.6. Any arbitrary action in the procurement process.

4.5.1.7. Development of specification requirements and evaluation criteria, which unnecessarily favor an incumbent contractor.

4.5.2. Procurement transactions will be conducted in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. This does not preempt State licensing laws. When employing the qualifications-based method for contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

The Infrastructure Investment and Jobs Act (IIJA), Pub. L. 44- Section 25019 authorizes the use of local, geographic, or economic hiring preferences for construction labor in most of the projects funded by US Department of Transportation (DOT). 1 Prior to the passage of IIJA, state and local agencies had to seek special approval from DOT for use of local/economic hiring preferences. The US DOT has been actively encouraging state and local agencies to use local/economic hiring preferences to bring underrepresented populations into the construction workforce.

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4.5.3. VVTA will have written selection procedures for competitive negotiated procurement transactions that ensure fair, unbiased evaluation of competing proposals by an independent evaluation panel appointed by the CEO or designee. These procedures will also ensure that all solicitations clearly state the evaluation factors including cost or price, cost or price-related factors, and non-cost or non-price related factors, and any significant subfactors that will be considered in making the source selection and their relative importance.

4.5.4. Technical requirements shall incorporate a clear and accurate description of the material, product, or service to be procured. Such a description shall not, in competitive procurements, contain features that unduly restrict competition.

4.5.5. VVTA will ensure that all lists of bidders, manufacturers, or products determined to be qualified in advance of the receipt of bids or proposals are current and sufficient to ensure full and open competition. If possible, sufficient time will be allowed to arrange for qualification before receiving bids or proposals. However, when using grant funds, VVTA must allow vendors an opportunity to qualify their products during the solicitation period (FTA Circular 4220.1G) or most updated version).

5. RESPONSIBILITIES

5.1. The Chief Financial Officer (CFO) has primary responsibility for ensuring that the procurement process is in accordance with legal requirements, as interpreted by County Counsel, and VVTA policy.

5.2. The CEO is responsible for establishing procurement policies and issuing instructions for the implementation of VVTA policies.

5.3. The CEO is responsible for establishing materiel management policies and issuing instructions concerning the storage, distribution, and disposal of goods.

5.4. All departments are instructed to follow Procurement Policies/Procedures as well as Policies/Procedures issued by the CEO regarding the storage, distribution, and issuance of material.

6. STATUTORY AND REGULATORY REQUIREMENTS

The following laws and regulations and Master Agreement are applicable to VVTA contracts.

Federal Statute, Regulations, Policies, and Agreements	Subject
IIJA, Pub. L. 117-58	Infrastructure Investment and Federal Transportation Funding Requirements
IIJA, Pub. L. 117-58, § 25019	Local and Economic Hiring Preferences for Construction Projects
Build America, Buy America Act (BABAA) §§ 70901-70927, including § 70914, Incorporated under 49 U.S.C 5323(j)	Domestic Content Preferences for Federally Funded Infrastructure Projects
Public Law 115-232	John McCain National Defense Authorization Act for Fiscal Year 2019

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2 CFR Part 184	Buy America Preferences for Infrastructure Projects
2 CFR Part 200	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards~~, updated and effective 10/01/2024.~~
2 CFR Part 1201	Incorporates USDOT regulations, "Uniform Administrative Requirement, Cost Principles and Audit Requirements for: ~~For~~ Federal Awards – Incorporates by reference Office of Management and Budget (OMB), 2 CFR Part 200 which supersedes the former OMB circulars on Uniform Administrative Guidance 49 CFR Parts 18 and 19.
31 U.S.C. 3729	False Claims Act~~Federal Anti-Discrimination~~
49 CFR 1.91	Delegations to the Federal Transit Administrator
49 CFR Part 24; and 42 U.S.C. § 4601 et seq.	Uniform Relocation Assistance and Real ~~Estate~~Property Acquisition
49 CFR Part 26	Participation by ~~-~~; Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs
49 CFR Part 661	Buy America Requirement
49 CFR Part 663	Pre-Award and Post-Delivery Audits of Rolling Stock Purchases
49 U.S.C. Chapter 53	Mass Transportation
FTA Circular 4220.1G	Third Party Contracting Requirements
FTA Circular 5010.1F	Grant Management Guidelines
FTA Circular 9030.1F	Eligible Grant Activities
Master Agreement	For Federal Transit Administration Agreements authorized by 49 USC chapter 53 and Title 23, United States Code (Highways), as amended by the Infrastructure Investment and Jobs Act of 2021 (ILJA), the Fixing America's Surface Transportation (FAST) Act, the Moving Ahead for Progress in the 21st Century Act (MAP-21), the Safe, Accountable Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU), the SAFETEA-LU Technical Corrections Act of 2008, and other federal laws that FTA Administers.
Public Law 115-232, Section 889	Prohibition of certain telecommunications and video surveillance services or equipment

State Codes	Section(s)	Subject
Civil Code	3248	Payment Bonds

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Civil Code	3320	Payments to Prime Design Professionals
Code of Civil Procedure	995.311	Bond-~~-~~Issuer Requirements
Government Code	4525 et seq.	Architect & Engineering Services
Government Code	~~6250 - 6270~~7920	Public Records Act Disclosure
Government Code	5956 et seq.	Infrastructure Projects
Government Code	15850-15866	Property Acquisition ~~Law~~
Labor Code	1720, 1770-1784	Public Works and Public Agencies
Public Contract Code	1103	Responsibility on Public Works Contracts
Public Contract Code	1104	Plans and Specifications
Public Contract Code	3301 - 3400	Contractor's Licensing~~e~~; Brand Specification
Public Contract Code	4100 - 4114	Subcontracting
Public Contract Code	5100 - 5107	Relief of Bidders
Public Contract Code	6100 - 6610	Contract Awards and Related Requirements~~Awarding of Contracts~~
Public Contract Code	7100 - 7200	Contract Clauses
Public Contract Code	9201 - 9203	Claims, ~~and~~ Disputes, and Payments
Public Contract Code	10335 et seq.	Service Contracts
Public Contract Code	20101	Contractor Prequalification
Public Contract Code	20103.8	Alternative Bids
Public Contract Code	20104	Resolution of ~~Construction~~ Public Works Claims
Public Contract Code	20104.5	Progress Payments on Public Works
Public Contract Code	20209 - 20209.5	Purchase & Sale Contracts; Design/Build Contracts
Public Contract Code	20216 - 20217	Bid & Proposal Disclosure; Competitive Negotiation~~ed~~, and Procurement ~~of Certain Equipment; Design/Build et seq.~~ Provisions
Public Contract Code	20360 et seq.	~~Contracts for~~ Rail Transit System Design and Construction Contracts
Public Utilities Code	130054-130059	San Bernardino County Transportation Authority Powers and Responsibilities~~SBCTA Authority~~

7. STATE, LOCAL AND FEDERAL CONTROLS

7.1. This Manual has been developed in conformance with the standards and limitations established in State, Federal and local law. Applicable State laws, policies and other sources of guidance governing the procurement practices of VVTA, in addition to those listed in 6 above, are as follows:

7.1.1. VVTA Policies and Instructions.

7.1.2. Board of Directors' Awards, Actions, and Resolutions.

7.1.3. Ordinances and regulations of regional and local agencies, which have subject matter jurisdiction (on case-to-case basis)

7.2. Federal laws and regulations affecting the procurement practices of the VVTA include, but not limited to, the following:

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7.2.1. Intermodal Surface Transportation Efficiency Act of 1991, as amended

7.2.2. Federal Acquisition Streamlining Act of 1994, 41 USC 403 (11) and 40 USC 481(b), respectfully.

7.2.3. Executive Order 12612 "Federalism" dated 10-26-87

7.2.4. FTA Master Agreement

7.2.5. FAR PART 31 Cost Principles and Procedures

7.2.6. Relevant decisions of the Courts and the Comptroller General of the United States

7.3. To the extent that both federal and state laws and regulations apply to procurement, VVTA is required to act within the limits of the more restricted requirements. When Federal funds are used in procurement, Federal procurement requirements must be met or exceeded.

7.4. FTA Best Practices Procurement – Lessons Learned Manual (BPPM) provides guidance to procurements and examples of best practices.

7.5. VVTA may contract with any department or agency of the United States of America, with any public agency (including, but not limited to, the Department of Transportation, the multicounty designated transportation planning agency, or any transit district, county or city), or with any person upon such terms and conditions as VVTA finds in its best interest. (PUC Section 130221)

7.6. Joint Powers Authority, created by the member entities on July 1, 1976, including all subsequent amendments.

7.7. California Government Code Sections 1090, 1126, 87100, 87306, Resolution No. 140-96, and any other applicable provisions of the Government Code and any conflict-of-interest Code applicable to VVTA employment.

8. IMPLEMENTATION

The CEO shall implement the policies herein set forth. Procedural guidance shall be provided in the Procurement Procedures.

9. ABOUT THE MANUAL

9.1. This manual provides instructions and reference material for personnel in all departments of VVTA involved with the procurement process. It establishes responsibilities and documents VVTA's continuing efforts to comply with applicable federal, state, county, and local regulations.

9.2. **Sections**

9.2.1. This manual is divided into sections of related policies. Those sections are described in "Using This Manual" below. Sections are separated by title pages, and policies within a section will begin with the same number. (For example, all policies in General Policies.)

10. USING THIS MANUAL

10.1. This manual contains policies governing the procurement of goods and services by VVTA. It is divided into the following sections:

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10.1.1. General Policies – (1000 series) this section describes the responsibilities, ethics, and objectives behind the procurement process.

10.1.2. Informal Procurement Policies – (2000 series) this section describes informal procurements, micro-procurements, mini-procurements, and small procurements.

10.1.3. Purchasing Card Policies– (3000 series) this section describes the proper use of Purchasing cards.

10.1.4. Formal Procurement Policies – (4000 series) this section describes the formal procurement process, from bidding to contract award.

10.1.5. Solicitation Protest Policies – (5000 series) this section describes how to handle a protest to a formal procurement contract award.

10.1.6. Contract Administration Policies – (6000 series) this section describes the administration of a contract, from opening to termination.

10.1.7. Fixed Asset Management Policies – (7000 series) this section describes the management of fixed assets, from auditing to liquidation of surplus assets.

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PURPOSE **Policy 1010**

1. OVERVIEW

1.1. VVTA procures goods and services using public funds. It has a responsibility to uphold public trust and maximize the value of public funds by using them as efficiently and cost-effectively as possible.

1.2. VVTA created this manual to help its personnel involved with procurement to both uphold the public trust and comply with all applicable federal, state, county, and local regulations. This manual establishes VVTA's procurement process, which covers the procurement of, accounting for, and disposal of materials, equipment, buses, and other vehicles, and the procurement and administration of professional and other services.

1.3. The purpose of this procurement policy manual is to provide general guidelines on conducting procurements that meet the standards of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 ("Super Circular") and Federal Administration FTA Circular 4220.1G(or latest revision) entitled, "Third Party Contracting Requirements". These circulars set forth the requirements that VVTA must comply with in solicitations, selection and administration of federally funded contracts. In addition, where appropriate, many procedures and practices have been adopted from the FTA's Best Practices Procurement Manual. VVTA recognizes the principles of contracting with Federal Funds received from the FTA require certain specific Federal guidelines must be met not only by VVTA but also by contractors and subcontractors of VVTA. This manual will educate and enable staff to comply fully with those as well as other state and local requirements. In addition, this manual will aid procurement staff in making business judgments based upon the application of sound procurement policies and procedures.

1.4 From time to time the U.S. Department of Transportation, the Federal Transit Administration or other governing bodies may set forth new procurement standards or supplementary directives. As changes, revisions or applicable guidance is determined necessary for proper procurement administration (other than reformatting and clarifications), the VVTA Chief Financial Officer will prepare a summary of the proposed changes for submittal by way of the Chief Executive Officer to the Board of Directors in the form of a Board Memo for consideration and incorporation of the proposed amendment into the existing Procurement Policy..

2. PROCUREMENT TYPES

2.1. The VVTA Procurement Process is divided into three main types of procurement:

2.1.1. Formal – procurements for goods and services more than $~~250,000.01~~350,000.~~0~~1. These procurements are approved by the VVTA Board of Directors.

2.1.2. Informal – $~~250,000.00~~350,000.00 and below. procurements including petty cash, micro-procurements, mini-procurements, and small procurements.

2.1.3. Procurement Card - In some cases, VVTA personnel can use Procurement Cards, as specified in Section 3, "Procurement Card Policies & Procedures."

2.1.4. Various VVTA personnel are responsible for the proper conduct of procurements, as specified in Policy 1020, Responsibilities.

3. OBJECTIVE OF VVTA PROCUREMENT PROCESS

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3.1. The objectives of the VVTA Procurement Process are to:

3.1.1 Maximize the value received for VVTA's expenditure of public funds.

3.1.2 Protect assets and/or services purchased with public funds and ensure their application in VVTA's interests.

3.1.3 Provide all qualified vendors with an equal opportunity to provide the necessary goods and/or services.

3.1.4 Provide a timely, efficient, and cost-effective flow of resources necessary to support VVTA's provision of service.

3.1.5 Protect the integrity and reputation of VVTA, its officers, and its employees.

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RESPONSIBILITIES **Policy 1020**

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 decide to purchase the product or service. The Department Manager/Director or designee will prepare and approve a Purchase Order for the item or service. The approval is through the NetSuite ERP Software Workflow approval process.

1.1.2. Under the direction of the Chief Financial Officer (CFO), 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 CFO will also periodically review the basic procurement process to make certain that VVTA meets Federal and State regulatory requirements and updates 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 Chief Executive Officer (CEO).

2.1.2. Authorizes the release of formal procurements.

2.1.3. Approves or rejects all purchases or contracts over $~~250~~350,000.01, based on the CEO's recommendation.

2.1.4. Authorizes disposal of surplus materials, supplies, equipment, and property with remaining value in excess of $3~~2~~50,000.01

2.1.5. Approves agency procurement policies and any revisions.

2.2. CEO

2.2.1. Authorizes Purchase Orders up to $~~2~~350,000.00.

2.2.2. Authorized to 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 $3~~2~~50,000.00

2.2.4. Assures agency compliance with procurement 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 Director or designee

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

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2.3.2. Authorizes Purchase Orders up to $2,500.00, assuring that the approved budget funding for any purchase is available.

2.3.3. Provides technical specifications and Statement of Work analysis when applicable.

2.3.4. Serves as, or assigns, the Project Manager for formal procurements.

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 procurement requirements during annual budget planning.

2.3.6. Evaluates quality of goods or services and gives appropriate feedback.

2.4 Procurement Manager

Under the supervision of the CFO

2.4.1 Manages the Contracts, Procurement and Stores functions.

2.4.2 Administers the formal procurement process.

2.4.3 Oversees VVTA's DBE program, including notifying DBE's of contracting opportunities, recommending DBE contract awards to the CEO, keeping DBE participation records, and submitting goals to federal officials. Coordinates with department directors during the annual budget cycle to determine DBE goals for the fiscal year. Recommends agency-wide DBE goals to the CEO Director. Submits DBE goals to the Board for approval and forwards documentation to FTA. In conjunction with DBELO, provides input for project specific DBE goals. Monitors compliance with the agency DBE program. Ensures a level playing field for all aspects of VVTA procurement and contracting.

2.4.4 Manages the Contracts function of the Procurement Department.

2.4.5 Conducts construction, small, and formal procurements as defined in Policy 2000, "General Procurement – Overview."

2.4.6 Assures that VVTA adheres to Federal Transit Administration regulations, guidelines, and circulars, and other applicable state or local regulations.

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

2.5 Other Departmental Personnel

Authorize p~~P~~urchases within limits established by the CEO.

2.6 Procurement Supervisor

Under the supervision of the Procurement Manager

2.6.1 Leads VVTA's Purchasing function and inventory functions.

2.6.2 Processes Purchase Orders.

2.6.3 Conducts procurements as assigned by the Procurement Manager.

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

2.6.5 Receives goods in accordance with VVTA procedures.

2.6.6 Maintains shipment receiving records.

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2.6.7 Oversees the performance of the Purchasing Technician.

2.7 Finance Department

2.7.1 Review invoices for compliance and eligibility for payment after receiving appropriate documentation.

2.7.2 Process payment using the workflow approval procedures in the NetSuite ERP Software.

2.7.3 Maintains Cash funds.

2.7.4 Maintains all vendor invoices and supporting documents.

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DIVERSITY AND ECONOMIC OPPORTUNITY (DBE PROGRAM) Policy 1040

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 the 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” 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 with the 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 $3~~2~~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 DBEs 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 DBEs 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.

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 DBEs 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

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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, DBELO 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 FTA reports required.

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 Financial Analyst (Grants) serves as VVTA's DBE Liaison Officer and reports directly to the Chief Executive Officer 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.

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STANDARDS OF CONDUCT AND CONFLICTS OF INTEREST — Policy 1050

1. POLICY OVERVIEW

1.1 Federal regulations require VVTA to prevent conflicts of interest in contract awards. However, VVTA also seeks to avoid any appearance of conflicts of interest. VVTA personnel are expected to avoid conflicts of interest or appearances thereof and actions which could result in favoritism or appearances thereof.

1.2 This regulation establishes VVTA Standards of Conduct and defines its policy on conflicts of interest, gratuities, negotiation for employment, post-VVTA employment restrictions and related matters. To achieve this goal, this policy explains the nature of potential conflicts of interest to employees and explains the potential consequences for violating the provisions of this policy. This policy applies to all VVTA personnel in the process of their duties.

2. PERSONAL CONFLICT OF INTEREST

2.1. The Political Reform Act of 1974 maintains a conflict-of-interest code. Section 87500 under which certain designated employees and Board Members are required to disclose economic interests and are prohibited from participating in decisions that may influence their financial interests.

2.2. No employee, officer, Board member, agent, his or her immediate family member, partner, or organization that employs or is about to employ any of the forgoing individuals may participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest is involved. Such a conflict would arise when any of the parties set forth below has a financial or other interest in the firm selected for the award:

2.2.1. The employee, officer, Board member/alternate, or agent; or

2.2.2. Any member of his or her immediate family; or

2.2.3. His or her partner; or

2.2.4. An organization that employs, or is about to employ, any of the above.

2.2.5. This policy does not prevent anyone named above from having, for normal investment purposes, a stock interest of less than one percent (1%) in any company traded on a securities exchange or in the over-the-counter market, nor is it intended to prevent borrowing money from commercial banks for normal personal purposes. In instances where the employee serves VVTA as a contract employee, the prohibition of the amount of stock interest shall not apply where such stock interest is associated with a benefit program available through the individual's parent firm.

2.3. Relationships

2.3.1. In all procurement matters pertaining to VVTA, no employee, legal counsel, any member of an evaluation committee for a VVTA-funded project, or member of the Board of Directors shall have any relationship or engage in any activity which might:

2.3.1.1. Involve or lead to personal obligation that could impair the objectivity of such person's judgment, or

2.3.1.2. Give the appearance to others that favoritism or obligations exist between the Board or its members or employees, and any other party.

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3. GIFTS

3.1. General Prohibitions and Exceptions:

3.1.1. VVTA employees shall not, in connection with services performed within the scope of their official duties, solicit or accept money or any other thing of value in addition to the compensation or expenses paid to them by VVTA. VVTA personnel shall not offer money or anything of value for or in consideration of obtaining an appointment, promotion or privilege in their employment with VVTA.

3.1.2. VVTA employees and household members shall not solicit or accept, for themselves or others either directly or indirectly, gratuities, favors or anything of monetary value from a party who has an actual or prospective business relationship with VVTA or from any person or entity which has interests that may be affected by the performance or non-performance of the official duties of VVTA employee, except as outlined below:

3.1.2.1. No employee of VVTA, or member of the Board of Directors, shall solicit, directly or indirectly, any gift, gratuity, favor, entertainment, food, lodging, or loan, from any person or organization having or seeking to establish a business relationship with VVTA.

3.1.2.2. All gifts or other gratuities from any party having or seeking to establish a business relationship with VVTA are discouraged and contrary to this declared policy.

3.1.3. VVTA employees and household members may:

3.1.3.1. accept a single unsolicited gratuity having a retail value of less than twenty-five dollars ($25.00);

3.1.3.2. occasionally receive food or beverages for immediate consumption and/or entertainment which have a retail value of less than forty-five dollars ($45.00); and

3.1.3.3. accept from a contractor food, beverages or entertainment of a nominal value of less than one hundred dollars ($100.00) at a widely attended gathering, such as Professional Association meetings.

3.1.4. Proper personal conduct requires that:

3.1.4.1. Gifts, gratuities, or entertainment which might adversely affect the exercise of a Board member's or employee's judgment in matters pertaining to VVTA or tend to impair public confidence in VVTA must never be accepted.

3.1.4.2. Board members or employees of VVTA shall not solicit gratuities, discounts, favors, or anything of monetary value from contractors or potential contractors.

3.1.4.3. VVTA employees may participate in otherwise prohibited activities, where VVTA's interest will be served by such participation, provided the individual obtains advance written permission from his or her Supervisor and the ~~Executive Director~~CEO. The approving Supervisor and/or ~~Executive Director~~CEO shall provide a memorandum for the record indicating that participation was approved and specify the proposed benefit to VVTA.

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3.1.5. Reporting the Receipt of Gratuities

3.1.5.1. Every elected official and VVTA employee who makes or participates in making governmental decisions shall report on California Form 700 the following:

3.1.5.1.1. receipt of food, beverages and entertainment from any single source having an aggregated value in excess of $590.00 in a calendar year, and

3.1.5.1.2. gratuities, other than food, beverages and entertainment, from a single source having a value greater than $50.00 in a calendar year.

3.1.5.1.3. Any employee who has received gratuities from a single source in excess of the above thresholds in a calendar year shall file this form by January 31 of the next calendar year.

3.1.5.2. VVTA personnel who receive gratuities or have gratuities received for them in circumstance not in conformance with this policy will promptly report the circumstances to their immediate supervisor for review, and notice to the CEO for a recommendation.

3.1.6. Influence

3.1.6.1. Because situations involving conflict of personal interest can also impair judgment, no Board member or employee of VVTA:

3.1.6.1.1. Shall have a financial interest in any other organization which might profit either from the decisions he or she makes in carrying out his VVTA responsibilities, or from his or her knowledge of VVTA actions or future plans.

3.1.6.1.2. Shall make investments or act for personal gain based upon special knowledge he or she obtained – whether directly or inadvertently – as a result of his or her position as a Board member or employee or VVTA.

3.1.6.2. Any interest as an owner, partner, joint-ventures, or stockholder of one percent (1%) or less in any such organization shall not be deemed a prohibited "financial interest," but serving as Director, Officer, Consultant, or Employee of such organization shall be deemed a "financial interest."

4. GUIDELINES FOR CONTRACTOR RELATIONSHIPS

4.1. To avoid conflict, the following shall apply to employees of any contractor providing management services to VVTA.

4.1.1. No Contract Management personnel or support staff shall:

4.1.1.1. Make recommendations or be involved in the preparation of specifications for any contracts for which Contract Management personnel may bid or propose.

4.1.1.2. Be involved in any aspect of evaluation, selection, or award of a contract for which that Contract Management personnel may bid.

4.1.1.3. Be involved in any aspect of contract administration of a contract or subcontract which has been awarded to the Contract Management personnel.

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5. NEGOTIATION FOR EMPLOYMENT

5.1.1. VVTA employees considering or negotiating future employment with an organization which has an actual or prospective business relationship with the Agency may not participate in any official action on behalf of the Agency with that organization. "Negotiating" includes any action that reasonably could be constructed as an indication of interest in future employment, including sending letters or resumes, making telephone inquiries, or receiving unsolicited proposals from the entity's representative regarding future employment. It is not necessary that there be any firm offer of employment or that VVTA' employees initiate the contact.

5.1.1.1. VVTA employees must file a written notice with their supervisor of any negotiation (including unsolicited proposals) for prospective employment with any entity which has an actual or prospective business relationship with the Agency. A copy of the notice shall be sent to Human Resources to be placed in the employee's official personnel file. The employee has the burden of determining whether a prospective employer has an actual or prospective business relationship with the Agency.

6. VIOLATION AND ENFORCEMENT

6.1.1. The imposition of civil or criminal proceedings notwithstanding, violation of any of the provisions of this policy shall be subject to penalties, sanctions or other disciplinary actions up to, and including, termination of employment. Any disciplinary actions imposed shall remain a permanent part of the employee's personnel file.

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CONTRACTOR RELATIONS Policy 1060

1. POLICY

1.1. VVTA maintains an "open door" policy and makes every effort to maintain a good business relationship with all bidders and potential bidders with whom it does business.

1.2. The Contracts and Procurement employees specifically and all agency management personnel in general under the direction of VVTA management assume the responsibility of:

1.2.1. Establish and maintain ethical procurement policies and principles,

1.2.2. Maintain open and fair competition,

1.2.3. Maintain fair and clear purchase and bid specifications,

1.2.4. Observe and maintain honesty and candor in all transactions with suppliers,

1.2.5. Respect the confidence of suppliers in the handling of information,

1.2.6. Remain free from any obligation to suppliers,

1.2.7. Answer all inquiries promptly,

1.2.8. Decline to take advantage of vendor errors,

1.2.9. See that all sales representatives receive a full, fair, and courteous opportunity to present their products,

1.2.10. Furnish complete and accurate information,

1.2.11. Promote prompt payment of invoices,

1.2.12. Keep an open mind to new methods and procedures,

1.2.13. Encourage testing or demonstration of materials and products which may be of value to VVTA.

1.3. At all times, all VVTA employees will operate with integrity and fairness to VVTA's suppliers.

2. OBJECTIVE

Through these principles, VVTA intends to create an atmosphere in which VVTA, vendors, and citizens can work together for the provision of goods and services to VVTA at a fair and reasonable price.

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SPECIAL FEDERAL GRANTEE REQUIREMENTS AND APPLICABLE LAWS **Policy 1070**

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, domestic preference and environmental protection programs, an inspection and verification procedure to ensure compliance with VVTA's specifications, Federal motor vehicle safety standards, and Build America/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 Chief Financial Officer or their designee will assure that the required provisions are included in all appropriate solicitations and contracts.

1.4. The VVTA Procurement Manager or designee will be responsible for reviewing the Federal References below, annually, in order to review and update VVTA's Procurement Policies with the new clauses or changes to the various regulations. The Procurement Manager will log into the FTA Oversite website, receive emails from the FTA, and attend training to ensure compliance with the FTA.

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. 2 CFR Part 1201 – Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Awards – incorporates by reference OMB, 2 CFR Part 200, which supersedes the former OMB Circulars 49 CFR Parts 18 and 19.

2.1.3. 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Most updated version effective 10/01/2024.

2.1.4. FTA Circular on *Third Party Contracting Requirements,* FTA 4220.1G (or latest revision)

2.1.5. FTA Circular C5010.1 F (or latest revision).

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. Executive Order 12612, "Federalism."

2.1.11. Federal Acquisition Regulations, Part 31.

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2.1.12. FTA Best Practices Procurement Manual.

2.1.13. FTA Master Agreement §32

2.1.14. IIJA Infrastructure Investment and Jobs Act

3. REQUIRED CONTRACT PROVISIONS

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 the current listing of Grantee Requirements and incorporate all applicable requirements for each FTA procurement.

4. STATE AND LOCAL REFERENCES

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.

4.2. All other applicable federal, state and local laws, codes, regulations, and standards.

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PURCHASING THRESHOLDS **Policy 2000**

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 requesting department to ensure funds are available within the department's budget for any requested procurement.

1.3. A procurement value over $2500.00 requires the approval of the Chief Executive Officer (CEO).

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 procurement:

1.5.1. **$2,500.00 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-procurement does 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 $~~2~~350,000.00** – Small procurement procedure--

1.5.3.1. Small Procurements may be used for goods/services at least $10,000.01 and not more than a $~~2~~350,000.00 award.

1.5.3.2. Small Procurements do not require action by the Board of Directors for an award and must be signed by the CEO.

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.

1.5.3.3. 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)

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1.5.3.4. In compliance with State of California SB854 – Public Works – VVTA will solicit and award Public Works projects to vendors who are registered and certified by the State of California.

1.5.3.5. All construction procurements of $2,000.00 or more must be reviewed by the Procurement Department.

1.5.4. **$~~2~~350,000.01 and above** – Formal procurement procedure

1.5.4.1. In compliance with FTA recommendations, and requirements procurements for goods/services more than a $~~2~~350,000.01 award amount require use of a Formal Procurement process which include:

1.5.4.1.1. Acquisition planning and identification of funding sources.

1.5.4.1.2. Development of Specifications.

1.5.4.1.3. Board authorization to release Invitation for Bid (IFB) and/or Request for Proposals (RFP).

1.5.4.1.4. Advertisements.

1.5.4.1.5. Competitive Bid Process.

1.5.4.1.6. Evaluation of Bids or Proposals.

1.5.4.1.7. Board Authorization of Contract Award.

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EMERGENCY & NON-COMPETITIVE PROCUREMENTS — Policy 2010

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 emergency conditions 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; or

1.3.2. Preservation or protection of property; or

1.3.3. The continuation of necessary VVTA functions.

1.4. If that anticipated cost exceeds $3~~2~~50,000.01, the Chief Executive Officer (CEO) 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 immediate remedial measures to avert or alleviate damage to property or to repair or restore damaged or destroyed Authority property, the CEO 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

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CEO shall submit to the Board a complete report explaining the necessity of the action.

2.2.3. FTA authorizes non-competitive negotiations.

2.2.4. After solicitation from a number of sources, VVTA deems competition inadequate.

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 CEO 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 CEO shall submit to the Board a complete report explaining the necessity of the action.

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, VVTA must certify in writing to the FTA (before approving the contract) that:

2.2.6.1. The manufacturer or supplier is the only source for such an item.

2.2.6.2. The price of such an item is no higher than the price paid for the item by other like customers.

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PURCHASING CARDS **Policy 3000**

1. INTRODUCTION

1.1 The Purchasing Credit Card is designed to increase VVTA's efficiency on low-dollar procurements by giving individuals the authority and responsibility to make purchases directly from suppliers. In this way, the Purchasing Card eliminates the need for check requests, and the use of petty cash.

2. DESCRIPTION

2.1 Purchasing Cards are a limited, restricted credit card imprinted with the name of the person authorized to use the card, an account number, and an expiration date. The financial institution issuing the Procurement Card does not have access to cardholders' personal credit information other than a work address, and the institution does not keep credit records on individual cardholders' names.

3. GENERAL POLICIES

3.1 The following restrictions apply to the use of Purchasing Credit Cards by any VVTA department or employee:

3.1.1 Procurements made with Purchasing Cards must qualify as allowable under VVTA Procurement Policies.

3.1.2 VVTA, not an individual employee, pays for Purchasing Card procurements.

3.1.3 The CFO approves and authorizes use of the Purchase Credit Card as part of the NetSuite ERP Software Purchase Order workflow approval process.

3.1.4 If a Purchasing Card is used inappropriately, VVTA will hold the employee(s) involved responsible.

4. ESTABLISHING A PURCHASING CARD SYSTEM

4.1 Setting up a Purchasing Card system required the following steps:

4.1.1 The Department Director/Manager selects employees to use the Purchasing Card to procure goods and services, or for specific expenditures incurred under the approved conditions.

4.1.2 The Department Director/Manager requests the Purchasing Card to be issued to employees selected. The request is to be approved by the CEO.

4.1.3 The CFO, or his designee, trains all selected employees in the proper use of Purchasing Cards before the cards are issued.

4.1.4 The cardholder will sign the credit card use agreement to acknowledge and comply with all restrictions and follow the established card usage policy.

4.1.5 Custody of the Purchasing Cards will remain with the Treasurer when not in use.

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SEALED BIDS AND RFPS — Policy 4000

1. POLICY OVERVIEW

1.1. Procurements over the small acquisition threshold of $~~2~~350,000.01 shall require a formal procurement process.

1.2. Requirements for goods or services to be purchased exceed $~~2~~350,000.01 per acquisition, or per contract period including option~~s~~ 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.

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/ Non-Competitive 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 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 based on price.
- 3.1.4. No discussion with bidders is needed after receiving offers.
- 3.1.5. The award is given to the lowest, responsive, responsible bidder.

4. REQUEST FOR PROPOSAL (RFP)

4.1. 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.

4.2. The competitive negotiations (RFP) process shall be used for:

a. Professional Services
b. Support Services
c. Technical Services
d. Operational Services
e. Maintenance Services
f. Architectural and Engineering Services, or

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g. Specialized Transit Equipment as defined.

4.1 Notice: RFPs require public notice. All evaluation factors and their relative importance must be specified in the solicitation, but numerical or percentage ratings or weights need not be specified. Proposals must be solicited from multiple qualified entities. To the maximum extent practicable, any proposals submitted in response to public notice must be considered.

5. RFP AWARD PROCESS

5.1. Unless all bids/proposals are rejected, a contract award will be made to the responsive and responsible firm offering the most advantageous terms with price and other factors considered.

5.1.1. For projects equal less than $~~2~~350,000.00, an award will be made with the authorization of the Chief Executive Officer.

5.1.2. For projects of $~~2~~350,000.01 or more, the award will be made with the authorization of the Board of Directors.

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.

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.

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.

5.5. The Board of Directors is not bound by the recommendation of the Evaluation Committee or staff working when they believe their action will further VVTA's statutory functions.

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.

6. AWARD OF THE CONTRACT

6.1. Upon awarding the contract by the VVTA's Board of Directors, the Procurement staff will notify unsuccessful bidders in writing and, if applicable, return their bid bonds.

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

7. REQUIRED FEDERAL CLAUSES

7.1. Procurement staff will review the contract to ensure 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.

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8. DEFINITIONS

All Definitions in 49. U.S.C. 5302 and 2 CFR 200, Subpart A apply to Circular 4220.1G, as do the following definitions

8.1. Alternate Contracting Method (ACM) is any method of contracting for a construction project other than traditional design-bid-build. ACMs include, but are not limited to, design-build, progressive design-build, construction manager/general contractor, construction manager-at-risk, public-private partnership, and other innovative methods with or without name.

8.2. Approval, Authorization, Concurrence, Waiver refers to written communication from an authorized Federal Government official, granting permission to the recipient to proceed with or refrain from a specific action.

8.3. Best Value characterizes a procurement strategy that prioritizes obtaining the most advantageous offer for the recipient. It goes beyond evaluating proposals solely on cost or price, allowing for a comprehensive assessment that includes additional factors to secure technical superiority, even at a higher cost. The ‘premium’ is identified as the cost difference between the lowest-prices proposal and the proposal deemed to offer the greatest benefit. ‘Best value’ procurement is aimed at achieving the most favorable outcome for the recipient, considering a project’s specific requirements, and what is deemed most critical for its success. White FTA does not prescribe specific evaluation criteria; criteria must be transparently disclosed in solicitation documents. Potential factors may include, but are not limited to, technical design and approach, delivery schedules, quality of personnel, past performance, and management plans.

8.4. Cardinal Change means a major deviation from the original purpose of the work, or the intended method of achievement, or a revision of contract work so extensive, significant, or cumulative that, in effect, the contractor is required to perform very different work from that described in the original contract.

8.5. Change Order refers to a formal directive issued by the recipient under the authority of a contract, compelling the contractor to implement specified contractual modifications. These changes adhere to predefined contract clauses for such adjustments and may proceed with or without the contractor’s explicit agreement.

8.6. Competitive Purchases $~~2~~350,000.01 and over

Competitive Purchases are defined as any purchase with a value of $~~2~~350,000.01 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 the 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 on VVTA’s website.

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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.

8.7 Construction Manager/General Contractor (CM/GC) or Construction Manager at Risk (CMAR) is a delivery method that consists of two phases: design and construction. In this delivery method, the recipient selects a Construction Manager based on qualifications, experience, or best value. The Construction Manager helps the recipient with design up to approximately 60%-90%, after which the recipient and Construction Manager negotiate a maximum price, generally called the Guaranteed Maximum Price (GMP), for the Construction phase. If both parties agree on the GMP, they sign a construction contract, at which point the Construction Manager becomes a General Contractor. The CM/GC method can help optimize efficiency, especially on complex or technically challenging projects. Variations in this process occur. For example, a project owner and construction manager may agree to a GMP early during the design phase, with or without a subsequent price negotiation as design nears completion.

8.8. Constructive Change If constructive changes occur on a contract, the recipient should document these changes with the same level of detail and approval as formal change orders. In addition to supporting the recipient's own contract management, documentation of constructive changes will demonstrate that the changed work is eligible and within the scope of the Federal award.

8.9. Contract means a mutually binding legal relationship obligating the seller to furnish supplies or services (including construction) and the buyer to pay for them. It encompasses various commitments that obligate the recipient to expenditure in writing, including bilateral instruments, awards, job orders, letter contracts, and purchase orders that become effective by acceptance or performance. Contracts under Federal awards must adhere to procurement standards established in 2 CFR 200.317–200.327.

8.10. Cooperative Agreement means a financial assistance instrument FTA awards to a specific recipient for a particular project in which FTA retains substantial involvement, as described in 31 U.S.C. 6305.

8.11. Data Rights:

8.11.1. Protection: When performance of a contract may include the collection of data from the recipient, either incidentally or as a primary purpose of the procurement, the recipient should include clear terms in its contract defining who owns the collected data (the recipient or its contractor) and what, if anything, the contractor may do with the collected data.

8.11.2. Types of Data rights: When negotiating data rights, recipients should ensure contracts secure adequate licenses for Federally funded data. The recipient should clearly define proprietary data and negotiate appropriate access rights to fulfill Federal objectives. Additionally, recipients should ensure data rights clauses are flowed down to subcontractors who may receive access to data.

8.12. Design-Bid-Build is the traditional delivery method for construction projects under which a recipient commissions an architect or engineer to prepare drawings and specifications under a design services contract, and separately contracts for construction, by engaging the services of a contractor through sealed bidding or competitive negotiations to complete delivery of the project.

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8.13. Design-Build, as delineated in 49 U.S.C. 5325(d)(1), is a delivery method where a recipient contracts with a seller, firm, or consortium of firms to design and build a public transportation system, or an operable segment thereof, meeting specified performance criteria. This contract may include an option to extend the financing, operating, or the maintenance of the system or segment. The essence of the design build delivery method is the integration of design and construction services into a single contract, potentially offering benefits such as expedited completion times and cohesive project execution. Beyond the primary scope defined in 49 U.S.C. 5325(d)(1), design-build also extends to contracts combining the design and construction of public transportation facilities, aiming to streamline project delivery and enhance performance outcomes.

8.14 Electronic Commerce (E-Commerce) consists of electronic techniques for accomplishing business transactions including electronic mail or messaging, World Wide Web internet technology, electronic bulletin boards, purchase cards, electronic funds transfer, electronic signatures, and electronic data interchange.

8.15. Force Account means the recipient's own labor forces and equipment, as discussed in this circular in the context of performing project work.

8.16. FTA Means Federal Transit Administration

8.17. Full and Open Competition Means that all responsible sources are permitted to compete.

8.18. Joint Procurement (sometimes called "cooperative procurement") means a method of contracting in which two or more purchasers agree from the outset 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 purpose of accommodating the needs of other parties that may later choose to participate in the benefits of that contract.

This circular prefers the term joint procurement to avoid confusion with the U.S. General Services Administration's (GSA) "Cooperative Purchasing Program" and with similar State or local government purchasing programs that the State or local government might refer to as "cooperative."

8.19. Local Government means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937) school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under state law), any other regional or interstate government entity, or any agency or instrumentality of a local government. This term does not include a local public institution of higher education.

8.20. Master Agreement means the FTA document incorporated by reference and made part of FTA's standard grant agreements and cooperative agreements, which contains the standard terms and conditions governing the administration of a project supported with Federal assistance awarded by the FTA.

8.21. Modification means any written agreement to the terms of the contract. .

8.22. Non- Competitive (Sole Source) Procurement

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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).

8.23. Progressive Design-Build (PDB) is one of several Alternative Contracting Methods (ACMs) available for improving project delivery for use on Federal aid construction contracts. PDB uses a two-phased qualification-based selection process, requiring the owner agency and PDB Team to progress the design together, toward a final scope, schedule, and budget (guaranteed maximum price (GMP) or target maximum price (TMP). The method is best used for complex construction projects.

8.24. Project Labor Agreement (PLA) means an agreement between the contractor, subcontractors, and the union(s) representing workers. Under PLA, the contractor, subcontractors, and union(s) working on a project agree on terms and conditions of employment for the project, establishing a framework for labor-management cooperation to advance the buyer’s procurement interest in cost, efficiency, and quality.

8.25. Real Property Acquisition, Procurements of real property consisting of land and any existing buildings and structures of the land are addressed in DOT regulations, “Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.” 49 CFR part 24. For further guidance refer to the latest version of FTA circular 5010.1F.

8.26. Public Private Partnership (P3) means a contractual arrangement formed between public and private sector partners, which allows for greater private sector participation in the delivery and financing of transportation projects. This partnership often involves sharing resources, risks, and rewards to enhance efficiency, effectiveness, and overall quality of service delivery. P3s are used to leverage private sector expertise and capital for the public good, ensuring that the project’s goals align with public transportation policy objectives and regulations.

8.27. Recipient – means the public or private entity to which FTA awards Federal assistance, whether through a grant, cooperative agreement, or other form of agreement. The term recipient does not include third party contractors, third party subcontractors, or individuals that are beneficiaries of the award. Unless specifically distinguished, references to recipients in 4220.1 G (or later revision) usually include subrecipients.

8.28. Revenue Contract means a contract in which the recipient or subrecipient provides access to public transportation assets for the primary purpose of either producing revenues in connection with a public transportation related activity or creating business opportunities involving the use of FTA assisted property.

8.29. State or Local Government Purchasing Schedule or Purchasing Contract means a procurement framework established by a State or local government with multiple vendors. Under this framework, vendors commit to providing an option for the State or local government, along with its subordinate entities and any other participants designated in its program, to procure specified goods or services in the future at pre-established prices. These frameworks bear resemblance to the GSA’s Cooperative Purchasing Program but are specifically designed for State and local government use. While ‘cooperative’ is sometimes used to describe these arrangements due to their similarities to the GSA’s Cooperative Purchasing Program, it is important to differentiate these from ‘Joint Procurement’ as delineated in this chapter.

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8.30. Subrecipient – means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

8.31. Third Party Contract – refers to a recipient's contract with a vendor or contractor, including procurement by purchase order or purchase by credit card, which is financed with Federal assistance awarded by FTA.

8.32 Unsolicited Proposal means a proposal that is:

(1) Innovative and unique,

(2) Independently originated and developed by the offeror,

(3) Prepared without the recipient's supervision, endorsement, direction, or direct involvement,

(4) Sufficiently detailed that its benefits in support of the recipient's mission and responsibilities are apparent,

(5) Not an advance proposal for property or services that a recipient could acquire through competitive methods, and

(6) Not an offer responding to a recipient's previously published expression of need or request for proposals. FTA C 4220.1G Page I-8 DATE 01/17/2025

8.33 Value Engineering means the systematic application of recognized techniques that identify the function of a product or service, establish value for that function, and provide the necessary function reliably at the lowest overall cost. In all instances, the required function should be achieved at the lowest possible life cycle cost consistent with requirements for performance, maintainability, safety, security, and aesthetics.

8.34. Federal General Service Administration (GSA) Schedules

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, Procurement staff must ensure all Federal requirements, required clauses, and certifications are properly followed.

8.35 Guidance. In addition to 4220.1 G (or later version), FTA publishes guidance to assist recipients perform procurement and comply with Federal requirements. Some sources of procurement-related guidance include:

(1) "Best Practices Procurement – Lessons Learned Manual (BPPM)

(2) "Frequently Asked Questions" To review the Frequently Asked Questions pertaining to third party contracting, access the FTA Web site.

(3) FTA Offices. For assistance with procurement standards or any other Federal requirement, a recipient should contact the FTA regional office responsible for administering the recipient's awards.

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8.36. 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 the 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 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 the 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 it to be in its best interest. Procurements of Rolling Stock and replacement parts remain limited by law to five (5) years.

8.37. Lease vs Purchase – To secure the best value, recipients should evaluate both lease and purchase options for acquiring property under 2 CFR 200.318(d). Recipients should consider all relevant factors, including market conditions and the expected useful life of the asset in their decision-making process.

8.37.1. Leases of rolling stock and related equipment – Section 3019(c) of the Fixing America's Surface Transportation (FAST) Act introduced new leasing flexibilities specifically for rolling stock and related equipment. Under section 3019(c) of the FAST Act, FTA capital funds are available to pay for a lease of rolling sock or related equipment if (i) the rolling stock or related equipment covered under the lease is otherwise eligible for FTA capital assistance; and (ii) there is or will be no Federal interest in the rolling stock or related equipment covered under the lease as of the date on which the lease takes effect. This is irrespective of other FTA policies related to the eligibility of capital or operating leases. (See Circular 5010.1F, Chapter IV, regarding the eligibility of leases for other than rolling stock or related equipment; associated financing costs, including interest, legal fees, and financial advisor fees; ancillary costs such as delivery and installation charges; and maintenance costs. For purposed of section 3019(c) of the FAST Act, "related equipment" means

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equipment that is necessary for the operation of the vehicle (e.g., power sources, or external charging equipment) and not accessories like fareboxes.

8.37.2. Leases of removable power sources – Under section 3019(c) of the FAST Act, a recipient may lease a removable power source of a zero-emission vehicle separately from the acquisition of the rest of the vehicle. A removable power source may include a battery, fuel cell, ultra-capacitator, or other advanced power source used in a zero-emission vehicle.

8.37.3. Maximize Use of Funds – A recipient procuring rolling stock or related equipment using funds awarded using funds awarded under the Formula Grants for buses and Bus Facilities Program (49 U.S.C. 5339(a)) for the Buses and Bus Facilities Competitive Grants Program (49 U.S.C5339(b)) should, to the extent practicable, seek to use the procurement tools authorized by section 3019 of the FAST Act. If a recipient under either of those programs purchases fewer that five buses through a standalone procurement, the recipient must provide FTA with an explanation regarding why it did not use a procurement tool authorized by section 3019 of the FAST Act.

8.37.4. Reporting Required: A recipient that enters into a lease using section 3019(c) of the FAST Act must report within three years of entering the lease an evaluation of the overall costs and benefits of leasing rolling stock or related equipment and a comparison of the expected short-term and long-term maintenance costs of leasing vs buying rolling stock.

8.38. 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.

8.39. Geographic Restrictions: Effective with the passing of the infrastructure investment and Jobs Act (IIJA; Pub. L 117-58 (2021)), grant recipients are permitted 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.

8.40. Payment Provisions. Under certain circumstances, a recipient may use advance payments or progress payments in its contracts. The conditions FTA applies to advance and progress payments vary depending on the timing of the payments and whether FTA has made an award for the project or the recipient is relying on pre-award authority. (5010.1F for a detailed discussion of pre-award authority.)

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(a) Advance Payments. Advance payments (sometimes called mobilization payments) are payments made to a contractor before the contractor incurs contract costs.

(b) Prior FTA Approval – The recipient must received FTA's advance written concurrence before making advance payments of over $100,000.00 to a contractor using financial assistance – including but not limited to public utility connection and services, rent, tuition, insurance premiums, subscriptions to publications, software licenses, construction mobilization costs, transportation, hotel reservations, and conference or convention registrations.

8.41 Progress Payments In some circumstances, VVTA may enter contracts that require the use of progress payments. Progress payments shall only be made to the contractor regarding 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.

8.42 Adequate Documentation. Sufficient documentation is required to demonstrate completion of the amount of work for which progress payments are made. A recipient should be as specific as possible in its contract when describing the activities or milestones for which progress payments will be made.

8.43. 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.

8.44 Pre-Bid and Pre-Proposal Conferences

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 Procurement Department staff responsible 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.

8.45 Cost and Price Analysis

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 are 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.

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8.46 Prohibited Contract Methods

Federal regulations have prohibited the following contracting methods:

*Cost plus a percentage of cost

*Percentage of Construction cost.

8.47 Prohibition on certain telecommunications and video surveillance services or equipment.

(a) Recipients and subrecipients are prohibited from obligating or expending loans or grant funds to:

(1) Procure or obtain;

(2) Extend or renew a contract to procure or obtain; or

(3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115–232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital

Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

(b) In implementing the prohibition under Public Law 115–232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(c) See Public Law 115–232, section 889 for additional information.

(d) See also § 200.471.]

8.48 Fraud, Waste, Abuse, or Other legal Matters

FTA Master Agreement 39(b) – Notice to FTA and USDOT Inspector General of information related to fraud, waste, abuse, or other legal matters. Applies to all

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contracts at all tiers expected to equal or exceed $25,000.00. VVTA must require a prime contractor to "flow-down" the requirement to subcontractors.

8.49 Seat Belt Use

FTA Master Agreement 34(a) – VVTA agrees to implement Executive order No. 13043 "Increasing Seat belt Use in the United State," April 16, 1997, 23 USC 402 not,(62 Fed. Reg. 19217, by: Adopting and promoting on-the-job seat belt use policies and programs for its employees and other personnel that operate company-owned vehicles, company-rented vehicles, or personally operated vehicles; and Include a "Seat Belt Use" provision in each third party agreement related to the award.

8.50 Distracted Driving

FTA Master Agreement 34 (b): Distracted Driving: Including Text Messaging While Driving. VVTA agrees to comply with:

8.49.1 – Executive Order No. 13513, "Federal Leadership on Reducing Text Messaging While Driving," October 1, 2009, USC 402 note, (74 Fed. Reg. 51225); and

8.49.2. – US DOT Order 3902.10 "Text Messaging While Driving," December 30, 2009; and

8.49.3. – The following US DOT Special Provisions pertaining to Distracted Driving:

8..49.3.1 – Safety. VVTA agrees to adopt and enforce workplace safety to decrease crashes caused by distracted drivers, including policies to ban text messaging while using and electronic device supplied by an employer, and driving a vehicle the driver owns or rents, a vehicle VVTA owns, leases, or rents, or a privately-owned vehicle when on official business in connection with the Award, or when performing any work for or on behalf of the Award; and

8.49.3.2 – VVTA's Size: VVTA agrees to conduct workplace safety initiatives in a manner commensurate with its size, such as establishing new rules and programs to prohibit text messaging while driving, re-evaluating the existing programs to prohibit text messaging while driving, and providing education, awareness and other outreach to employees about the safety risks associated with texting while driving; and

8.49.3.3. – Extension of provisions: VVTA agrees to include the preceding Special Provision sections of the Master Agreement in its third-party agreements and encourages its Third-Party Participants to comply with this Special Provision and include this Special Provision in each third-party sub agreement at each tier supported with federal assistance.

8.51 Tax Liability and Felony Conviction Under the FTA Master Agreement, the contractor must certify to the recipient that it does not have any unpaid Federal tax liability, and it has not been convicted of any Federal felony within the preceding 24 months. FTA Master Agreement §4(g) (May 2, 2024)

8.52 Veterans Hiring Preference All third-party contracts must ensure that contractors working on a capital project funded with Federal financial assistance give a hiring preferent, to the extent practicable, to veterans (as defined in 5 CFR section 2108) who have the requisite skills and abilities to perform the construction work required under the contract. 49 USC 5325(k).

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PROTEST PROCESS **Policy 5000**

1. PURPOSE

1.1. This policy provides guidelines for the submittal and evaluation of protests relating to all procurements. VVTA shall ensure, to the extent reasonably possible, uniform, timely and equitable consideration of all protests received by VVTA pursuant to this policy.

1.2. To be considered, a protest must be filed in a timely manner, as described herein, must satisfy all the applicable requirements described in this policy and must be brought by an interested party as defined below.

2. DEFINITIONS

2.1. The following definitions apply to this policy.

2.2. Interested Party – An actual proposer/bidder whose direct economic interest would be affected by the award of a contract or by the failure to award a contract. Interested parties do not include subcontractors or suppliers of an actual or prospective proposer/bidder, or joint venturers acting independently of a joint venture.

2.3. Procurement Manager - The person designated by VVTA who is responsible for managing the contracting and procurement function.

2.4. File or Submit – Shall mean the date of receipt of a written protest by VVTA.

2.5. Receipt of Protest – The date of receipt of the Protest will be the date in which VVTA receives the protest package.

3. REFERENCES

3.1. United States Department of Transportation, Federal Transit Administration, Section 200.318 (K) of Code of Federal Regulations. Master Agreement Section 3~~2~~4). Note: Refer to the revision in effect at the time of protest.

4. BASIS OF PROTEST

4.1. Requests for Proposal

After the receipt of proposals by VVTA and after an action relating to the selection of a consultant/contractor by the VVTA Evaluation Committee, but prior to the award of a contract by the VVTA Board of Directors, a protest may be submitted on the basis of one or more of the following:

4.1.1. VVTA Failed to adhere to the evaluation process set forth in the solicitation package.

4.1.2. VVTA failed to follow its own procurement policies and procedures.

4.1.3. VVTA violated a specific law, rule, or regulation in the procurement process.

4.2. Invitations for Bid

4.2.1. After the receipt of bids by VVTA, but prior to the award of a contract by the VVTA Board of Directors, a protest may be submitted on the basis of one or more of the following:

4.2.2. VVTA failed to follow its own procurement policies and procedures.

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4.2.3. VVTA violated a specific law, rule or regulation in the procurement process.

5. FILING OF PROTEST

5.1. Filing Written Protest with the VVTA Procurement Manager

An Interested Party wishing to protest a matter involving a procurement or proposed contract award shall file with the Procurement Manager, a written protest covering, at a minimum, the following:

5.1.1. Name and address of the Interested Party;

5.1.2. Identification of the proposed procurement or contract;

5.1.3. Description of the nature of the protest;

5.1.4. A detailed statement of the legal and/or factual grounds for the issue(s) identified in the protest, including reference to the provision(s) of the solicitation, regulations, and/or laws upon which the protest is based; and any technical data, documentary evidence, names of witnesses or other pertinent information supporting the basis for the protest;

5.1.5. A statement of the desired resolution to the protest by the Interested Party;

5.1.6. Signature of a properly authorized representative of the Interested Party.

5.2. Failure to Comply

Failure to comply with any of the requirements of this section may be grounds for dismissal of the protest.

5.3. Withdrawal of Protest

5.1.1. The Interested Party may withdraw its protest at any time before VVTA renders a decision by submitting a written request to the VVTA Procurement Manager.

6. SUMITTAL OF PROTEST

All protests must be submitted in writing to

Victor Valley Transit Authority

Attn: Procurement Manager

17150 Smoke Tree Street

Hesperia, CA 92345

procurement@vvta.org

RE: Solicitation Protest – Solicitation/Contract Number

7. PROTEST SUBMITTAL DEADLINE

7.1. Requests for Proposal

After opening proposals, VVTA will evaluate the proposals and determine which proposer shall be recommended to the VVTA Board of Directors for the award of a contract. Once VVTA staff have determined which proposer will be recommended to the Board for award, a Notice of Intent to Award will be sent to all proposers.

7.1.1. Protests must be filed within five (5) business days from the issue date on the Notice of Intent to Award.

7.1.2. The date of filing shall be the date VVTA receives the protest.

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7.2. Invitations for Bid

7.2.1. Protests must be filed within three (3) business days from bid opening.

7.2.2. The date of filing shall be the date VVTA receives the protest.

8. PROTEST REVIEW PROCESS

If the protest is determined to be timely and meets the criteria identified in the preceding sections 4, 5, and 7, this process will be followed:

8.1. No additional material will be allowed to be submitted unless specifically requested by the Procurement Manager.

8.2. The Procurement Manger will review all material submitted and will render a decision within thirty (30) days after the receipt of the protest.

8.3. The Procurement Manager will consider only those specific issues addressed in the written protest.

8.4. The decision of the Procurement Manager will then be given to the Chief Executive Officer (CEO), or designee, for approval. The decision of the CEO is final.

10. RESPONSIBILITIES

10.1. VVTA Staff

10.1.1. In the event of a protest, Staff are to follow the current Solicitation Protest Policy in effect at the time the protest is filed.

10.1.2. In the event that VVTA receives a vendor protest; Staff are to send a copy of the vendor protest to VVTA's Procurement Manager. The Procurement Manager will then send a copy of the protest to General Counsel, responsible Executive Staff member(s), and the CEO.

10.2. Procurement Manager

10.2.1. Review the protest and make a determination that:

10.2.1.1. All filing dates have been met;

10.2.1.2. that the protest contains the required information as identified in this policy; and

10.2.1.3. that the basis of the protest meets the requirements as identified in this policy. If any of the criteria are not met, the protest will not be considered and a letter dismissing the protest will be sent to the vendor by the Procurement Manager.

10.2.2. If the procurement that is being protested is federally funded, notify

10.2.2.2. Caltrans, if all or a portion of the funds were passed through Caltrans

10.2.3. Determine a fair review process for all vendors who file a protest.

10.2.4. Review the protest and prepare a receipt of protest letter to the vendor.

10.2.5. Review the protest and all the material submitted with the protest and prepare a written summary and decision on the merits of the protest within the thirty (30) days from receipt of the protest.

10.2.6. Send the summary and decision to the CEO, or designee, for approval.

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10.2.7. After CEO, or designee, approval, send to General Counsel for review prior to sending it to the vendor.

10.2.8. Include all documents in the contract file.

10.3 Notification to the FTA Chief Counsel or FTA Regional Counsel

10.3.1 VVTA agrees to provide FTA, as part of the annual or quarterly Milestone Progress Report, with a list of all bid protests and appeals for solicitations or contracts in excess of $500,000. VVTA will also be mindful of the requirement in Section 39 (of the Master Agreement), disputes, that VVTA must promptly notify the FTA Chief Counsel, or FTA Regional Counsel for the Region in which the Recipient is located, of significant current or prospective legal matters that may affect the Federal Government.

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CONTRACT ADMINISTRATION Policy 6000

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 ensure 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 closing out. 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 with 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 parties involved 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.

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1.8. Price analysis for change orders, verification of invoiced costs and contract adherence to budgets and schedules shall be coordinated with the Project Manager and other parties involved; the Procurement Department will maintain the file documentation for these activities.

1.9. Ensuring the contractor submits insurance certificates, bonding documentation and all other contractually required documentation shall be the responsibility of the Procurement Manager.

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 implemented prior to VVTA issuing final payment to the contractor.

2. AUTHORITY AND RESPONSIBILITY

2.1. The Chief Financial Officer (CFO) 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.

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.

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).

3. DELEGATION OF AUTHORITY TO OTHER PERSONNEL

3.1. The CFO 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:

3.1.1. Inspection of the work for compliance with the contract;

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;

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:

3.1.4. Preparation of VVTA estimate of contract modifications.

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 CFO including the preparation of and furnishing to the contractor sketches and clarifications within that limitation.

3.1.6. Preparation and approval of payment estimates. In those cases, releasing the retained percentage or remitting liquidated damages, the designee will make his/her recommendations thereon in writing to the CFO.

3.1.7. Approval of the contractor's shop drawings, working drawings, materials, equipment, and operations and storage areas;

3.1.8. Approval of the contractor's progress schedule;

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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;

3.1.10. Other duties that the CFO may assign because of special situations, e.g., inspection of items for compliance with the required safety standards, or examination of components to assure that domestic products are delivered; and

3.1.11. Approval of the contractor's invoices.

4. PROJECT MANAGEMENT

4.1. The Chief Executive Officer (CEO), with Board of Directors approval, may designate a third-party Project Manager to oversee selected projects more than $~~250~~350,000.01. At his/her discretion, the "requesting" Department Director/Manager can designate a third-party Project Manager to oversee selected projects under $~~250~~350,000.00, with CEO approval.

4.2. The Scope of Work in the negotiated contract defines specific tasks, milestones, and review procedures, which vary depending on the particular project.

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.

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 $~~25~~350,000.01.

5. AMENDMENTS AND CHANGE ORDERS

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.

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."

5.3. The CEO 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 $~~250~~350,000.00 or ten (10) percent, whichever is greater, of the original contract amount, unless the VVTA's Board of Directors has authorized a greater amount.

5.4. If the change exceeds $3~~2~~50,000.01, the CEO must review and recommend approval, and the VVTA Board of Directors must approve the change.

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 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 CEO 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

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6.1. Orderly documentation of the entire procurement process is essential to sound procurement practices and to comply with FTA 4220.1G (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 alternative 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. The requesting department should consult with Procurement staff for negotiating terms before entering into any agreement with a vendor.

7.4. Under certain circumstances, VVTA may use advance payments or progress payments in its contracts. The conditions FTA apply to advance and progress payments vary depending on the timing of the payments and whether FTA has made an award for the project or whether the recipient is relying on pre-award authority. (5010.1F for a detailed discussion of pre-award authority.)

7.4.1. Advance Payments. Advance payments (sometimes called mobilization payments) are payments made to a contractor before the contractor incurs contract costs.

7.4.2. Sound Business Reasons.

7.4.2.1. A. VVTA should have sound business reasons for making the advance payment, such as a reduction in the cost of the contract as a result of the advance payment.

7.4.2.2. Adequate Security for Advance Payments. Adequate security for the advance payment is an essential pre-condition to FTA’s concurrence in the use of advance payments. Adequate security may take different forms depending on the industry and the nature of the goods or services to be delivered under the contract. Adequate security may include, for example,

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performance bonds, letters of credit, liens, or insurance. FTA will require minimum security in the amount of the Federal share of the advance payment. A performance bond or letter of credit for the full contract is not a federal requirement.

8. CONTRACT CLOSEOUT

8.1. A completed contract is one which is both physically and administratively complete and in which all aspects of contractual performance has been accomplished, terminated, or 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 way such termination will be affected and the basis for settlement. There shall also be appropriate provisions included in such contracts specifying the 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 damage 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 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

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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.

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.

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.

11.3. 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 CEO or designee with advice from VVTA's General Counsel and appropriate technical personnel before processing and negotiating the claim with the Contractor.

12. The FTA is not a party to its recipients' third-party contracts and does not have any obligation to any participant in its recipients' third-party contracts. 2 CFR 200.318(k) assigns responsibility to the recipient for resolving all contractual and administrative issues arising out of its third-party procurements, including source evaluation and selection, protests of awards, disputes, and claims. FTA will not substitute its judgment for that of the recipient unless the matter is primarily a federal concern. FTA also encourages the recipient to consider alternative dispute resolution procedures to an appropriate extent. Neither FTA nor 2 CFR Part 200 relieves the recipient of any responsibilities under its contracts.

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FIXED ASSET MANAGEMENT — Policy 7000

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. Operations 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 $~~2~~3,500.00.

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

3.1. The Procurement Supervisor 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

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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 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 VVTA policy and procedures and comply with the funds rules and regulations with approval by the Board of Directors for items that exceed $3~~2~~50,000.00.

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 $~~2~~350,000.00 or less may be retired or disposed of with the approval of the Chief Executive Officer (CEO).

5.3. FTA funded assets are governed by FTA rules and regulations in Circular 5010.1E or most updated version.

5.4. Complete records shall be maintained on the disposition of all excess and retired assets by the Finance Department.

5.5. Assets may be disposed of either through sale, trade, transfer, relocation, scrap, or when irreparable damage results in an insurance loss.

6. INVENTORY

6.1. The Procurement Supervisor will conduct a physical inventory of all fixed assets at least once every year. The inventory will note the location and condition of all assets, and the results reconciled with records.

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.

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PROCUREMENT POLICY MANUAL

September 2026

VICTOR VALLEY TRANSIT AUTHORITY
PROCUREMENT POLICY MANUAL
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GENERAL PROCUREMENT POLICY — Policy 1000

1. PURPOSE AND SCOPE

The purpose of this section is to set forth general procurement policy and standards that will govern the conduct of VVTA acquisition activities and of personnel engaged in these activities.

2. PROCUREMENT BACKGROUND

VVTA's Statement of Guiding Principles establishes the framework for VVTA's Procurement Policy Manual (Manual) and is approved by the VVTA Board of Directors. Procedures implementing the Procurement Policy Manual will be approved and issued by the VVTA Chief Executive Officer (CEO).

3. STATEMENT OF GUIDING PRINCIPLES FOR VVTA's ACQUISITION SYSTEM

The vision for the VVTA acquisition system is to deliver on a timely basis the best value product or service to the client, while maintaining the public's trust and fulfilling public policy objectives. Participants in the acquisition (procurement) process must work together as a team and are empowered to make decisions within their area of responsibility.

3.1. The VVTA acquisition system will:

3.1.1. Satisfy the client in terms of cost, quality, and timeliness of the delivered product or service by:

3.1.1.1. Maximizing the use of commercial products and services,

3.1.1.2. Using contractors with a track record of successful past performance or who demonstrate a current superior ability to perform, and

3.1.1.3. Promoting competition

3.1.2. Minimize administrative operating costs,

3.1.3. Conduct business with integrity, fairness, and openness, and

3.1.4. Fulfill public policy objectives.

3.2. The Acquisition Team consists of all participants in the VVTA acquisition, including representatives of the technical, supply, support services and procurement communities but also the clients they serve, and the contractors who provide the products and services.

3.3. The role of each member of the Acquisition Team is to exercise personal initiative and sound business judgment in providing the best value product or service to meet the client's needs. In exercising initiative, VVTA members of the Acquisition Team may assume that a strategy, practice, policy or procedure is a permissible exercise of authority if it is in the best interest of the VVTA and is not prohibited by law, applicable regulations, or Board adopted policy.

4. PROCUREMENT STANDARDS

4.1. VVTA will maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

4.2. Members of the VVTA Board of Directors will adhere to the standards of conduct adopted by the Board. VVTA employees will adhere to the standards of conduct approved by the CEO under a delegation of authority from the Board.

4.3. VVTA procedures will provide for a review of proposed procurements to avoid purchase of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.

4.4. The CEO or designee will be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurement. These issues include, but are not limited to, source evaluations, protests, disputes, and claims.

4.5. Competition - The following requirements for competition are applicable to VVTA procurements:

4.5.1. All procurement transactions shall be conducted in a manner providing full and open competition consistent with the above-mentioned procurement standards and the statement of guiding principles. Some of the situations considered to be restrictive to competition include, but are not limited to:

4.5.1.1. Placing unreasonable requirements on firms for them to qualify to do business.

4.5.1.2. Noncompetitive pricing practices between firms or between affiliated companies.

4.5.1.3. Noncompetitive awards to professionals and other consultants that are on VVTA retainer contracts.

4.5.1.4. Organizational conflicts of interest (Policy1050).

4.5.1.5. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other salient characteristics of the brand name product.

4.5.1.6. Any arbitrary action in the procurement process.

4.5.1.7. Development of specification requirements and evaluation criteria, which unnecessarily favor an incumbent contractor.

4.5.2. Procurement transactions will be conducted in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. This does not preempt State licensing laws. When employing the qualifications-based method for contracting for architectural and engineering services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

The Infrastructure Investment and Jobs Act (IIJA), Pub. L. 44- Section 25019 authorizes the use of local, geographic, or economic hiring preferences for construction labor in most of the projects funded by US Department of Transportation (DOT). 1 Prior to the passage of IIJA, state and local agencies had to seek special approval from DOT for use of local/economic hiring preferences. The US DOT has been actively encouraging state and local agencies to use local/economic hiring preferences to bring underrepresented populations into the construction workforce.

4.5.3. VVTA will have written selection procedures for competitive negotiated procurement transactions that ensure fair, unbiased evaluation of competing proposals by an independent evaluation panel appointed by the CEO or designee. These procedures will also ensure that all solicitations clearly state the evaluation factors including cost or price, cost or price-related factors, and non-cost or non-price related factors, and any significant subfactors that will be considered in making the source selection and their relative importance.

4.5.4. Technical requirements shall incorporate a clear and accurate description of the material, product, or service to be procured. Such a description shall not, in competitive procurements, contain features that unduly restrict competition.

4.5.5. VVTA will ensure that all lists of bidders, manufacturers, or products determined to be qualified in advance of the receipt of bids or proposals are current and sufficient to ensure full and open competition. If possible, sufficient time will be allowed to arrange for qualification before receiving bids or proposals. However, when using grant funds, VVTA must allow vendors an opportunity to qualify their products during the solicitation period (FTA Circular 4220.1G) or most updated version).

5. RESPONSIBILITIES

5.1. The Chief Financial Officer (CFO) has primary responsibility for ensuring that the procurement process is in accordance with legal requirements, as interpreted by County Counsel, and VVTA policy.

5.2. The CEO is responsible for establishing procurement policies and issuing instructions for the implementation of VVTA policies.

5.3. The CEO is responsible for establishing materiel management policies and issuing instructions concerning the storage, distribution, and disposal of goods.

5.4. All departments are instructed to follow Procurement Policies/Procedures as well as Policies/Procedures issued by the CEO regarding the storage, distribution, and issuance of material.

6. STATUTORY AND REGULATORY REQUIREMENTS

The following laws and regulations and Master Agreement are applicable to VVTA contracts.

Federal Statute, Regulations, Policies, and Agreements	Subject
IIJA, Pub. L. 117-58	Infrastructure Investment and Federal Transportation Funding Requirements
IIJA, Pub. L. 117-58, § 25019	Local and Economic Hiring Preferences for Construction Projects
Build America, Buy America Act (BABAA) §§ 70901-70927, including § 70914, Incorporated under 49 U.S.C 5323(j)	Domestic Content Preferences for Federally Funded Infrastructure Projects
Public Law 115-232	John McCain National Defense Authorization Act for Fiscal Year 2019

2 CFR Part 184	Buy America Preferences for Infrastructure Projects
2 CFR Part 200	Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
2 CFR Part 1201	Incorporates USDOT regulations, “Uniform Administrative Requirement, Cost Principles and Audit Requirements for: Federal Awards – Incorporates by reference Office of Management and Budget (OMB), 2 CFR Part 200 which supersedes the former OMB circulars on Uniform Administrative Guidance 49 CFR Parts 18 and 19.
31 U.S.C. 3729	False Claims Act
49 CFR 1.91	Delegations to the Federal Transit Administrator
49 CFR Part 24; and 42 U.S.C. § 4601 et seq.	Uniform Relocation Assistance and Real Property Acquisition
49 CFR Part 26	Participation by; Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs
49 CFR Part 661	Buy America Requirement
49 CFR Part 663	Pre-Award and Post-Delivery Audits of Rolling Stock Purchases
49 U.S.C. Chapter 53	Mass Transportation
FTA Circular 4220.1G	Third Party Contracting Requirements
FTA Circular 5010.1F	Grant Management Guidelines
FTA Circular 9030.1F	Eligible Grant Activities
Master Agreement	For Federal Transit Administration Agreements authorized by 49 USC chapter 53 and Title 23, United States Code (Highways), as amended by the Infrastructure Investment and Jobs Act of 2021 (ILJA), the Fixing America’s Surface Transportation (FAST) Act, the Moving Ahead for Progress in the 21st Century Act (MAP-21), the Safe, Accountable Flexible, Efficient Transportation Equity Act: a Legacy for Users (SAFETEA-LU), the SAFETEA-LU Technical Corrections Act of 2008, and other federal laws that FTA Administers.
Public Law 115-232, Section 889	Prohibition of certain telecommunications and video surveillance services or equipment

State Codes	Section(s)	Subject
Civil Code	3248	Payment Bonds
Civil Code	3320	Payments to Prime Design Professionals
Code of Civil Procedure	995.311	Bond-Issuer Requirements
Government Code	4525 et seq.	Architect & Engineering Services
Government Code	7920	Public Records Act Disclosure
Government Code	5956 et seq.	Infrastructure Projects
Government Code	15850-15866	Property Acquisition
Labor Code	1720, 1770-1784	Public Works and Public Agencies
Public Contract Code	1103	Responsibility on Public Works Contracts
Public Contract Code	1104	Plans and Specifications
Public Contract Code	3301 - 3400	Contractor's Licensing; Brand Specification
Public Contract Code	4100 - 4114	Subcontracting
Public Contract Code	5100 - 5107	Relief of Bidders
Public Contract Code	6100 - 6610	Contract Awards and Related Requirements
Public Contract Code	7100 - 7200	Contract Clauses
Public Contract Code	9201 - 9203	Claims,Disputes, and Payments
Public Contract Code	10335 et seq.	Service Contracts
Public Contract Code	20101	Contractor Prequalification
Public Contract Code	20103.8	Alternative Bids
Public Contract Code	20104	Resolution of Public Works Claims
Public Contract Code	20104.5	Progress Payments on Public Works
Public Contract Code	20209 - 20209.5	Purchase & Sale Contracts; Design/Build Contracts
Public Contract Code	20216 - 20217	Bid & Proposal Disclosure; Competitive Negotiation, and Procurement Provisions
Public Contract Code	20360 et seq.	Rail Transit System Design and Construction Contracts
Public Utilities Code	130054-130059	San Bernardino County Transportation Authority Powers and Responsibilities

7. STATE, LOCAL AND FEDERAL CONTROLS

7.1. This Manual has been developed in conformance with the standards and limitations established in State, Federal and local law. Applicable State laws, policies and other sources of guidance governing the procurement practices of VVTA, in addition to those listed in 6 above, are as follows:

7.1.1. VVTA Policies and Instructions.

7.1.2. Board of Directors' Awards, Actions, and Resolutions.

7.1.3. Ordinances and regulations of regional and local agencies, which have subject matter jurisdiction (on case-to-case basis)

7.2. Federal laws and regulations affecting the procurement practices of the VVTA include, but not limited to, the following:

7.2.1. Intermodal Surface Transportation Efficiency Act of 1991, as amended

7.2.2. Federal Acquisition Streamlining Act of 1994, 41 USC 403 (11) and 40 USC 481(b), respectfully.

7.2.3. Executive Order 12612 "Federalism" dated 10-26-87

7.2.4. FTA Master Agreement

7.2.5. FAR PART 31 Cost Principles and Procedures

7.2.6. Relevant decisions of the Courts and the Comptroller General of the United States

7.3. To the extent that both federal and state laws and regulations apply to procurement, VVTA is required to act within the limits of the more restricted requirements. When Federal funds are used in procurement, Federal procurement requirements must be met or exceeded.

7.4. FTA Best Practices Procurement – Lessons Learned Manual (BPPM) provides guidance to procurements and examples of best practices.

7.5. VVTA may contract with any department or agency of the United States of America, with any public agency (including, but not limited to, the Department of Transportation, the multicounty designated transportation planning agency, or any transit district, county or city), or with any person upon such terms and conditions as VVTA finds in its best interest. (PUC Section 130221)

7.6. Joint Powers Authority, created by the member entities on July 1, 1976, including all subsequent amendments.

7.7. California Government Code Sections 1090, 1126, 87100, 87306, Resolution No. 140-96, and any other applicable provisions of the Government Code and any conflict-of-interest Code applicable to VVTA employment.

8. IMPLEMENTATION

The CEO shall implement the policies herein set forth. Procedural guidance shall be provided in the Procurement Procedures.

9. ABOUT THE MANUAL

9.1. This manual provides instructions and reference material for personnel in all departments of VVTA involved with the procurement process. It establishes responsibilities and documents VVTA's continuing efforts to comply with applicable federal, state, county, and local regulations.

9.2. **Sections**

9.2.1. This manual is divided into sections of related policies. Those sections are described in "Using This Manual" below. Sections are separated by title pages, and policies within a section will begin with the same number. (For example, all policies in General Policies.)

10. USING THIS MANUAL

10.1. This manual contains policies governing the procurement of goods and services by VVTA. It is divided into the following sections:

10.1.1. General Policies – (1000 series) this section describes the responsibilities, ethics, and objectives behind the procurement process.

10.1.2. Informal Procurement Policies – (2000 series) this section describes informal procurements, micro-procurements, mini-procurements, and small procurements.

10.1.3. Purchasing Card Policies – (3000 series) this section describes the proper use of Purchasing cards.

10.1.4. Formal Procurement Policies – (4000 series) this section describes the formal procurement process, from bidding to contract award.

10.1.5. Solicitation Protest Policies – (5000 series) this section describes how to handle a protest to a formal procurement contract award.

10.1.6. Contract Administration Policies – (6000 series) this section describes the administration of a contract, from opening to termination.

10.1.7. Fixed Asset Management Policies – (7000 series) this section describes the management of fixed assets, from auditing to liquidation of surplus assets.

PURPOSE **Policy 1010**

1. OVERVIEW

1.1. VVTA procures goods and services using public funds. It has a responsibility to uphold public trust and maximize the value of public funds by using them as efficiently and cost-effectively as possible.

1.2. VVTA created this manual to help its personnel involved with procurement to both uphold the public trust and comply with all applicable federal, state, county, and local regulations. This manual establishes VVTA's procurement process, which covers the procurement of, accounting for, and disposal of materials, equipment, buses, and other vehicles, and the procurement and administration of professional and other services.

1.3. The purpose of this procurement policy manual is to provide general guidelines on conducting procurements that meet the standards of Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards 2 CFR 200 ("Super Circular") and Federal Administration FTA Circular 4220.1G(or latest revision) entitled, "Third Party Contracting Requirements". These circulars set forth the requirements that VVTA must comply with in solicitations, selection and administration of federally funded contracts. In addition, where appropriate, many procedures and practices have been adopted from the FTA's Best Practices Procurement Manual. VVTA recognizes the principles of contracting with Federal Funds received from the FTA require certain specific Federal guidelines must be met not only by VVTA but also by contractors and subcontractors of VVTA. This manual will educate and enable staff to comply fully with those as well as other state and local requirements. In addition, this manual will aid procurement staff in making business judgments based upon the application of sound procurement policies and procedures.

1.4 From time to time the U.S. Department of Transportation, the Federal Transit Administration or other governing bodies may set forth new procurement standards or supplementary directives. As changes, revisions or applicable guidance is determined necessary for proper procurement administration (other than reformatting and clarifications), the VVTA Chief Financial Officer will prepare a summary of the proposed changes for submittal by way of the Chief Executive Officer to the Board of Directors in the form of a Board Memo for consideration and incorporation of the proposed amendment into the existing Procurement Policy..

2. PROCUREMENT TYPES

2.1. The VVTA Procurement Process is divided into three main types of procurement:

2.1.1. Formal – procurements for goods and services more than $350,000.01. These procurements are approved by the VVTA Board of Directors.

2.1.2. Informal – $350,000.00 and below. procurements including petty cash, micro-procurements, mini-procurements, and small procurements.

2.1.3. Procurement Card – In some cases, VVTA personnel can use Procurement Cards, as specified in Section 3, "Procurement Card Policies & Procedures."

2.1.4. Various VVTA personnel are responsible for the proper conduct of procurements, as specified in Policy 1020, Responsibilities.

3. OBJECTIVE OF VVTA PROCUREMENT PROCESS

3.1. The objectives of the VVTA Procurement Process are to:

3.1.1 Maximize the value received for VVTA's expenditure of public funds.

3.1.2 Protect assets and/or services purchased with public funds and ensure their application in VVTA's interests.

3.1.3 Provide all qualified vendors with an equal opportunity to provide the necessary goods and/or services.

3.1.4 Provide a timely, efficient, and cost-effective flow of resources necessary to support VVTA's provision of service.

3.1.5 Protect the integrity and reputation of VVTA, its officers, and its employees.

RESPONSIBILITIES Policy 1020

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 decide to purchase the product or service. The Department Manager/Director or designee will prepare and approve a Purchase Order for the item or service. The approval is through the NetSuite ERP Software Workflow approval process.

1.1.2. Under the direction of the Chief Financial Officer (CFO), 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 CFO will also periodically review the basic procurement process to make certain that VVTA meets Federal and State regulatory requirements and updates 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 Chief Executive Officer (CEO).

2.1.2. Authorizes the release of formal procurements.

2.1.3. Approves or rejects all purchases or contracts over $350,000.01, based on the CEO's recommendation.

2.1.4. Authorizes disposal of surplus materials, supplies, equipment, and property with remaining value in excess of $350,000.01

2.1.5. Approves agency procurement policies and any revisions.

2.2. CEO

2.2.1. Authorizes Purchase Orders up to $350,000.00.

2.2.2. Authorized to 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 $350,000.00

2.2.4. Assures agency compliance with procurement 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 Director or designee

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

2.3.2. Authorizes Purchase Orders up to $2,500.00, assuring that the approved budget funding for any purchase is available.

2.3.3. Provides technical specifications and Statement of Work analysis when applicable.

2.3.4. Serves as, or assigns, the Project Manager for formal procurements.

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 procurement requirements during annual budget planning.

2.3.6. Evaluates quality of goods or services and gives appropriate feedback.

2.4 Procurement Manager

Under the supervision of the CFO

2.4.1 Manages the Contracts, Procurement and Stores functions.

2.4.2 Administers the formal procurement process.

2.4.3 Oversees VVTA's DBE program, including notifying DBE's of contracting opportunities, recommending DBE contract awards to the CEO, keeping DBE participation records, and submitting goals to federal officials. Coordinates with department directors during the annual budget cycle to determine DBE goals for the fiscal year. Recommends agency-wide DBE goals to the CEO Director. Submits DBE goals to the Board for approval and forwards documentation to FTA. In conjunction with DBELO, provides input for project specific DBE goals. Monitors compliance with the agency DBE program. Ensures a level playing field for all aspects of VVTA procurement and contracting.

2.4.4 Manages the Contracts function of the Procurement Department.

2.4.5 Conducts construction, small, and formal procurements as defined in Policy 2000, "General Procurement – Overview."

2.4.6 Assures that VVTA adheres to Federal Transit Administration regulations, guidelines, and circulars, and other applicable state or local regulations.

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

2.5 Other Departmental Personnel

Authorize purchases within limits established by the CEO.

2.6 Procurement Supervisor

Under the supervision of the Procurement Manager

2.6.1 Leads VVTA's Purchasing function and inventory functions.

2.6.2 Processes Purchase Orders.

2.6.3 Conducts procurements as assigned by the Procurement Manager.

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

2.6.5 Receives goods in accordance with VVTA procedures.

2.6.6 Maintains shipment receiving records.

2.6.7 Oversees the performance of the Purchasing Technician.

2.7 Finance Department

2.7.1 Review invoices for compliance and eligibility for payment after receiving appropriate documentation.

2.7.2 Process payment using the workflow approval procedures in the NetSuite ERP Software.

2.7.3 Maintains Cash funds.

2.7.4 Maintains all vendor invoices and supporting documents.

DIVERSITY AND ECONOMIC OPPORTUNITY (DBE PROGRAM) Policy 1040

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 the 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” 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 with the 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 $350,000.01 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 DBEs 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 DBEs 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.

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 DBEs 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, DBELO 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 FTA reports required.

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 Financial Analyst (Grants) serves as VVTA's DBE Liaison Officer and reports directly to the Chief Executive Officer 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.

STANDARDS OF CONDUCT AND CONFLICTS OF INTEREST Policy 1050

1. POLICY OVERVIEW

1.1 Federal regulations require VVTA to prevent conflicts of interest in contract awards. However, VVTA also seeks to avoid any appearance of conflicts of interest. VVTA personnel are expected to avoid conflicts of interest or appearances thereof and actions which could result in favoritism or appearances thereof.

1.2 This regulation establishes VVTA Standards of Conduct and defines its policy on conflicts of interest, gratuities, negotiation for employment, post-VVTA employment restrictions and related matters. To achieve this goal, this policy explains the nature of potential conflicts of interest to employees and explains the potential consequences for violating the provisions of this policy. This policy applies to all VVTA personnel in the process of their duties.

2. PERSONAL CONFLICT OF INTEREST

2.1. The Political Reform Act of 1974 maintains a conflict-of-interest code. Section 87500 under which certain designated employees and Board Members are required to disclose economic interests and are prohibited from participating in decisions that may influence their financial interests.

2.2. No employee, officer, Board member, agent, his or her immediate family member, partner, or organization that employs or is about to employ any of the forgoing individuals may participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest is involved. Such a conflict would arise when any of the parties set forth below has a financial or other interest in the firm selected for the award:

2.2.1. The employee, officer, Board member/alternate, or agent; or

2.2.2. Any member of his or her immediate family; or

2.2.3. His or her partner; or

2.2.4. An organization that employs, or is about to employ, any of the above.

2.2.5. This policy does not prevent anyone named above from having, for normal investment purposes, a stock interest of less than one percent (1%) in any company traded on a securities exchange or in the over-the-counter market, nor is it intended to prevent borrowing money from commercial banks for normal personal purposes. In instances where the employee serves VVTA as a contract employee, the prohibition of the amount of stock interest shall not apply where such stock interest is associated with a benefit program available through the individual's parent firm.

2.3. Relationships

2.3.1. In all procurement matters pertaining to VVTA, no employee, legal counsel, any member of an evaluation committee for a VVTA-funded project, or member of the Board of Directors shall have any relationship or engage in any activity which might:

2.3.1.1. Involve or lead to personal obligation that could impair the objectivity of such person's judgment, or

2.3.1.2. Give the appearance to others that favoritism or obligations exist between the Board or its members or employees, and any other party.

3. GIFTS

3.1. General Prohibitions and Exceptions:

3.1.1. VVTA employees shall not, in connection with services performed within the scope of their official duties, solicit or accept money or any other thing of value in addition to the compensation or expenses paid to them by VVTA. VVTA personnel shall not offer money or anything of value for or in consideration of obtaining an appointment, promotion or privilege in their employment with VVTA.

3.1.2. VVTA employees and household members shall not solicit or accept, for themselves or others either directly or indirectly, gratuities, favors or anything of monetary value from a party who has an actual or prospective business relationship with VVTA or from any person or entity which has interests that may be affected by the performance or non-performance of the official duties of VVTA employee, except as outlined below:

3.1.2.1. No employee of VVTA, or member of the Board of Directors, shall solicit, directly or indirectly, any gift, gratuity, favor, entertainment, food, lodging, or loan, from any person or organization having or seeking to establish a business relationship with VVTA.

3.1.2.2. All gifts or other gratuities from any party having or seeking to establish a business relationship with VVTA are discouraged and contrary to this declared policy.

3.1.3. VVTA employees and household members may:

3.1.3.1. accept a single unsolicited gratuity having a retail value of less than twenty-five dollars ($25.00);

3.1.3.2. occasionally receive food or beverages for immediate consumption and/or entertainment which have a retail value of less than forty-five dollars ($45.00); and

3.1.3.3. accept from a contractor food, beverages or entertainment of a nominal value of less than one hundred dollars ($100.00) at a widely attended gathering, such as Professional Association meeting~~s~~.

3.1.4. Proper personal conduct requires that:

3.1.4.1. Gifts, gratuities, or entertainment which might adversely affect the exercise of a Board member's or employee's judgment in matters pertaining to VVTA or tend to impair public confidence in VVTA must never be accepted.

3.1.4.2. Board members or employees of VVTA shall not solicit gratuities, discounts, favors, or anything of monetary value from contractors or potential contractors.

3.1.4.3. VVTA employees may participate in otherwise prohibited activities, where VVTA's interest will be served by such participation, provided the individual obtains advance written permission from his or her Supervisor and the CEO. The approving Supervisor and/or CEO shall provide a memorandum for the record indicating that participation was approved and specify the proposed benefit to VVTA.

3.1.5. Reporting the Receipt of Gratuities

3.1.5.1. Every elected official and VVTA employee who makes or participates in making governmental decisions shall report on California Form 700 the following:

3.1.5.1.1. receipt of food, beverages and entertainment from any single source having an aggregated value in excess of $590.00 in a calendar year, and

3.1.5.1.2. gratuities, other than food, beverages and entertainment, from a single source having a value greater than $50.00 in a calendar year.

3.1.5.1.3. Any employee who has received gratuities from a single source in excess of the above thresholds in a calendar year shall file this form by January 31 of the next calendar year.

3.1.5.2. VVTA personnel who receive gratuities or have gratuities received for them in circumstance not in conformance with this policy will promptly report the circumstances to their immediate supervisor for review, and notice to the CEO for a recommendation.

3.1.6. Influence

3.1.6.1. Because situations involving conflict of personal interest can also impair judgment, no Board member or employee of VVTA:

3.1.6.1.1. Shall have a financial interest in any other organization which might profit either from the decisions he or she makes in carrying out his VVTA responsibilities, or from his or her knowledge of VVTA actions or future plans.

3.1.6.1.2. Shall make investments or act for personal gain based upon special knowledge he or she obtained – whether directly or inadvertently – as a result of his or her position as a Board member or employee or VVTA.

3.1.6.2. Any interest as an owner, partner, joint-ventures, or stockholder of one percent (1%) or less in any such organization shall not be deemed a prohibited "financial interest," but serving as Director, Officer, Consultant, or Employee of such organization shall be deemed a "financial interest."

4. GUIDELINES FOR CONTRACTOR RELATIONSHIPS

4.1. To avoid conflict, the following shall apply to employees of any contractor providing management services to VVTA.

4.1.1. No Contract Management personnel or support staff shall:

4.1.1.1. Make recommendations or be involved in the preparation of specifications for any contracts for which Contract Management personnel may bid or propose.

4.1.1.2. Be involved in any aspect of evaluation, selection, or award of a contract for which that Contract Management personnel may bid.

4.1.1.3. Be involved in any aspect of contract administration of a contract or subcontract which has been awarded to the Contract Management personnel.

5. NEGOTIATION FOR EMPLOYMENT

5.1.1. VVTA employees considering or negotiating future employment with an organization which has an actual or prospective business relationship with the Agency may not participate in any official action on behalf of the Agency with that organization. "Negotiating" includes any action that reasonably could be constructed as an indication of interest in future employment, including sending letters or resumes, making telephone inquiries, or receiving unsolicited proposals from the entity's representative regarding future employment. It is not necessary that there be any firm offer of employment or that VVTA' employees initiate the contact.

5.1.1.1. VVTA employees must file a written notice with their supervisor of any negotiation (including unsolicited proposals) for prospective employment with any entity which has an actual or prospective business relationship with the Agency. A copy of the notice shall be sent to Human Resources to be placed in the employee's official personnel file. The employee has the burden of determining whether a prospective employer has an actual or prospective business relationship with the Agency.

6. VIOLATION AND ENFORCEMENT

6.1.1. The imposition of civil or criminal proceedings notwithstanding, violation of any of the provisions of this policy shall be subject to penalties, sanctions or other disciplinary actions up to, and including, termination of employment. Any disciplinary actions imposed shall remain a permanent part of the employee's personnel file.

CONTRACTOR RELATIONS Policy 1060

1. POLICY

1.1. VVTA maintains an “open door” policy and makes every effort to maintain a good business relationship with all bidders and potential bidders with whom it does business.

1.2. The Contracts and Procurement employees specifically and all agency management personnel in general under the direction of VVTA management assume the responsibility of:

- 1.2.1. Establish and maintain ethical procurement policies and principles,
- 1.2.2. Maintain open and fair competition,
- 1.2.3. Maintain fair and clear purchase and bid specifications,
- 1.2.4. Observe and maintain honesty and candor in all transactions with suppliers,
- 1.2.5. Respect the confidence of suppliers in the handling of information,
- 1.2.6. Remain free from any obligation to suppliers,
- 1.2.7. Answer all inquiries promptly,
- 1.2.8. Decline to take advantage of vendor errors,
- 1.2.9. See that all sales representatives receive a full, fair, and courteous opportunity to present their products,
- 1.2.10. Furnish complete and accurate information,
- 1.2.11. Promote prompt payment of invoices,
- 1.2.12. Keep an open mind to new methods and procedures,
- 1.2.13. Encourage testing or demonstration of materials and products which may be of value to VVTA.

1.3. At all times, all VVTA employees will operate with integrity and fairness to VVTA’s suppliers.

2. OBJECTIVE

Through these principles, VVTA intends to create an atmosphere in which VVTA, vendors, and citizens can work together for the provision of goods and services to VVTA at a fair and reasonable price.

SPECIAL FEDERAL GRANTEE REQUIREMENTS AND APPLICABLE LAWS **Policy 1070**

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, domestic preference and environmental protection programs, an inspection and verification procedure to ensure compliance with VVTA's specifications, Federal motor vehicle safety standards, and Build America/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 Chief Financial Officer or their designee will assure that the required provisions are included in all appropriate solicitations and contracts.

1.4. The VVTA Procurement Manager or designee will be responsible for reviewing the Federal References below, annually, in order to review and update VVTA's Procurement Policies with the new clauses or changes to the various regulations. The Procurement Manager will log into the FTA Oversite website, receive emails from the FTA, and attend training to ensure compliance with the FTA.

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. 2 CFR Part 1201 – Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Awards – incorporates by reference OMB, 2 CFR Part 200, which supersedes the former OMB Circulars 49 CFR Parts 18 and 19.

2.1.3. 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Most updated version effective 10/01/2024.

2.1.4. FTA Circular on *Third Party Contracting Requirements,* FTA 4220.1G (or latest revision)

2.1.5. FTA Circular C5010.1 F (or latest revision).

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. Executive Order 12612, "Federalism."

2.1.11. Federal Acquisition Regulations, Part 31.

2.1.12. FTA Best Practices Procurement Manual.

2.1.13. FTA Master Agreement §32

2.1.14. IIJA Infrastructure Investment and Jobs Act

3. REQUIRED CONTRACT PROVISIONS

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 the current listing of Grantee Requirements and incorporate all applicable requirements for each FTA procurement.

4. STATE AND LOCAL REFERENCES

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.

4.2. All other applicable federal, state and local laws, codes, regulations, and standards.

PURCHASING THRESHOLDS Policy 2000

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 requesting department to ensure funds are available within the department's budget for any requested procurement.

1.3. A procurement value over $2500.00 requires the approval of the Chief Executive Officer (CEO).

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 procurement:

1.5.1. **$2,500.00 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-procurement does 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 $350,000.00** – Small procurement procedure

1.5.3.1. Small Procurements may be used for goods/services at least $10,000.01 and not more than a $350,000.00 award.

1.5.3.2. Small Procurements do not require action by the Board of Directors for an award and must be signed by the CEO.

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.

1.5.3.3. 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)

1.5.3.4. In compliance with State of California SB854 – Public Works – VVTA will solicit and award Public Works projects to vendors who are registered and certified by the State of California.

1.5.3.5. All construction procurements of $2,000.00 or more must be reviewed by the Procurement Department.

1.5.4. **$350,000.01 and above** – Formal procurement procedure

1.5.4.1. In compliance with FTA recommendations, and requirements procurements for goods/services more than a $350,000.01 award amount require use of a Formal Procurement process which include:

1.5.4.1.1. Acquisition planning and identification of funding sources.

1.5.4.1.2. Development of Specifications.

1.5.4.1.3. Board authorization to release Invitation for Bid (IFB) and/or Request for Proposals (RFP).

1.5.4.1.4. Advertisements.

1.5.4.1.5. Competitive Bid Process.

1.5.4.1.6. Evaluation of Bids or Proposals.

1.5.4.1.7. Board Authorization of Contract Award.

EMERGENCY & NON-COMPETITIVE PROCUREMENTS Policy 2010

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 emergency conditions 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; or

1.3.2. Preservation or protection of property; or

1.3.3. The continuation of necessary VVTA functions.

1.4. If that anticipated cost exceeds $350,000.01, the Chief Executive Officer (CEO) 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 immediate remedial measures to avert or alleviate damage to property or to repair or restore damaged or destroyed Authority property, the CEO 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

CEO shall submit to the Board a complete report explaining the necessity of the action.

2.2.3. FTA authorizes non-competitive negotiations.

2.2.4. After solicitation from a number of sources, VVTA deems competition inadequate.

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 CEO 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 CEO shall submit to the Board a complete report explaining the necessity of the action.

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, VVTA must certify in writing to the FTA (before approving the contract) that:

2.2.6.1. The manufacturer or supplier is the only source for such an item.

2.2.6.2. The price of such an item is no higher than the price paid for the item by other like customers.

PURCHASING CARDS Policy 3000

1. INTRODUCTION

The Purchasing Credit Card is designed to increase VVTA's efficiency on low-dollar procurements by giving individuals the authority and responsibility to make purchases directly from suppliers. In this way, the Purchasing Card eliminates the need for check requests, and the use of petty cash.

2. DESCRIPTION

Purchasing Cards are a limited, restricted credit card imprinted with the name of the person authorized to use the card, an account number, and an expiration date. The financial institution issuing the Procurement Card does not have access to cardholders' personal credit information other than a work address, and the institution does not keep credit records on individual cardholders' names.

3. GENERAL POLICIES

3.1. The following restrictions apply to the use of Purchasing Credit Cards by any VVTA department or employee:

- 3.1.1. Procurements made with Purchasing Cards must qualify as allowable under VVTA Procurement Policies.
- 3.1.2. VVTA, not an individual employee, pays for Purchasing Card procurements.
- 3.1.3. The CFO approves and authorizes use of the Purchase Credit Card as part of the NetSuite ERP Software Purchase Order workflow approval process.
- 3.1.4. If a Purchasing Card is used inappropriately, VVTA will hold the employee(s) involved responsible.

4. ESTABLISHING A PURCHASING CARD SYSTEM

4.1. Setting up a Purchasing Card system required the following steps:

- 4.1.1. The Department Director/Manager selects employees to use the Purchasing Card to procure goods and services, or for specific expenditures incurred under the approved conditions.
- 4.1.2. The Department Director/Manager requests the Purchasing Card to be issued to employees selected. The request is to be approved by the CEO.
- 4.1.3. The CFO, or his designee, trains all selected employees in the proper use of Purchasing Cards before the cards are issued.
- 4.1.4. The cardholder will sign the credit card use agreement to acknowledge and comply with all restrictions and follow the established card usage policy.
- 4.1.5. Custody of the Purchasing Cards will remain with the Treasurer when not in use.

SEALED BIDS AND RFPS — Policy 4000

1. POLICY OVERVIEW

1.1. Procurements over the small acquisition threshold of $350,000.01 shall require a formal procurement process.

1.2. Requirements for goods or services to be purchased exceed $350,000.01 per acquisition, or per contract period including option~~s~~ 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.

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/ Non-Competitive 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 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 based on price.
- 3.1.4. No discussion with bidders is needed after receiving offers.
- 3.1.5. The award is given to the lowest, responsive, responsible bidder.

4. REQUEST FOR PROPOSAL (RFP)

4.1. 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.

4.2. The competitive negotiations (RFP) process shall be used for:

a. Professional Services
b. Support Services
c. Technical Services
d. Operational Services
e. Maintenance Services
f. Architectural and Engineering Services, or

g. Specialized Transit Equipment as defined.

4.3. Notice: RFPs require public notice. All evaluation factors and their relative importance must be specified in the solicitation, but numerical or percentage ratings or weights need not be specified. Proposals must be solicited from multiple qualified entities. To the maximum extent practicable, any proposals submitted in response to public notice must be considered.

5. RFP AWARD PROCESS

5.1. Unless all bids/proposals are rejected, a contract award will be made to the responsive and responsible firm offering the most advantageous terms with price and other factors considered.

5.1.1. For projects equal less than $350,000.00, an award will be made with the authorization of the Chief Executive Officer.

5.1.2. For projects of $350,000.01 or more, the award will be made with the authorization of the Board of Directors.

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.

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.

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.

5.5. The Board of Directors is not bound by the recommendation of the Evaluation Committee or staff working when they believe their action will further VVTA's statutory functions.

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.

6. AWARD OF THE CONTRACT

6.1. Upon awarding the contract by the VVTA's Board of Directors, the Procurement staff will notify unsuccessful bidders in writing and, if applicable, return their bid bonds.

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

7. REQUIRED FEDERAL CLAUSES

7.1. Procurement staff will review the contract to ensure 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

All Definitions in 49. U.S.C. 5302 and 2 CFR 200, Subpart A apply to Circular 4220.1G, as do the following definitions

8.1. Alternate Contracting Method (ACM) is any method of contracting for a construction project other than traditional design-bid-build. ACMs include, but are not limited to, design-build, progressive design-build, construction manager/general contractor, construction manager-at-risk, public-private partnership, and other innovative methods with or without name.

8.2. Approval, Authorization, Concurrence, Waiver refers to written communication from an authorized Federal Government official, granting permission to the recipient to proceed with or refrain from a specific action.

8.3. Best Value characterizes a procurement strategy that prioritizes obtaining the most advantageous offer for the recipient. It goes beyond evaluating proposals solely on cost or price, allowing for a comprehensive assessment that includes additional factors to secure technical superiority, even at a higher cost. The ‘premium’ is identified as the cost difference between the lowest-prices proposal and the proposal deemed to offer the greatest benefit. ‘Best value’ procurement is aimed at achieving the most favorable outcome for the recipient, considering a project’s specific requirements, and what is deemed most critical for its success. White FTA does not prescribe specific evaluation criteria; criteria must be transparently disclosed in solicitation documents. Potential factors may include, but are not limited to, technical design and approach, delivery schedules, quality of personnel, past performance, and management plans.

8.4. Cardinal Change means a major deviation from the original purpose of the work, or the intended method of achievement, or a revision of contract work so extensive, significant, or cumulative that, in effect, the contractor is required to perform very different work from that described in the original contract.

8.5. Change Order refers to a formal directive issued by the recipient under the authority of a contract, compelling the contractor to implement specified contractual modifications. These changes adhere to predefined contract clauses for such adjustments and may proceed with or without the contractor’s explicit agreement.

8.6. Competitive Purchases $350,000.01 and over. Competitive Purchases are defined as any purchase with a value of $350,000.01 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 the 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 on 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.

8.7. Construction Manager/General Contractor (CM/GC) or Construction Manager at Risk (CMAR) is a delivery method that consists of two phases: design and construction. In this delivery method, the recipient selects a Construction Manager based on qualifications, experience, or best value. The Construction Manager helps the recipient with design up to approximately 60%-90%, after which the recipient and Construction Manager negotiate a maximum price, generally called the Guaranteed Maximum Price (GMP), for the Construction phase. If both parties agree on the GMP, they sign a construction contract, at which point the Construction Manager becomes a General Contractor. The CM/GC method can help optimize efficiency, especially on complex or technically challenging projects. Variations in this process occur. For example, a project owner and construction manager may agree to a GMP early during the design phase, with or without a subsequent price negotiation as design nears completion.

8.8. Constructive Change. If constructive changes occur on a contract, the recipient should document these changes with the same level of detail and approval as formal change orders. In addition to supporting the recipient's own contract management, documentation of constructive changes will demonstrate that the changed work is eligible and within the scope of the Federal award.

8.9. Contract means a mutually binding legal relationship obligating the seller to furnish supplies or services (including construction) and the buyer to pay for them. It encompasses various commitments that obligate the recipient to expenditure in writing, including bilateral instruments, awards, job orders, letter contracts, and purchase orders that become effective by acceptance or performance. Contracts under Federal awards must adhere to procurement standards established in 2 CFR 200.317–200.327.

8.10. Cooperative Agreement means a financial assistance instrument FTA awards to a specific recipient for a particular project in which FTA retains substantial involvement, as described in 31 U.S.C. 6305.

8.11. Data Rights:

8.11.1. Protection: When performance of a contract may include the collection of data from the recipient, either incidentally or as a primary purpose of the procurement, the recipient should include clear terms in its contract defining who owns the collected data (the recipient or its contractor) and what, if anything, the contractor may do with the collected data.

8.11.2. Types of Data rights: When negotiating data rights, recipients should ensure contracts secure adequate licenses for Federally funded data. The recipient should clearly define proprietary data and negotiate appropriate access rights to fulfill Federal objectives. Additionally, recipients should ensure data rights clauses are flowed down to subcontractors who may receive access to data.

8.12. Design-Bid-Build is the traditional delivery method for construction projects under which a recipient commissions an architect or engineer to prepare drawings and specifications under a design services contract, and separately contracts for construction, by engaging the services of a contractor through sealed bidding or competitive negotiations to complete delivery of the project.

8.13. Design-Build, as delineated in 49 U.S.C. 5325(d)(1), is a delivery method where a recipient contracts with a seller, firm, or consortium of firms to design and build a public transportation system, or an operable segment thereof, meeting specified performance criteria. This contract may include an option to extend the financing, operating, or the maintenance of the system or segment. The essence of the design build delivery method is the integration of design and construction services into a single contract, potentially offering benefits such as expedited completion times and cohesive project execution. Beyond the primary scope defined in 49 U.S.C. 5325(d)(1), design-build also extends to contracts combining the design and construction of public transportation facilities, aiming to streamline project delivery and enhance performance outcomes.

8.14. Electronic Commerce (E-Commerce) consists of electronic techniques for accomplishing business transactions including electronic mail or messaging, World Wide Web internet technology, electronic bulletin boards, purchase cards, electronic funds transfer, electronic signatures, and electronic data interchange.

8.15. Force Account means the recipient's own labor forces and equipment, as discussed in this circular in the context of performing project work.

8.16. FTA Means Federal Transit Administration

8.17. Full and Open Competition Means that all responsible sources are permitted to compete.

8.18. Joint Procurement (sometimes called "cooperative procurement") means a method of contracting in which two or more purchasers agree from the outset 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 purpose of accommodating the needs of other parties that may later choose to participate in the benefits of that contract.

This circular prefers the term joint procurement to avoid confusion with the U.S. General Services Administration's (GSA) "Cooperative Purchasing Program" and with similar State or local government purchasing programs that the State or local government might refer to as "cooperative."

8.19. Local Government means a county, municipality, city, town, township, local public authority (including any public and Indian housing agency under the United States Housing Act of 1937) school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under state law), any other regional or interstate government entity, or any agency or instrumentality of a local government. This term does not include a local public institution of higher education.

8.20. Master Agreement means the FTA document incorporated by reference and made part of FTA's standard grant agreements and cooperative agreements, which contains the standard terms and conditions governing the administration of a project supported with Federal assistance awarded by the FTA.

8.21. Modification means any written agreement to the terms of the contract. .

8.22. 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).

8.23. Progressive Design-Build (PDB) is one of several Alternative Contracting Methods (ACMs) available for improving project delivery for use on Federal aid construction contracts. PDB uses a two-phased qualification-based selection process, requiring the owner agency and PDB Team to progress the design together, toward a final scope, schedule, and budget (guaranteed maximum price (GMP) or target maximum price (TMP). The method is best used for complex construction projects.

8.24. Project Labor Agreement (PLA) means an agreement between the contractor, subcontractors, and the union(s) representing workers. Under PLA, the contractor, subcontractors, and union(s) working on a project agree on terms and conditions of employment for the project, establishing a framework for labor-management cooperation to advance the buyer's procurement interest in cost, efficiency, and quality.

8.25. Real Property Acquisition, Procurements of real property consisting of land and any existing buildings and structures of the land are addressed in DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs." 49 CFR part 24. For further guidance refer to the latest version of FTA circular 5010.1F.

8.26. Public Private Partnership (P3) means a contractual arrangement formed between public and private sector partners, which allows for greater private sector participation in the delivery and financing of transportation projects. This partnership often involves sharing resources, risks, and rewards to enhance efficiency, effectiveness, and overall quality of service delivery. P3s are used to leverage private sector expertise and capital for the public good, ensuring that the project's goals align with public transportation policy objectives and regulations.

8.27. Recipient means the public or private entity to which FTA awards Federal assistance, whether through a grant, cooperative agreement, or other form of agreement. The term recipient does not include third party contractors, third party subcontractors, or individuals that are beneficiaries of the award. Unless specifically distinguished, references to recipients in 4220.1 G (or later revision) usually include subrecipients.

8.28. Revenue Contract means a contract in which the recipient or subrecipient provides access to public transportation assets for the primary purpose of either producing revenues in connection with a public transportation related activity or creating business opportunities involving the use of FTA assisted property.

8.29. State or Local Government Purchasing Schedule or Purchasing Contract means a procurement framework established by a State or local government with multiple vendors. Under this framework, vendors commit to providing an option for the State or local government, along with its subordinate entities and any other participants designated in its program, to procure specified goods or services in the future at pre-established prices. These frameworks bear resemblance to the GSA's Cooperative Purchasing Program but are specifically designed for State and local government use. While 'cooperative' is sometimes used to describe these arrangements due to their similarities to the GSA's Cooperative Purchasing Program, it is important to differentiate these from 'Joint Procurement' as delineated in this chapter.

8.30. Subrecipient – means an entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

8.31. Third Party Contract refers to a recipient's contract with a vendor or contractor, including procurement by purchase order or purchase by credit card, which is financed with Federal assistance awarded by FTA.

8.32. Unsolicited Proposal means a proposal that is:

a) Innovative and unique,
b) Independently originated and developed by the offeror,
c) Prepared without the recipient's supervision, endorsement, direction, or direct involvement,
d) Sufficiently detailed that its benefits in support of the recipient's mission and responsibilities are apparent,
e) Not an advance proposal for property or services that a recipient could acquire through competitive methods, and
f) Not an offer responding to a recipient's previously published expression of need or request for proposals. FTA C 4220.1G Page I-8 DATE 01/17/2025

8.33. Value Engineering means the systematic application of recognized techniques that identify the function of a product or service, establish value for that function, and provide the necessary function reliably at the lowest overall cost. In all instances, the required function should be achieved at the lowest possible life cycle cost consistent with requirements for performance, maintainability, safety, security, and aesthetics.

8.34. Federal General Service Administration (GSA) Schedules

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, Procurement staff must ensure all Federal requirements, required clauses, and certifications are properly followed.

8.35. Guidance. In addition to 4220.1 G (or later version), FTA publishes guidance to assist recipients perform procurement and comply with Federal requirements. Some sources of procurement-related guidance include:

(1) "Best Practices Procurement – Lessons Learned Manual (BPPM)

(2) "Frequently Asked Questions" To review the Frequently Asked Questions pertaining to third party contracting, access the FTA Web site.

(3) FTA Offices. For assistance with procurement standards or any other Federal requirement, a recipient should contact the FTA regional office responsible for administering the recipient's awards.

8.36. 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 the 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 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 the 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 it to be in its best interest. Procurements of Rolling Stock and replacement parts remain limited by law to five (5) years.

8.37. Lease vs Purchase. To secure the best value, recipients should evaluate both lease and purchase options for acquiring property under 2 CFR 200.318(d). Recipients should consider all relevant factors, including market conditions and the expected useful life of the asset in their decision-making process.

8.37.1. Leases of rolling stock and related equipment. Section 3019(c) of the Fixing America's Surface Transportation (FAST) Act introduced new leasing flexibilities specifically for rolling stock and related equipment. Under section 3019(c) of the FAST Act, FTA capital funds are available to pay for a lease of rolling sock or related equipment if (i) the rolling stock or related equipment covered under the lease is otherwise eligible for FTA capital assistance; and (ii) there is or will be no Federal interest in the rolling stock or related equipment covered under the lease as of the date on which the lease takes effect. This is irrespective of other FTA policies related to the eligibility of capital or operating leases. (See Circular 5010.1F, Chapter IV, regarding the eligibility of leases for other than rolling stock or related equipment; associated financing costs, including interest, legal fees, and financial advisor fees; ancillary costs such as delivery and installation charges; and maintenance costs. For purposed of section 3019(c) of the FAST Act, "related equipment" means equipment that is necessary for the operation of the vehicle (e.g., power sources, or external charging equipment) and not accessories like fareboxes.

8.37.2. Leases of removable power sources – Under section 3019(c) of the FAST Act, a recipient may lease a removable power source of a zero-emission vehicle separately from the acquisition of the rest of the vehicle. A removable power source may include a battery, fuel cell, ultra-capacitator, or other advanced power source used in a zero-emission vehicle.

8.37.3. Maximize Use of Funds – A recipient procuring rolling stock or related equipment using funds awarded using funds awarded under the Formula Grants for buses and Bus Facilities Program (49 U.S.C. 5339(a)) for the Buses and Bus Facilities Competitive Grants Program (49 U.S.C5339(b)) should, to the extent practicable, seek to use the procurement tools authorized by section 3019 of the FAST Act. If a recipient under either of those programs purchases fewer that five buses through a standalone procurement, the recipient must provide FTA with an explanation regarding why it did not use a procurement tool authorized by section 3019 of the FAST Act.

8.37.4. Reporting Required: A recipient that enters into a lease using section 3019(c) of the FAST Act must report within three years of entering the lease an evaluation of the overall costs and benefits of leasing rolling stock or related equipment and a comparison of the expected short-term and long-term maintenance costs of leasing vs buying rolling stock.

8.38. 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.

8.39. Geographic Restrictions. Effective with the passing of the infrastructure investment and Jobs Act (IIJA; Pub. L 117-58 (2021)), grant recipients are permitted 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.

8.40. Payment Provisions. Under certain circumstances, a recipient may use advance payments or progress payments in its contracts. The conditions FTA applies to advance and progress payments vary depending on the timing of the payments and whether FTA has made an award for the project or the recipient is relying on pre-award authority. (5010.1F for a detailed discussion of pre-award authority.)

(a) Advance Payments. Advance payments (sometimes called mobilization payments) are payments made to a contractor before the contractor incurs contract costs.

(b) Prior FTA Approval – The recipient must received FTA's advance written concurrence before making advance payments of over $100,000.00 to a contractor using financial assistance – including but not limited to public utility connection and services, rent, tuition, insurance premiums, subscriptions to publications, software licenses, construction mobilization costs, transportation, hotel reservations, and conference or convention registrations.

8.41. Progress Payments In some circumstances, VVTA may enter contracts that require the use of progress payments. Progress payments shall only be made to the contractor regarding 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.

8.42. Adequate Documentation. Sufficient documentation is required to demonstrate completion of the amount of work for which progress payments are made. A recipient should be as specific as possible in its contract when describing the activities or milestones for which progress payments will be made.

8.43. 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.

8.44. Pre-Bid and Pre-Proposal Conferences. 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 Procurement Department staff responsible 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.

8.45. Cost and Price Analysis. 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 are 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.

8.46. Prohibited Contract Methods. Federal regulations have prohibited the following contracting methods:

8.46.1. Cost plus a percentage of cost

8.46.2. Percentage of Construction cost.

8.47. Prohibition on certain telecommunications and video surveillance services or equipment.

(a) Recipients and subrecipients are prohibited from obligating or expending loans or grant funds to:

(1) Procure or obtain;

(2) Extend or renew a contract to procure or obtain; or

(3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115–

232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital

Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

(b) In implementing the prohibition under Public Law 115–232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(c) See Public Law 115–232, section 889 for additional information.

(d) See also § 200.471.]

8.48. Fraud, Waste, Abuse, or Other legal Matters. FTA Master Agreement 39(b) – Notice to FTA and USDOT Inspector General of information related to fraud, waste, abuse, or other legal matters. Applies to all contracts at all tiers expected to equal or exceed $25,000.00. VVTA must require a prime contractor to “flow-down” the requirement to subcontractors.

8.49. Seat Belt Use. FTA Master Agreement 34(a) – VVTA agrees to implement Executive order No. 13043 “Increasing Seat belt Use in the United State,” April 16, 1997, 23 USC 402 not,(62 Fed. Reg. 19217, by: Adopting and promoting on-the-job seat belt use policies and programs for its employees and other personnel that operate company-owned vehicles, company-rented vehicles, or personally operated vehicles; and Include a “Seat Belt Use” provision in each third party agreement related to the award.

8.50. Distracted Driving. FTA Master Agreement 34 (b): Distracted Driving: Including Text Messaging While Driving. VVTA agrees to comply with:

8.49.1. – Executive Order No. 13513, “Federal Leadership on Reducing Text Messaging While Driving,” October 1, 2009, USC 402 note, (74 Fed. Reg. 51225); and

8.49.2. – US DOT Order 3902.10 “Text Messaging While Driving,” December 30, 2009; and

8.49.3. – The following US DOT Special Provisions pertaining to Distracted Driving:

8..49.3.1 – Safety. VVTA agrees to adopt and enforce workplace safety to decrease crashes caused by distracted drivers, including policies to ban text messaging while using and electronic device supplied by an employer, and driving a vehicle the driver owns or rents, a vehicle VVTA owns, leases, or rents, or a privately-owned vehicle when on official business in connection with the Award, or when performing any work for or on behalf of the Award; and

8.49.3.2 – VVTA's Size: VVTA agrees to conduct workplace safety initiatives in a manner commensurate with its size, such as establishing new rules and programs to prohibit text messaging while driving, re-evaluating the existing programs to prohibit text messaging while driving, and providing education, awareness and other outreach to employees about the safety risks associated with texting while driving; and

8.49.3.3. – Extension of provisions: VVTA agrees to include the preceding Special Provision sections of the Master Agreement in its third-party agreements and encourages its Third-Party Participants to comply with this Special Provision and include this Special Provision in each third-party sub agreement at each tier supported with federal assistance.

8.51. Tax Liability and Felony Conviction Under the FTA Master Agreement, the contractor must certify to the recipient that it does not have any unpaid Federal tax liability, and it has not been convicted of any Federal felony within the preceding 24 months. FTA Master Agreement §4(g) (May 2, 2024)

8.52. Veterans Hiring Preference All third-party contracts must ensure that contractors working on a capital project funded with Federal financial assistance give a hiring preferent, to the extent practicable, to veterans (as defined in 5 CFR section 2108) who have the requisite skills and abilities to perform the construction work required under the contract. 49 USC 5325(k).

PROTEST PROCESS Policy 5000

1. PURPOSE

1.1. This policy provides guidelines for the submittal and evaluation of protests relating to all procurements. VVTA shall ensure, to the extent reasonably possible, uniform, timely and equitable consideration of all protests received by VVTA pursuant to this policy.

1.2. To be considered, a protest must be filed in a timely manner, as described herein, must satisfy all the applicable requirements described in this policy and must be brought by an interested party as defined below.

2. DEFINITIONS

2.1. The following definitions apply to this policy.

2.2. Interested Party – An actual proposer/bidder whose direct economic interest would be affected by the award of a contract or by the failure to award a contract. Interested parties do not include subcontractors or suppliers of an actual or prospective proposer/bidder, or joint venturers acting independently of a joint venture.

2.3. Procurement Manager - The person designated by VVTA who is responsible for managing the contracting and procurement function.

2.4. File or Submit – Shall mean the date of receipt of a written protest by VVTA.

2.5. Receipt of Protest – The date of receipt of the Protest will be the date in which VVTA receives the protest package.

3. REFERENCES

United States Department of Transportation, Federal Transit Administration, Section 200.318 (K) of Code of Federal Regulations. Master Agreement Section 34). Note: Refer to the revision in effect at the time of protest.

4. BASIS OF PROTEST

4.1. Requests for Proposal

After the receipt of proposals by VVTA and after an action relating to the selection of a consultant/contractor by the VVTA Evaluation Committee, but prior to the award of a contract by the VVTA Board of Directors, a protest may be submitted on the basis of one or more of the following:

4.1.1. VVTA Failed to adhere to the evaluation process set forth in the solicitation package.

4.1.2. VVTA failed to follow its own procurement policies and procedures.

4.1.3. VVTA violated a specific law, rule, or regulation in the procurement process.

4.2. Invitations for Bid

4.2.1. After the receipt of bids by VVTA, but prior to the award of a contract by the VVTA Board of Directors, a protest may be submitted on the basis of one or more of the following:

4.2.2. VVTA failed to follow its own procurement policies and procedures.

4.2.3. VVTA violated a specific law, rule or regulation in the procurement process.

5. FILING OF PROTEST

5.1. Filing Written Protest with the VVTA Procurement Manager

An Interested Party wishing to protest a matter involving a procurement or proposed contract award shall file with the Procurement Manager, a written protest covering, at a minimum, the following:

5.1.1. Name and address of the Interested Party;

5.1.2. Identification of the proposed procurement or contract;

5.1.3. Description of the nature of the protest;

5.1.4. A detailed statement of the legal and/or factual grounds for the issue(s) identified in the protest, including reference to the provision(s) of the solicitation, regulations, and/or laws upon which the protest is based; and any technical data, documentary evidence, names of witnesses or other pertinent information supporting the basis for the protest;

5.1.5. A statement of the desired resolution to the protest by the Interested Party;

5.1.6. Signature of a properly authorized representative of the Interested Party.

5.2. Failure to Comply

Failure to comply with any of the requirements of this section may be grounds for dismissal of the protest.

5.3. Withdrawal of Protest

The Interested Party may withdraw its protest at any time before VVTA renders a decision by submitting a written request to the VVTA Procurement Manager.

6. SUMITTAL OF PROTEST

All protests must be submitted in writing to

Victor Valley Transit Authority

Attn: Procurement Manager

17150 Smoke Tree Street

Hesperia, CA 92345

procurement@vvta.org

RE: Solicitation Protest – Solicitation/Contract Number

7. PROTEST SUBMITTAL DEADLINE

7.1. Requests for Proposal

After opening proposals, VVTA will evaluate the proposals and determine which proposer shall be recommended to the VVTA Board of Directors for the award of a contract. Once VVTA staff have determined which proposer will be recommended to the Board for award, a Notice of Intent to Award will be sent to all proposers.

7.1.1. Protests must be filed within five (5) business days from the issue date on the Notice of Intent to Award.

7.1.2. The date of filing shall be the date VVTA receives the protest.

7.2. Invitations for Bid

7.2.1. Protests must be filed within three (3) business days from bid opening.

7.2.2. The date of filing shall be the date VVTA receives the protest.

8. PROTEST REVIEW PROCESS

If the protest is determined to be timely and meets the criteria identified in the preceding sections 4, 5, and 7, this process will be followed:

8.1. No additional material will be allowed to be submitted unless specifically requested by the Procurement Manager.

8.2. The Procurement Manger will review all material submitted and will render a decision within thirty (30) days after the receipt of the protest.

8.3. The Procurement Manager will consider only those specific issues addressed in the written protest.

8.4. The decision of the Procurement Manager will then be given to the Chief Executive Officer (CEO), or designee, for approval. The decision of the CEO is final.

9. RESPONSIBILITIES

9.1. VVTA Staff

9.1.1. In the event of a protest, Staff are to follow the current Solicitation Protest Policy in effect at the time the protest is filed.

9.1.2. In the event that VVTA receives a vendor protest; Staff are to send a copy of the vendor protest to VVTA's Procurement Manager. The Procurement Manager will then send a copy of the protest to General Counsel, responsible Executive Staff member(s), and the CEO.

9.2. Procurement Manager

9.2.1. Review the protest and make a determination that:

9.2.1.1. All filing dates have been met;

9.2.1.2. that the protest contains the required information as identified in this policy; and

9.2.1.3. that the basis of the protest meets the requirements as identified in this policy. If any of the criteria are not met, the protest will not be considered and a letter dismissing the protest will be sent to the vendor by the Procurement Manager.

9.2.2. If the procurement that is being protested is federally funded, notify

9.2.2.2. Caltrans, if all or a portion of the funds were passed through Caltrans

9.2.3. Determine a fair review process for all vendors who file a protest.

9.2.4. Review the protest and prepare a receipt of protest letter to the vendor.

9.2.5. Review the protest and all the material submitted with the protest and prepare a written summary and decision on the merits of the protest within the thirty (30) days from receipt of the protest.

9.2.6. Send the summary and decision to the CEO, or designee, for approval.

9.2.7. After CEO, or designee, approval, send to General Counsel for review prior to sending it to the vendor.

9.2.8. Include all documents in the contract file.

9.3 Notification to the FTA Chief Counsel or FTA Regional Counsel

9.3.1 VVTA agrees to provide FTA, as part of the annual or quarterly Milestone Progress Report, with a list of all bid protests and appeals for solicitations or contracts in excess of $500,000. VVTA will also be mindful of the requirement in Section 39 (of the Master Agreement), disputes, that VVTA must promptly notify the FTA Chief Counsel, or FTA Regional Counsel for the Region in which the Recipient is located, of significant current or prospective legal matters that may affect the Federal Government.

CONTRACT ADMINISTRATION Policy 6000

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 ensure 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 closing out. 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 with 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 parties involved 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 budgets and schedules shall be coordinated with the Project Manager and other parties involved; the Procurement Department will maintain the file documentation for these activities.

1.9. Ensuring the contractor submits insurance certificates, bonding documentation and all other contractually required documentation shall be the responsibility of the Procurement Manager.

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 implemented prior to VVTA issuing final payment to the contractor.

2. AUTHORITY AND RESPONSIBILITY

2.1. The Chief Financial Officer (CFO) 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.

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.

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).

3. DELEGATION OF AUTHORITY TO OTHER PERSONNEL

3.1. The CFO 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:

3.1.1. Inspection of the work for compliance with the contract;

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;

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:

3.1.4. Preparation of VVTA estimate of contract modifications.

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 CFO including the preparation of and furnishing to the contractor sketches and clarifications within that limitation.

3.1.6. Preparation and approval of payment estimates. In those cases, releasing the retained percentage or remitting liquidated damages, the designee will make his/her recommendations thereon in writing to the CFO.

3.1.7. Approval of the contractor's shop drawings, working drawings, materials, equipment, and operations and storage areas;

3.1.8. Approval of the contractor's progress schedule;

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;

3.1.10. Other duties that the CFO may assign because of special situations, e.g., inspection of items for compliance with the required safety standards, or examination of components to assure that domestic products are delivered; and

3.1.11. Approval of the contractor's invoices.

4. PROJECT MANAGEMENT

4.1. The Chief Executive Officer (CEO), with Board of Directors approval, may designate a third-party Project Manager to oversee selected projects more than $350,000.01. At his/her discretion, the "requesting" Department Director/Manager can designate a third-party Project Manager to oversee selected projects under $350,000.00, with CEO approval.

4.2. The Scope of Work in the negotiated contract defines specific tasks, milestones, and review procedures, which vary depending on the particular project.

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.

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 $350,000.01.

5. AMENDMENTS AND CHANGE ORDERS

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.

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."

5.3. The CEO 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 $350,000.00 or ten (10) percent, whichever is greater, of the original contract amount, unless the VVTA's Board of Directors has authorized a greater amount.

5.4. If the change exceeds $350,000.01, the CEO must review and recommend approval, and the VVTA Board of Directors must approve the change.

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 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 CEO 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 4220.1G (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 alternative 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. The requesting department should consult with Procurement staff for negotiating terms before entering into any agreement with a vendor.

7.4. Under certain circumstances, VVTA may use advance payments or progress payments in its contracts. The conditions FTA apply to advance and progress payments vary depending on the timing of the payments and whether FTA has made an award for the project or whether the recipient is relying on pre-award authority. (5010.1F for a detailed discussion of pre-award authority.)

7.4.1. Advance Payments. Advance payments (sometimes called mobilization payments) are payments made to a contractor before the contractor incurs contract costs.

7.4.2. Sound Business Reasons.

7.4.2.1. A. VVTA should have sound business reasons for making the advance payment, such as a reduction in the cost of the contract as a result of the advance payment.

7.4.2.2. Adequate Security for Advance Payments. Adequate security for the advance payment is an essential pre-condition to FTA’s concurrence in the use of advance payments. Adequate security may take different forms depending on the industry and the nature of the goods or services to be delivered under the contract. Adequate security may include, for example, performance bonds, letters of credit, liens, or insurance. FTA will require minimum security in the amount of the Federal share of the advance payment. A performance bond or letter of credit for the full contract is not a federal requirement.

8. CONTRACT CLOSEOUT

8.1. A completed contract is one which is both physically and administratively complete and in which all aspects of contractual performance has been accomplished, terminated, or 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 way such termination will be affected and the basis for settlement. There shall also be appropriate provisions included in such contracts specifying the 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 damage 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 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.

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.

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.

11.3. 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 CEO or designee with advice from VVTA's General Counsel and appropriate technical personnel before processing and negotiating the claim with the Contractor.

12. The FTA is not a party to its recipients' third-party contracts and does not have any obligation to any participant in its recipients' third-party contracts. 2 CFR 200.318(k) assigns responsibility to the recipient for resolving all contractual and administrative issues arising out of its third-party procurements, including source evaluation and selection, protests of awards, disputes, and claims. FTA will not substitute its judgment for that of the recipient unless the matter is primarily a federal concern. FTA also encourages the recipient to consider alternative dispute resolution procedures to an appropriate extent. Neither FTA nor 2 CFR Part 200 relieves the recipient of any responsibilities under its contracts.

FIXED ASSET MANAGEMENT Policy 7000

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. Operations 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 $3,500.00.

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

3.1. The Procurement Supervisor 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 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 VVTA policy and procedures and comply with the funds rules and regulations with approval by the Board of Directors for items that exceed $350,000.00.

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 $350,000.00 or less may be retired or disposed of with the approval of the Chief Executive Officer (CEO).

5.3. FTA funded assets are governed by FTA rules and regulations in Circular 5010.1E or most updated version.

5.4. Complete records shall be maintained on the disposition of all excess and retired assets by the Finance Department.

5.5. Assets may be disposed of either through sale, trade, transfer, relocation, scrap, or when irreparable damage results in an insurance loss.

6. INVENTORY

6.1. The Procurement Supervisor will conduct a physical inventory of all fixed assets at least once every year. The inventory will note the location and condition of all assets, and the results reconciled with records.

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.

Changes were made to:
Policy 1010 – Purpose
2.1.1 Changed from $250,000.01 to $350,000.01
2.1.2 Changed from $250,000.00 to $350,000.00

Policy 1020 – Responsibilities
2.1.3 Changed from $250,000.01 to $350,000.01
2.1.4 Changed from $250,000.00 to $350,000.00
2.2.1 Changed from $250,000.00 to $350,000.00
2.2.3 Changed from $250,000.00 to $350,000.00
2.4.3 – DBE – Removed

Policy 1040 – Civil Rights
1.3 Changed from $250,000.01 to $350,000.01

Policy 1050 – Standards of Conduct and Conflicts of Interest
3.1.4.3 Changed Executive Director to CEO

Policy 2000 – Purchasing Thresholds
1.5.3 Changed from $250,000.00 to $350,000.00
1.5.3.1 Changed from $250,000.00 to $350,000.00
1.5.4 Changed from $250,000.01 to $350,000.01
1.5.4.1 Changed from $250,000.01 to $350,000.01

Policy 2010 – Emergency and Non-Competitive Procurements
1.4 Changed from $250,000.01 to $350,000.01

Policy 4000 – Sealed Bids and RFP's
1.1. Change from $250,000.01 to $350,000.01
1.2. Change from $250,000.01 to $350,000.01
5.1.1 Changed from $250,000.00 to $350,000.00
5.1.2 Changed from $250,000.00 to $350,000.00
8.6 Changed from $250,000.01 to $350,000.01
8.5.1 Added Veterans Hiring Preference

Policy 5000 – Solicitation Protest
3.1 changed MA reference to current MA 34

Policy 6000 – Contract Administration
4.1 Changed $250,000.01 to $350,000.01 and $250,000.00 to $350,000.00
4.4 Changed $250,000.01 to $350,000.01
5.3 Changed from $250,000.00 to $350,000.00
5.4 Changed from $250,000.01 to $350,000.01

Policy 7000 – Fixed Asset Management
1.5 Changed from $2,500.00 to $3,500.00
4.1 Changed from $250,000.00 to $350,000.00
5.1 Changed from $250,000.00 to $350,000.00

AGENDA ITEM

8

STAFF REPORT

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Item Number: 8 **File Type**: Approval

REGULAR BOARD MEETING
September 21, 2026

SUBJECT: **Authorize Fiscal Year 2025-26 Low Carbon Transit Operations Program (LCTOP) Cycle B Allocation Requests**

ACTION: **APPROVE**

PRESENTED BY: **Marie Downing, Grants Manager**

RECOMMENDATION

Adopt Resolution No. 26-05 authorizing: (1) submission of Fiscal Year 2025-26 LCTOP Cycle B allocation requests totaling $562,696 for the Sustain and Enhance Vanpool Subsidy and Free Fares for K-12 Students projects; (2) execution and submission of the updated Authorized Agent Form and Certifications and Assurances identifying Chief Executive Officer (CEO) Roderick Goldman as Victor Valley Transit Authority's (VVTA) authorized agent; and (3) the CEO, or designee, to execute and submit documents necessary to receive and administer the funds.

SUMMARY STATEMENT

The Low Carbon Transit Operations Program (LCTOP) provides state funding for transit projects that reduce greenhouse gas emissions and improve mobility. In April 2026, the Board of Directors (Board) authorized the filing of LCTOP Cycle A applications for Fare Media Subsidy, Sustain and Enhance Vanpool Subsidy, Free Fares for K-12 Students, and Free Fares on Special Days. The Board also adopted Resolution No. 26-01 and approved the associated Authorized Agent Form, and Certifications and Assurances.

Effective July 1, 2026, VVTA appointed Roderick Goldman as CEO. As a result of this change in leadership, the previously approved LCTOP documents must be updated to reflect the new authorized delegate.

Staff recommend that the Board authorize the submission of VVTA's LCTOP Cycle B allocation requests for the following projects:

- Sustain and Enhance Vanpool Subsidy: $510,295
- Free Fares for K-12 Students: $52,401

In addition to the LCTOP allocation requests, VVTA is required to submit supporting documentation for Board approval, including Resolution No. 26-05, an updated Authorized Agent Form, and the required Certifications and Assurances reflecting the change in authorized leadership.

Approval of the recommended action will allow VVTA to submit the LCTOP Cycle B allocation requests and the required supporting documentation in accordance with program requirements.

FISCAL IMPACT

Adoption of Resolution 26-05 will allow VVTA to submit the LCTOP Cycle B allocation requests in the amount of $562,696.

ATTACHMENTS

A. Resolution 26-05
B. FY 2025-2026 LCTOP Authorized Agent Form

RESOLUTION 26-05

AUTHORIZATION FOR THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE CYCLE B LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) FOR THE FOLLOWING PROJECTS:
Sustain and Enhance Vanpool Subsidy; and
Free Fare for K-12

WHEREAS, the Victor Valley Transit Authority (VVTA) is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

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

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, the VVTA wishes to delegate authorization to execute these documents and any amendments thereto to Rod Goldman, Chief Executive Officer; and

WHEREAS, VVTA wishes to implement the following LCTOP projects listed above,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the VVTA that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that Rod Goldman, Chief Executive Officer, be authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of VVTA that it hereby authorizes the submittal of the following projects for Cycle B and allocation requests to the Department in FY2025-2026 LCTOP funds:

1. Project Name: Sustain and Enhance Vanpool Subsidy
   Amount of LCTOP Funds Requested Total: $510,295
   Short description of project: LCTOP Funds will be used to sustain and enhance VVTA's vanpool program. This project will help ensure the program remains an environmentally responsible transportation option that reduces traffic congestion and greenhouse gas emissions.
   Benefit to Priority Populations: This project will benefit a disadvantaged community as well as a low-income community.
   Amount to benefit Priority Populations: $510,295
   Contributing Sponsors: SBCTA

2. Project Name: Free Fare for K-12
   Amount of LCTOP Funds Requested: $52,401
   Short description of project: With LCTOP funds, VVTA will offer free transit rides to K-12 students. This program authorizes students enrolled in school the opportunity to ride Victor Valley Transit Fixed and County Routes fare-free by simply presenting their current student ID to the bus operator upon boarding.
   Benefit to Priority Populations: This project will benefit a disadvantaged community as well as a low-income community.
   Amount to benefit Priority Populations: $52,401
   Contributing Sponsor: SBCTA

(Continued to next page)

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF SEPTEMBER 2026.

____

Liz Becerra, VVTA Board Chair

ATTEST:

____

Ana Arellano, Clerk of the Board

I, ANA ARELLANO, Clerk of the Board of the Victor Valley Transit Authority DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution 26-04 which was duly adopted at a legally convened meeting held on the 21st day of September 2026, by the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

____

Ana Arellano, Clerk of the Board

Attachment B

FY 2025-2026 LCTOP
Authorized Agent

AS THE **Board Chair**
(Chief Executive Officer/Director/President/Secretary)

OF THE **Victor Valley Transit Authority**
(Name of County/City/Transit Organization)

I hereby authorize the following individual(s) to execute for and on behalf of the named Regional Entity/Transit Operator, any actions necessary for the purpose of obtaining Low Carbon Transit Operations Program (LCTOP) funds provided by the California Department of Transportation, Division of Local Assistance. I understand that if there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself. I understand the Board must provide a resolution approving the Authorized Agent. The Board Resolution appointing the Authorized Agent is attached.

Rod Goldman, CEO OR
(Name and Title of Authorized Agent)

Click here to enter text. OR
(Name and Title of Authorized Agent)

Click here to enter text. OR
(Name and Title of Authorized Agent)

Click here to enter text. OR
(Name and Title of Authorized Agent)

Liz Becerra Board Chair
(Print Name) *(Title)*

(Signature)

Approved this 21 *day of* **September** , 2026

AGENDA ITEM

9

STAFF REPORT

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Item Number: 9 **File Type**: Approval

REGULAR BOARD MEETING
September 21, 2026

SUBJECT: **Amendment to Victor Valley Transit Authority Conflict of Interest Code**

ACTION: **APPROVE**

PRESENTED BY: **Ana Arellano, Clerk of the Board/Executive Assistant**

RECOMMENDATION

Adopt Resolution No. 26-04 approving the amendment to Victor Valley Transit Authority (VVTA) Conflict of Interest Code (Code); authorize the Chief Executive Officer and Clerk of the Board to make corrections and submit the amended Code and supporting documents to the San Bernardino County Board of Supervisors, acting as the code-reviewing body.

SUMMARY STATEMENT

The Political Reform Act requires local agencies to maintain a current Code and to review the Code during each even-numbered year. VVTA's Code was last revised July 30, 2024. Staff has confirmed that the existing Director of Operations position was renamed Chief Operating Officer effective August 10, 2026. The title change did not create a new position and did not change the duties, responsibilities, decision-making authority, assigned Disclosure Category 1, or Form 700 obligations.

The existing Code also reproduces an outdated version of FPPC Regulation 18730 amended only through December 15, 2010. Because VVTA's Code already incorporates Regulation 18730 and future FPPC amendments by reference, staff recommends deleting the obsolete reproduction and retaining concise incorporation-by-reference language. This administrative update avoids embedding temporary monetary limits or other provisions that may later become outdated and does not reduce any disclosure, filing, or disqualification requirement.

Approval will allow VVTA to address the confirmed title and document-maintenance issues, and submit the amendment and status explanation to the County.

Staff recommends that the Board adopt Resolution No. 26-04 and authorize the amended Code and supporting materials to be submitted to the San Bernardino County Board of Supervisors for review and approval.

FISCAL IMPACT

None.

ATTACHMENTS

A. Resolution No. 26-04
B. Conflict of Interest Code - Redline
C. Conflict of Interest Code - Clean

RESOLUTION 26-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VICTOR VALLEY TRANSIT AUTHORITY ADOPTING AN AMENDED CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act of 1974, Government Code sections 81000 et seq., requires local agencies to adopt and maintain Conflict of Interest Codes (Code) identifying positions that make or participate in governmental decisions and the financial interests those positions must disclose; and

WHEREAS, Government Code section 87306.5 requires Victor Valley Transit Authority (VVTA) to review its Code during each even-numbered year and submit an amended Code when changed circumstances require amendment; and

WHEREAS, VVTA's Code was last revised July 30, 2024; and

WHEREAS, the existing Director of Operations position was renamed Chief Operating Officer effective August 10, 2026, without any change to the position's duties, responsibilities, decision-making authority, assigned Disclosure Category 1, or Form 700 obligations; and

WHEREAS, the existing Code reproduces an outdated copy of California Fair Political Practices Commission (FPPC) Regulation 18730 amended only through December 15, 2010, although the Code separately incorporates Regulation 18730 and future duly adopted amendments by reference; and

WHEREAS, deleting the obsolete reproduction and retaining incorporation-by-reference language will keep the operative Code aligned with current and future FPPC requirements without restating temporary monetary limits; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE VICTOR VALLEY TRANSIT AUTHORITY AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are incorporated into this Resolution.

Section 2. The Board adopts the amended Code attached to and incorporated into this Resolution. The amendment changes the title Director of Operations to Chief Operating Officer and removes the obsolete reproduced copy of Regulation 18730 while retaining incorporation of the regulation and future duly adopted amendments by reference.

Section 3. The Board finds that the title change does not create a new position or change the duties, authority, Disclosure Category 1 assignment, Form 700 filing obligations, or disqualification requirements associated with the position.

Section 4. The Chief Executive Officer and Clerk of the Board are authorized to make non-substantive, clerical, formatting, and conforming corrections requested by legal counsel or the code-reviewing body and to submit the amended Code and supporting documents to the San Bernardino County Board of Supervisors for review and approval.

Section 5. The amended Code shall become effective upon approval by the code-reviewing body as provided by Government Code section 87303.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF SEPTEMBER 2026.

____
Liz Becerra, VVTA Board Chair

ATTEST:

____
Ana Arellano, Clerk of the Board

I, ANA ARELLANO, Clerk of the Board of the Victor Valley Transit Authority DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution 26-04 which was duly adopted at a legally convened meeting held on the 21st day of September 2026, by the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

____
Ana Arellano, Clerk of the Board

Attachment B

CONFLICT OF INTEREST CODE

ADOPTED BY THE

BOARD OF DIRECTORS
VICTOR VALLEY TRANSIT AUTHORITY
17150 SMOKETREE STREET
HESPERIA, CA 92345

Revised
~~July 30, 2024~~ September 2026

CONFLICT OF INTEREST CODE

VICTOR VALLEY TRANSIT AUTHORITY

~~The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 California Administrative Code Section 18730, which contains the terms of a standard Conflict of Interest Code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Administrative Code Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix in which members and employees are designated and disclosure categories are set forth, constitutes the Conflict of Interest Code of Victor Valley Transit Authority (VVTA).~~

The Political Reform Act of 1974, Government Code sections 81000 et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The terms of Title 2, California Code of Regulations, section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are incorporated by reference. Together with Exhibit A, identifying designated positions and assigned disclosure categories, and Exhibit B, describing the disclosure categories, those terms constitute the Conflict of Interest Code of the Victor Valley Transit Authority (VVTA).

~~**CONFLICT OF INTEREST CODE**~~

~~**VICTOR VALLEY TRANSIT AGENCY**~~

~~18730. Provisions of Conflict of Interest Codes~~

~~(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 87300 or the amendment of a conflict of interest code within the meaning of Government Code Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to other state or local laws pertaining to conflicts of interest.~~

~~(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:~~

~~**(1) Section 1. Definitions.** The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.~~

~~**(2) Section 2. Designated Employees.** The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.~~

~~**(3) Section 3. Disclosure Categories.** This code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200 et seq.~~

~~In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:~~

~~(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;~~

~~(B) The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code Section 87200; and~~

~~(C) The filing officer is the same for both agencies.[1]~~

~~Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.~~

~~**(4) Section 4. Statements of Economic Interests: Place of Filing.** Statements of Economic Interests shall be filed with the Chief Executive Officer of VVTA.[2]~~

~~**(5) Section 5. Statements of Economic Interests: Time of Filing.**~~

~~(A) **Initial Statements.** All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code-reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.~~

~~(B) **Assuming Office Statements.** All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.~~

~~(C) Annual Statements. All designated employees shall file statements no later than April 1.~~

~~(D) **Leaving Office Statements.** All persons who leave designated positions shall file statements within 30 days after leaving office.~~

~~**(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.** Any person who resigns within 12 months of initial appointment, or within 30 days of~~

~~the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.~~

~~(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:~~

~~(1) File a written resignation with the appointing power; and~~

~~(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.~~

~~**(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.**~~

~~(A) **Contents of Initial Statements.** Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.~~

~~(B) **Contents of Assuming Office Statements.** Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.~~

~~(C) **Contents of Annual Statements.** Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Government Code section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to 2 Cal. Code Regs_. section 18754.~~

~~(D) **Contents of Leaving Office Statements.** Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.~~

~~(7) **Section 7. Manner of Reporting.** Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:~~

~~(A) **Investments and Real Property Disclosure.** When an investment or an interest in real property is required to be reported,[4] the statement shall contain the following:~~

~~1. A statement of the nature of the investment or interest;~~

~~2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;~~

~~3. The address or other precise location of the real property;~~

~~4. A statement whether the fair market value of the investment or interest in real property equals or exceeds two thousand dollars ($2,000), exceeds ten thousand dollars ($10,000), exceeds one hundred thousand dollars ($100,000), or exceeds one million dollars ($1,000,000).~~

~~(B) Personal Income Disclosure. When personal income is required to be reported,[5] the statement shall contain:~~

~~1. The name and address of each source of income aggregating five hundred dollars ($500) or more in value or fifty dollars ($50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;~~

~~2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars ($1,000) or less, greater than one thousand dollars ($1,000), greater than ten thousand dollars ($10,000), or greater than one hundred thousand dollars ($100,000).~~

~~3. A description of the consideration, if any, for which the income was received;~~

~~4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received.~~

~~5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and for the term of the loan.~~

~~(C) **Business Entity Income Disclosure.** When income of a business entity, including income of a sole proprietorship, is required to be reported,[6] the statement shall contain:~~

~~1. The name, address, and a general description of the business activity of the business entity;~~

~~2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars ($10,000).~~

~~(D) **Business Position Disclosure.** When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.~~

~~(E) **Acquisition or Disposal During Reporting Period.** In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.~~

~~**(8) Section 8. Prohibition on Receipt of Honoraria.**~~

~~(A) No member of a state board or commission, and no designated employee of a state agency or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.~~

~~Subdivisions (a), (b), and (c) of Government Code Section 89501 shall apply to the prohibitions in this section.~~

~~This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code Section 89506.~~

~~**(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of $420.**~~

~~(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than $420 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.~~

~~Subdivisions (e), (f), and (g) of Government Code Section 89503 shall apply to the prohibitions in this section.~~

~~**(8.2) Section 8.2. Loans to Public Officials.**~~

~~(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.~~

~~(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.~~

~~(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.~~

~~(D) No public official who is exempt from the state civil services system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.~~

~~(E) This section shall not apply to the following:~~

~~1. Loans made to the campaign committee of an elected officer or candidate for elective office.~~

~~2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.~~

~~3. Loans from a person which, in the aggregate, do not exceed five hundred dollars ($500) at any given time.~~

~~4. Loans made, or offered in writing, before January 1, 1998.~~

~~**(8.3) Section 8.3. Loan Terms.**~~

~~(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred ($500) or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.~~

~~(B) This section shall not apply to the following types of loans:~~

~~1. Loans made to the campaign committee of the elected officer.~~

~~2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.~~

~~3. Loans made, or offered in writing, before January 1, 1998.~~

~~(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.~~

~~**(8.4) Section 8.4. Personal Loans.**~~

~~(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances.~~

~~1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.~~

~~2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:~~

~~a. The date the loan was made.~~

~~b. The date the last payment of one hundred dollars ($100) or more was made on the loan.~~

~~c. The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars ($250) during the previous 12 months.~~

~~(B) This section shall not apply to the following types of loans:~~

~~1. A loan made to the campaign committee of an elected officer or a candidate for elective office.~~

~~2. A loan that would otherwise not be a gift as defined in this title.~~

~~3. A loan that would otherwise be a gift as set forth under subdivision (A), but to which the creditor has taken reasonable action to collect the balance due.~~

~~4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of providing that the decision for not taking collection action was based on reasonable business considerations.~~

~~5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.~~

~~(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.~~

~~**(9) Section 9. Disqualification.**~~ ~~No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:~~

~~(A) Any business entity in which the designated employee has a direct or indirect investment worth two thousand dollars ($2,000) or more;~~

~~(B) Any real property in which the designated employee has a direct or indirect interest worth two thousand dollars ($2,000) or more;~~

~~(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars ($500) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;~~

~~(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or~~

~~(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating $420 or more provided to; received by, or promised to the designated employee within 12 months prior to the time when the decision is made.~~

~~**(9.3) Section 9.3. Legally Required Participation.** No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.~~

~~**(9.5) Section 9.5. Disqualification of State Officers and Employees.** In addition to the general disqualification provisions of Section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:~~

~~(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or~~

~~(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value one thousand dollars ($1,000) or more.~~

~~**(10) Section 10. Disclosure of Disqualifying Interest.** When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest.~~

~~(11) **Section 11. Assistance of the Commission and Counsel.** Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 and 2 Cal. Code Regs. sections 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.~~

~~**(12) Section 12. Violations**. This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000-91014. In addition, a decision in relation to which violation of the disqualification provisions of this code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.~~

~~AUTHORITY: Section 83112, Gov. Code~~

~~REFERENCE: Sections 87300-87302, 89503, and 89504, Gov. Code~~

~~(Adopted by the Fair Political Practices Commission 8/6/1991 and as amended through December 15, 2010)~~

~~[1] Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under Article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Government Code Section 81004.~~

~~[2] See Government Code Section 81010 and 2 Cal. Code of Regs. Section 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.~~

~~[3] For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.~~

~~[4] Investments and interests in real property which have a fair market value of less than $1,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.~~

~~[5] A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.~~

~~[6] Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.~~

EXHIBIT A

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
~~Director of Operations~~ Chief Operating Officer	1
Operations Manager	1
Clerk of the Board/Executive Assistant	1
CTSA Programs Manager	1
Sr. Marketing Manager/PIO	1
Consultant*	1

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS:

It has been determined that the positions listed below manage public investments and will file a Statement of Economic Interests pursuant to Government Code Section 87200:

~~Members of~~ Board of Directors and their Alternates
~~Alternates to Members of Board of Directors~~
Chief Executive Officer
Chief Financial Officer

*The Chief Executive Officer may determine in writing that a particular consultant, although a designated position, is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

EXHIBIT B

DISCLOSURE CATEGORIES

Financial interests of employees holding positions designated in Exhibit A are to be reported in statements of economic interest as follows:

Designated Employees in Category 1 Must Report:

A. Interests in real property within the jurisdiction.

B. Investments in any business entity which, within the previous two (2) years, has contracted, or in the future foreseeably may contract with ~~the~~ VVTA to provide services, supplies, materials or equipment to VVTA.

C. Income from any source which, within the last two (2) years, ~~have~~ has contracted with ~~the~~ VVTA to provide services, supplies, materials or equipment to the VVTA.

Designated Employees in Category 2 Must Report:

A. Investments in any business entity which, within the previous two (2) years, has contracted, or in the future foreseeably may contract with ~~the~~ VVTA to provide services, supplies, materials or equipment to the VVTA.

B. Income from any source which, within the last two (2) years, has contracted with ~~the~~ VVTA to provide services, supplies, materials or equipment to the VVTA.

CONFLICT OF INTEREST CODE

ADOPTED BY THE

BOARD OF DIRECTORS
VICTOR VALLEY TRANSIT AUTHORITY
17150 SMOKETREE STREET
HESPERIA, CA 92345

Revised September 2026

CONFLICT OF INTEREST CODE
VICTOR VALLEY TRANSIT AUTHORITY

The Political Reform Act of 1974, Government Code sections 81000 et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The terms of Title 2, California Code of Regulations, section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission, are incorporated by reference. Together with Exhibit A, identifying designated positions and assigned disclosure categories, and Exhibit B, describing the disclosure categories, those terms constitute the Conflict of Interest Code of the Victor Valley Transit Authority (VVTA).

EXHIBIT A

DESIGNATED POSITIONS	DISCLOSURE CATEGORY
Chief Operating Officer	1
Operations Manager	1
Clerk of the Board/Executive Assistant	1
CTSA Programs Manager	1
Sr. Marketing Manager/PIO	1
Consultant*	1

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS:

It has been determined that the positions listed below manage public investments and will file a Statement of Economic Interests pursuant to Government Code Section 87200:

Board of Directors and their Alternates
Chief Executive Officer
Chief Financial Officer

*The Chief Executive Officer may determine in writing that a particular consultant, although a designated position, is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

EXHIBIT B

DISCLOSURE CATEGORIES

Financial interests of employees holding positions designated in Exhibit A are to be reported in statements of economic interest as follows:

Designated Employees in Category 1 Must Report:

A. Interests in real property within the jurisdiction.

B. Investments in any business entity which, within the previous two (2) years, has contracted, or in the future foreseeably may contract with VVTA to provide services, supplies, materials or equipment to VVTA.

C. Income from any source which, within the last two (2) years, has contracted with VVTA to provide services, supplies, materials or equipment to the VVTA.

Designated Employees in Category 2 Must Report:

A. Investments in any business entity which, within the previous two (2) years, has contracted, or in the future foreseeably may contract with VVTA to provide services, supplies, materials or equipment to the VVTA.

B. Income from any source which, within the last two (2) years, has contracted with VVTA to provide services, supplies, materials or equipment to the VVTA.

CORRESPONDENCE / PRESS CLIPS

VVTA Announces Temporary Closure Of Bus Stop On I Avenue In Hesperia Due To Construction

VVNG

Victor Valley News Group • 4:00 pm | Aug. 09, 2026

Updated 4:00 pm | Aug. 09, 2026

(Photo credit VVTA)

HESPERIA, Calif. (VVNG.com) — Victor Valley Transit Authority (VVTA) announced that Bus Stop #40135, located at I Avenue southbound and Eucalyptus Street, will be temporarily closed due to construction from Tuesday, Aug. 11, through Tuesday, Sept. 1, 2026.

During the temporary closure, Route 50 southbound passengers are asked to use one of the following nearby bus stops:

- Bus Stop #40131 – I Avenue southbound & Catalpa Street
- Bus Stop #40133 – I Avenue southbound & E Avenue

These alternate stops will be used for passenger pick-ups and drop-offs while construction is underway.

VVTA thanked passengers for their patience and understanding during the temporary service adjustment.

MASS TRANSIT

John Metzinger (top left), Esteban Rodriguez (bottom left), Candace Smith (middle) and Mamatha Sparks (right).

MANAGEMENT

People on the move: VVTA, Denver RTD, DART, Citilink

Personnel updates from around the public transit industry.

Brandon Lewis Aug. 21, 2026 6 min read

ADD US ON GOOGLE

The Victor Valley Transit Authority (VVTA), Denver Regional Transportation District (RTD), Dallas Area Rapid Transit (DART) and Citilink have announced additions and changes to their respective leadership teams.

VVTA names next COO

VVTA has named Esteban Rodriguez its new COO. Rodriguez brings more than 38 years of public transportation experience and a broad background in transit operations, safety, fleet maintenance, regulatory compliance, strategic planning and special projects throughout Southern California.

During his career, Rodriguez has held senior leadership roles overseeing fixed-route, paratransit and demand-response services, with a strong focus on operational performance, safety, reliability and customer service. His experience includes managing multimillion-dollar transportation contracts, labor relations, procurement initiatives, fleet transitions, infrastructure development projects and cross-functional operational teams.

"Esteban's extensive operational leadership and proven ability to lead complex transportation programs will be a tremendous asset to VVTA," said VVTA CEO Rod Goldman. "He brings a strong commitment to safety, innovation and service excellence, along with the strategic perspective needed to help us strengthen operations and continue enhancing transit services for the communities we serve."

He has led multidisciplinary teams and complex initiatives involving requirements established by the Federal Transit Administration, the U.S. Department of Transportation, the ADA, the California Highway Patrol and the California Department of Motor Vehicles. He has also supported fleet modernization, zero-emission transportation, workforce development, contract management and continuous operational improvement.

"Esteban's extensive experience and commitment to safe, reliable and customer-focused transportation make him an excellent addition to VVTA's leadership team," said VVTA Board Chair Liz Becerra. "As our agency continues to grow and prepare for the future, his leadership will help ensure VVTA remains responsive to the evolving transportation needs of the communities we serve."

Denver RTD names chief communications and engagement officer (CCEO)

Denver RTD has named Candace Smith as its CCEO, effective Sept. 8. Smith most recently served as senior associate vice chancellor for public affairs and strategic communications at the University of Colorado Boulder, where she oversaw media relations, crisis and issues management, executive and strategic communications and editorial strategy while advising university leadership on reputation, stakeholder engagement and complex communications challenges.

Smith has than 25 years of experience spanning higher education, public transportation and journalism. Denver RTD says she has built and led high-performing communications teams, developed integrated reputation and marketing strategies and served as a trusted adviser to senior leaders navigating both opportunities and crises. Her career has included leadership roles at the University of Colorado Boulder, George Washington University and the Washington Metropolitan Area Transit Authority, as well as a journalism career in Washington, D.C., and New York.

"Candace's extensive background in public affairs and strategic communications will strengthen [Denver] RTD's ability to engage the communities served with transparency and purpose. Her leadership will

DAILY PRESS

LOCAL

Esteban Rodriguez now chief operating officer of Victor Valley Transit

Rene Ray De La Cruz
Victorville Daily Press

Aug. 24, 2026, 2:15 a.m. PT

Newly appointed Chief Operating Officer Esteban Rodriguez now leads the Hesperia-based Victor Valley Transit Authority.

The transportation agency on Thursday, Aug. 20, made the announcement about the veteran transportation executive, who has 38 years of public transportation experience throughout Southern California.

Rodriguez brings with him a background in transit operations, safety, fleet maintenance, regulatory compliance, strategic planning, and special projects throughout, VVTA stated.

During his career, Rodriguez has held senior leadership roles overseeing fixed-route, paratransit, and demand-response services. He has also demonstrated a strong focus on operational performance, safety, reliability, and customer service, the agency said.

Rodriguez's experience includes managing multimillion-dollar transportation contracts, labor relations, procurement initiatives, fleet transitions, infrastructure development projects, and cross-functional operational teams, according to VVTA.

VVTA CEO Rod Goldman said, “Esteban’s extensive operational leadership and proven ability to lead complex transportation programs will be a tremendous asset to VVTA.”

Goldman added that Rodriguez brings a “strong commitment to safety, innovation, and service excellence, along with the strategic perspective needed to help us strengthen operations and continue enhancing transit services for the communities we serve.”

Rodriguez has led multidisciplinary teams and complex initiatives involving requirements established by the Federal Transit Administration, the U.S. Department of Transportation, the Americans with Disabilities Act, the California Highway Patrol, the California Department of Motor Vehicles, and Cal/OSHA, VVTA stated.

He has also supported fleet modernization, zero-emission transportation, workforce development, contract management, and continuous operational improvement.

In his new position, Rodriguez will help guide VVTA’s daily operations and support the agency’s continued efforts to provide safe, dependable, and accessible public transportation throughout the High Desert.

He will play a key role in advancing the agency’s strategic priorities, strengthening operational excellence, and fostering a culture of accountability, innovation, and collaboration,” the agency said.

More: Victor Valley Transit extends transportation service to Wellness Center

Known for his hands-on leadership style and problem-solving abilities, Rodriguez is committed to developing accountable, high-performing teams and cultivating strong relationships with public agencies, community organizations, and other regional stakeholders, the agency said.

Rodriguez is also actively involved in community leadership and service in the Antelope Valley. The agency said he believes public transportation is about more than moving people; it connects communities with employment, education, health care and opportunity while helping create a safer, more sustainable and innovative future.

"Esteban's extensive experience and commitment to safe, reliable, and customer-focused transportation make him an excellent addition to VVTA's leadership team," said VVTA Board Chair Liz Becerra. "As our agency continues to grow and prepare for the future, his leadership will help ensure VVTA remains responsive to the evolving transportation needs of the communities we serve."

Note to readers: If you appreciate the work we do here at The Daily Press, please consider subscribing yourself or giving the gift of a subscription to someone you know.

BUSLINE


New VVTA Chief Operating Officer Esteban Rodriguez is shown with Victorville (CA) Mayor and VVTA Board Chair Elizabeth "Liz" Becerra.

Veteran Transportation Executive, Esteban Rodriguez, Takes The Helm As VVTA's New Chief Operating Officer

August 21, 2026 | Features, News & Headlines, Transit Bus Systems

The Victor Valley (CA) Transit Authority (VVTA) has announced the appointment of Esteban Rodriguez as its new Chief Operating Officer. Rodriguez brings more than 38 years of public transportation experience and a broad background in transit operations, safety, fleet maintenance, regulatory compliance, strategic planning, and special projects throughout Southern California.

During his career, Rodriguez has held senior leadership roles overseeing fixed-route, paratransit, and demand-response services, with a strong focus on operational performance, safety, reliability, and customer service. His experience includes managing multimillion-dollar transportation contracts, labor relations, procurement initiatives, fleet transitions, infrastructure development projects and cross-functional operational teams.

"Esteban's extensive operational leadership and proven ability to lead complex transportation programs will be a tremendous asset to VVTA," VVTA CEO Rod Goldman said. "He brings a strong commitment to safety, innovation, and service excellence, along with the strategic perspective needed to help us strengthen operations and continue enhancing transit services for the communities we serve."

MASS TRANSIT

Promoting best practices for integrated mobility

HYBRID, HYDROGEN & ELECTRIC VEHICLES

VVTA, Riverside Transit Agency mark milestones in hydrogen-powered transit

New hydrogen buses and fueling infrastructure are entering service as the California agencies pursue cleaner and more sustainable fleet operations.

Brandon Lewis Sept. 2, 2026 4 min read

Victor Valley Transit Authority hydrogen fuel cell bus 317 serves the high desert communities of California's Victor Valley, reflecting the agency's commitment to zero-emission transit in the Inland Empire region.

Two California transit agencies, Victor Valley Transit Authority (VVTA) and Riverside Transit Agency (RTA), have deployed hydrogen buses throughout its service areas.

VVTA begins introducing hydrogen fuel cell buses into its fleet

The VVTA has begun the phased introduction of 13 hydrogen fuel cell buses into regular revenue service. The buses are being deployed on routes throughout the system, including Route 15, which connects the Victor Valley Transportation Center with San Bernardino, Fontana and California State University, San Bernardino.

"This is an exciting moment for VVTA because our investment in hydrogen technology is no longer something we're simply planning for; it's here, and our passengers are starting to benefit from this today," said

VVTA CEO Rod Goldman. "These buses represent our commitment to providing safe and reliable transportation while continuing to embrace technologies that make public transit cleaner, more efficient and more sustainable for the areas we serve."

During this period of phased operation, the agency notes it is collecting operational data, evaluating performance under real-world conditions and conducting additional testing as the buses operate throughout VVTA's service area.

"Today marks more than the launch of hydrogen buses; it represents another major step forward in how we serve our communities," said VVTA Chief Maintenance Officer Dustin Strandberg. "Putting hydrogen fuel cell technology into daily passenger service allows us to see these buses perform in the real world while providing our passengers with a cleaner and quieter ride. We're gathering valuable data today that will help shape how VVTA operates tomorrow, as hydrogen becomes the backbone of our fleet for years to come."

VVTA says hydrogen fuel cell buses works for the agency because of the size and diversity of the service area, as VVTA operates urban, rural and long-distance commuter routes across the High Desert and beyond, requiring vehicles capable of traveling significant distances while maintaining the flexibility needed for daily transit operations.

"For our residents, this is about much more than putting new buses on the road," said VVTA Board Chair and Victorville Mayor Liz Becerra. "It is about investing in the future of our region. Every time one of these buses goes into service, we are demonstrating that the High Desert can be a leader in innovation, sustainability and modern public transportation while continuing to connect people with jobs, education, healthcare and opportunity."

VVTA's hydrogen program builds upon the agency's previous investment in zero-emission transportation, including the [introduction of battery-electric buses beginning in 2019]. VVTA says Incorporating hydrogen fuel cell technology provides the agency with another zero-emission option designed to meet the demanding range and operational requirements of its expansive service area.

The agency notes the hydrogen program has required years of planning and preparation, including vehicle procurement, fueling infrastructure, employee training and coordination among VVTA staff and numerous public- and private-sector partners.

"Seeing these buses carrying passengers is where years of planning and preparation become real," Strandberg said. "We're learning from every mile these buses travel, and that information will help us build a stronger and more sustainable transit system. This is the future of transit arriving today, right here in the High Desert."

Riverside Transit Agency's (RTA) hydrogen zero-emission bus 32603 sits in the agency's yard, part of RTA's effort to deploy clean energy technology across its fleet serving communities throughout Riverside County, Calif.

RTA unveils hydrogen fueling station and new buses

RTA has unveiled its new hydrogen fueling station and zero-emission hydrogen-powered buses at its headquarters in Riverside, Calif. The introduction of these buses marks the beginning of RTA's transition from compressed natural gas powered buses to a fully zero-emission fleet.

"It is an honor to welcome our new eco-friendly hydrogen-fueling station and our first hydrogen-powered buses as we celebrate this exciting milestone for RTA and Riverside County," said RTA CEO Kristin Warsinski. "Technology may drive progress, but it's the dedication, collaboration and expertise of our workforce, board members and community who truly make advancements like this possible."

RTA says the project was made possible through a combination of federal, state and local funding, including $4.89 million in competitive 5339 Low or No Emission funds that RTA secured to purchase its first five hydrogen fuel cell buses. The new hydrogen fueling station was built by Clean Energy.

"It has been a top priority for the RTA Board of Directors to bring Riverside County residents a greener public transportation service, and we're proud to have reached this monumental milestone today," said RTA Board Chair and City of Corona Council Member Jim Steiner. "The transition to zero-emission technology is a major investment in our county and in our workforce training. We're proud to embrace the future of eco-friendly transportation and do our part to reduce our environmental impact."

California's VVTA Begins Phased Rollout of Hydrogen Fuel Cell Buses

The agency is introducing 13 zero-emission buses into revenue service while evaluating performance across its urban, rural, and long-distance routes.

Staff and News Reports | Editorial Staff | September 1, 2026

The hydrogen fuel cell buses are being deployed on routes throughout the VVTA system, including Route 15, which connects the Victor Valley Transportation Center with San Bernardino, Fontana, and California State University, San Bernardino.
Credit: VVTA

California's Victor Valley Transit Authority (VVTA) has introduced its new hydrogen fuel cell electric buses, with the vehicles now carrying passengers as the agency begins a phased rollout of 13 zero-emission buses into regular revenue service.

The hydrogen fuel cell buses are being deployed on routes throughout the VVTA system, including Route 15, which connects the Victor Valley Transportation Center (VVTC) with San Bernardino, Fontana, and California State University, San Bernardino (CSUSB).

"This is an exciting moment for VVTA because our investment in hydrogen technology is no longer something we're simply planning for; it's here, and our passengers are starting to benefit from this today," said VVTA CEO Rod Goldman. "These buses represent our commitment to providing safe and reliable transportation while continuing to embrace technologies that make public transit cleaner, more efficient, and more sustainable for the areas we serve."

Phasing into Operations

VVTA officially unveiled its 13 hydrogen fuel cell electric buses during a ribbon-cutting ceremony on January 14, celebrating the arrival of the new vehicles and the infrastructure and technology needed to support their operation. The event brought together regional, state, and federal transportation leaders and representatives from industry partners including New Flyer, Ballard Power Systems, and Linde.

The buses are now moving from introduction to real-world operation.

Rather than placing all 13 buses into service simultaneously, VVTA is phasing the vehicles into daily operations. During this period, the agency said it is collecting operational data, evaluating performance under real-world conditions, and conducting additional testing as the buses operate throughout VVTA's diverse service area.

Hydrogen fuel cell technology generates electricity onboard the vehicle by combining hydrogen stored in the bus's tanks with oxygen from the air. That electricity powers the bus and charges its onboard batteries. Unlike a traditional combustion engine, the process does not burn fossil fuels and produces no harmful tailpipe emissions, only water vapor and heat.

The technology is particularly significant for VVTA because of the size and diversity of the agency's service area, said officials. The agency operates urban, rural, and long-distance commuter routes across the High Desert and beyond, requiring vehicles capable of traveling significant distances while maintaining the flexibility needed for daily transit operations.

VVTA's Hydrogen Program

VVTA's hydrogen program builds upon the agency's previous investment in zero-emission transportation, including the introduction of battery-electric buses beginning in 2019. Incorporating hydrogen fuel cell technology provides VVTA with another zero-emission option designed to meet the demanding range and operational requirements of its expansive service area, said officials.

The hydrogen program has required years of planning and preparation, including vehicle procurement, fueling infrastructure, employee training, and coordination among VVTA staff and numerous public- and private-sector partners.

The agency announced that passengers will see an increasing number of hydrogen fuel cell buses throughout the VVTA system as the phased deployment continues.

DAILY PRESS

Rene Ray De La Cruz
Victorville Daily Press

Sept. 7, 2026, 2:30 a.m. PT

Hydrogen fuel cell electric buses roll out across the High Desert

TRANSPORTATION 2:30 a.m. PT Sept. 7

Key Points

The Victor Valley Transit Authority has begun deploying 13 hydrogen fuel cell electric buses.

These new zero-emission buses will serve routes in the High Desert, including to San Bernardino and Fontana.

Hydrogen fuel cell technology generates electricity by combining hydrogen and oxygen, with water vapor as the only emission.

The agency is collecting performance data during a phased rollout to evaluate the new technology in real-world conditions.

Victor Valley Transit Authority officials announced that 13 of its hydrogen fuel cell electric buses began phased deployment.

The new electric buses will carry passengers as the transportation agency began the phased introduction of the zero-emission buses into regular revenue service.

The buses will navigate the High Desert, including Interstate 15 service to San Bernardino, Fontana and California State University, San Bernardino.

The Victor Valley Transportation Center's hub that connects the lines is located in Old Town Victorville. The agency's main office is located in Hesperia.

Investment in hydrogen technology

"This is an exciting moment for VVTA because our investment in hydrogen technology is no longer something we're simply planning for; it's here, and our passengers are starting to benefit from this today," Transit Authority CEO Rod Goldman said. "These buses represent our commitment to providing safe and reliable transportation while continuing to embrace technologies that make public transit cleaner, more efficient, and more sustainable for the areas we serve."

The electric bus fleet was unveiled during a ribbon-cutting ceremony on Jan. 14, celebrating the arrival of the new vehicles and the infrastructure and technology needed to support their operation.

During the phasing-in period, the agency will collect operational data, evaluate performance under real-world conditions, and conduct additional testing as the buses operate throughout Victor Valley Transit Authority's diverse service area.

"Today marks more than the launch of hydrogen buses; it represents another major step forward in how we serve our communities," Chief Maintenance Officer Dustin Strandberg said. "Putting hydrogen fuel cell technology into daily passenger service allows us to see these buses perform in the real world while providing our passengers with a cleaner and quieter ride. We're gathering valuable data today that will help shape how VVTA operates tomorrow, as hydrogen becomes the backbone of our fleet for years to come."

Fuel cell technology

Hydrogen fuel cell technology generates electricity onboard the vehicle by combining hydrogen stored in tanks on the bus with oxygen from the air. That electricity powers the bus and charges its onboard batteries.

Unlike a traditional combustion engine, the process does not burn fossil fuels and produces no harmful tailpipe emissions, only water vapor and heat.

The technology is particularly significant for the transit authority because of the size and diversity of the agency's service area, which operates urban, rural and long-distance commuter routes across the High Desert and beyond.

"For our residents, this is about much more than putting new buses on the road," Transit Authority Board Chair Liz Becerra said. "It is about investing in the future of our region. Every time one of these buses goes into service, we are demonstrating that the High Desert can be a leader in innovation, sustainability and modern public transportation while continuing to connect people with jobs, education, healthcare and opportunity."

Zero-emission option

Transit authority officials stated that its hydrogen program builds upon the agency's previous investment in zero-emission transportation, including the introduction of battery-electric buses beginning in 2019.

Incorporating hydrogen fuel cell technology provides the agency with another zero-emission option designed to meet the demanding range and operational requirements of its expansive service area.

The hydrogen program has required years of planning and preparation, including vehicle procurement, fueling infrastructure, employee training, and coordination among staff and numerous public- and private-sector partners, the agency said.

"Seeing these buses carrying passengers is where years of planning and preparation become real," Strandberg added. "We're learning from every mile these buses travel, and that information will help us build a stronger and more sustainable transit system. This is the future of transit arriving today, right here in the High Desert."

Passengers will see an increasing number of hydrogen fuel cell buses throughout the transit authority system as the phased deployment continues, the agency said.

29 Arrested During Homeless Outreach And Crime Suppression Operation In Victorville And Hesperia

Victor Valley News Group • 2:00 pm | Sep. 03, 2026

Updated 2:00 pm | Sep. 03, 2026

VICTORVILLE, Calif. (VVNG.com) — Twenty-nine people were arrested and more than 4,000 pounds of debris were removed during a four-hour homeless outreach and crime suppression operation conducted in Victorville and Hesperia on Tuesday, September 1, 2026.

According to a written statement from the San Bernardino County Sheriff's Department, deputies from the Victor Valley Transit Detail hosted the operation from 8 a.m. to noon in the business district along Bear Valley Road, east of Interstate 15.

Deputies were joined by San Bernardino County probation officers, code enforcement officers, animal control personnel and public works employees from the cities of Victorville and Hesperia.

The operation focused on contacting individuals, providing resources, addressing criminal activity and responding to quality-of-life, public safety and cleanliness concerns. Transit deputies also focused on bus stops and shelters used by the Victor Valley Transit Authority.

During the operation, officials contacted 92 people, with 46 referred to assistance programs, including the San Bernardino County Sheriff's Department HOPE Team, local rehabilitation facilities, the Wellness Center in Victorville and family connections.

Authorities investigated 23 criminal reports and towed two vehicles.

A total of 29 people were arrested for drug and weapons violations, local municipal code violations and outstanding arrest warrants, according to the Sheriff's Department. The written statement did not provide the names of those arrested or details about the individual alleged offenses.

Public works employees also removed 4,380 pounds of debris from streets, parking lots and sidewalks.

Additionally, 17 shopping carts belonging to local businesses were recovered and returned.

"These efforts exemplify the Sheriff's Department commitment to aiding those in need, identifying and appropriately addressing criminal activity, and creating safe, clean communities and a secure local bus system for citizens who rely on it," the department said in its written statement.