



Metropolitan Transportation Commission

Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Administration Committee

Committee Members:

Federal D. Glover, Chair Jeannie Bruins, Vice Chair

*Carol Dutra-Vernaci, Nick Josefowitz, Gina Papan,
Hillary Ronen, Libby Schaaf, Amy R. Worth*

Non-Voting Member: Tony Tavares

Wednesday, July 10, 2019

9:35 AM

Board Room - 1st Floor

This meeting is scheduled to be webcast live on the Metropolitan Transportation Commission's Website: <http://mtc.ca.gov/whats-happening/meetings> and will take place at 9:35 a.m. or immediately following the 9:30 a.m. BATA Oversight Committee meeting.

1. Roll Call/Confirm Quorum

Quorum: A quorum of this committee shall be a majority of its regular non-ex-officio voting members (5).

2. Consent Calendar

- 2a. [19-0669](#) Minutes of the June 12, 2019 meeting

Action: Committee Approval

Attachments: [2a_06-12-2019_Draft_Administration_Minutes.pdf](#)

- 2b. [19-0683](#) Investment Report for April 2019

Action: Information

Presenter: Catherine Cam

Attachments: [2b_Investment_Report_April'2019.pdf](#)

- 2c. [19-0684](#) MTC Financial Statements for April 2019

Action: Information

Presenter: Sonia Elsonbaty

Attachments: [2c_FinancialStatement_April 2019.pdf](#)

- 2d. [19-0685](#) Monthly Travel Report
- Action: Information (Committee Approval if Travel Request included)
- Presenter: Sonia Elsonbaty
- Attachments: [2d_Monthly_Travel_Report_Apr_2019.pdf](#)
- 2e. [19-0673](#) Contract Amendment - Bay Area Bike to Work Day Program
Implementation: Silicon Valley Bicycle Coalition (\$600,000)
- Action: Committee Approval
- Presenter: Jay Stagi
- Attachments: [2e_Contract_Amendment_SVBC.pdf](#)
- 2f. [19-0674](#) Contract Amendment - SamTrans Passenger Origin/Destination Survey:
Corey, Canapary & Galanis (\$250,000)
- Action: Committee Approval
- Presenter: Shimon Israel
- Attachments: [2f_Contract_Amendment_CCG.pdf](#)
- 2g. [19-0823](#) MTC Resolution No. 1058, Revised - Revision to MTC's Commission
Procedures Manual
- Action: Commission Approval
- Presenter: Leslie Miessner
- Attachments: [2g_Reso-1058_Commission_Procedures_Manual_Revision.pdf](#)

3. Information

- 3a. [19-0778](#) Procurement/Contracting Update
- Staff will provide an update on procurements and contracts.
- Action: Information
- Presenter: Therese McMillan and Michael Brinton
- Attachments: [3a_ProcurementContracting_Update.pdf](#)

4. Public Comment / Other Business

5. Adjournment / Next Meeting

*****Please note: the next meeting of the Administration Committee will be held on the first Wednesday of the month, September 4, 2019 at a time to be duly noticed, at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105.*****

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者, 請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知, 以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.

MTC's Chair and Vice-Chair are ex-officio voting members of all standing Committees.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0669 **Version:** 1 **Name:**
Type: Minutes **Status:** Consent
File created: 5/30/2019 **In control:** Administration Committee
On agenda: 7/10/2019 **Final action:**
Title: Minutes of the June 12, 2019 meeting
Sponsors:
Indexes:
Code sections:
Attachments: [2a_06-12-2019_Draft_Administration_Minutes.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Subject:
Minutes of the June 12, 2019 meeting

Recommended Action:
Committee Approval



Metropolitan Transportation Commission Meeting Minutes

Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Administration Committee

Committee Members:

Federal D. Glover, Chair Jeannie Bruins, Vice Chair

*Carol Dutra-Vernaci, Nick Josefowitz, Gina Papan,
Hillary Ronen, Libby Schaaf, Amy R. Worth
Non-Voting Member: Tony Tavares*

Wednesday, June 12, 2019

9:35 AM

Board Room - 1st Floor

Call Meeting to Order

1. Roll Call/Confirm Quorum

Present: 7 - Commissioner Bruins, Commissioner Dutra-Vernaci, Chair Glover, Commissioner Josefowitz, Commissioner Papan, Commissioner Schaaf and Commissioner Worth

Absent: 1 - Commissioner Ronen

Non-Voting Member Absent: Commissioner Tavares

Ex Officio Voting Members Present: Commission Chair Haggerty and Commission Vice Chair Pedroza

Ad Hoc Non-Voting Members Present: Commissioner Giacomini, Commissioner Halsted, and Commissioner Spering

2. Consent Calendar

Approval of the Consent Calendar

Upon the motion by Commissioner Schaaf and the second by Commissioner Dutra-Vernaci, the Consent Calendar was unanimously approved by the following vote:

Aye: 6 - Commissioner Bruins, Commissioner Dutra-Vernaci, Chair Glover, Commissioner Josefowitz, Commissioner Papan and Commissioner Schaaf

Absent: 2 - Commissioner Ronen and Commissioner Worth

2a. [19-0535](#) Minutes of the May 8, 2019 meeting

Action: Committee Approval

2b. [19-0538](#) Investment Report for March 2019

Action: Information

Presenter: Catherine Cam

- 2c. [19-0539](#) MTC Financial Statements for March 2019
Action: Information
Presenter: Sonia Elsonbaty
- 2d. [19-0540](#) Monthly Travel Report and International Travel Request
Action: Committee Approval
Presenter: Sonia Elsonbaty
- 2e. [19-0338](#) Bench Selection - Land Use Model Development: OaklandAnalytics, LLC, UrbanSim, Inc, and WSP
Action: Committee Approval
Presenter: Michael Reilly
- 2f. [19-0500](#) Contract Amendment - High School Internship Program Support: Pathways for Students, Inc. (\$135,000)
Action: Committee Approval
Presenter: John Kannegiesser
- 2g. [19-0542](#) Contract Amendment - Regional Resource Center Operations: Faneuil, Inc. (\$250,000)
Action: Committee Approval
Presenter: David Weir

3. Approval

Commissioner Worth returned after the approval of the Consent Calendar.

- 3a. [19-0653](#) MTC Resolution No. 4371 - MTC FY 2019-20 Agency Budget
- A request for Commission approval of MTC Resolution No. 4371 - MTC FY 2019-20 Agency Budget
- Action:** Commission Approval
Presenter: Brian Mayhew
- Upon the motion by Commissioner Worth and the second by Commissioner Dutra-Vernaci, the Committee unanimously approved the referral of MTC Resolution No. 4371 to the Commission for approval. The motion carried by the following vote:
- Aye:** 7 - Commissioner Bruins, Commissioner Dutra-Vernaci, Chair Glover, Commissioner Josefowitz, Commissioner Papan, Commissioner Schaaf and Commissioner Worth
- Absent:** 1 - Commissioner Ronen

Commissioner Josefowitz directed staff to provide a more detailed projection of how additional funds would be used to pay down retirement and pension obligations and liabilities.

Commissioner Spering requested that staff review the Commissioner expense claim process and return to the Administration Committee with recommendations for streamlining the process.

4. Public Comment / Other Business

5. Adjournment / Next Meeting

The next meeting of the Administration Committee will be held on July 10, 2019 at 9:35 a.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA.



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0683 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 5/31/2019 **In control:** Administration Committee
On agenda: 7/10/2019 **Final action:**
Title: Investment Report for April 2019
Sponsors:
Indexes:
Code sections:
Attachments: [2b Investment Report April'2019.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Subject:
Investment Report for April 2019

Presenter:
Catherine Cam

Recommended Action:
Information

**Metropolitan Transportation Commission
Administration Committee**

July 10, 2019

Agenda Item 2b

Investment Report for April 2019

Subject: Investment Report for April 2019

Background: In accordance with the adopted investment policy, attached are the comprehensive investment holdings for MTC and all component units.

Total funds under MTC management are just under \$3.5 billion. A breakdown by fund is as follows:

| <u>Fund</u> | <u>Market Value (\$ million)</u> | <u>% of Total</u> |
|------------------------------|---|--------------------------|
| BATA Admin | \$ 1,288.9 | 37.3% |
| BATA Projects | 295.3 | 8.5% |
| BATA Debt Payment | 8.1 | 0.2% |
| BATA Debt Service Reserve | 525.5 | 15.2% |
| BATA RM2 | 220.4 | 6.4% |
| BATA RM3 | 42.0 | 1.2% |
| MTC | 367.0 | 10.5% |
| BART Car Exchange Program | 393.1 | 11.4% |
| AB 1171 | 66.8 | 1.9% |
| FasTrak® (Customer Deposits) | 123.3 | 3.6% |
| Clipper® | 82.3 | 2.4% |
| BAHA | 13.1 | 0.4% |
| SAFE | 19.6 | 0.6% |
| BAIFA | 12.4 | 0.4% |
| Portfolio Total | <u>\$ 3,457.8</u> | <u>100.0%</u> |

The BART Car Exchange fund is held in trust for future replacement of BART cars.

The portfolio consists mainly of Government Sponsored Enterprises (GSEs). The portfolio breakdown is as follows:

| <u>Security Holding</u> | <u>Portfolio Composite</u> | <u>Policy Limits</u> |
|-----------------------------------|-----------------------------------|-----------------------------|
| Fed Home Loan Bank | 64.7% | No limit |
| Fed Home Loan Mortgage | 15.1% | No limit |
| Fed National Mortgage Association | 0.5% | No limit |
| Fed Farm Credit Bank | 1.3% | No limit |
| U.S. Treasury | 0.9% | No limit |
| Cash | 10.8% | No limit |
| Gov't Pools | Less than 0.1% | No limit |
| CA Asset Mgmt Program (CAMP) | Less than 0.1% | No limit |
| Municipal Bonds | 0.9% | No limit |
| Mutual Funds | 5.6% | 20% Portfolio/10% One Fund |
| Blackrock T-Fund (BATA Trustee) | 0.2% | Trustee Funds – No limit |
| Blackrock Treas Tr (BATA Trustee) | Less than 0.1% | Trustee Funds – No limit |
| Portfolio Total | 100.0% | |

Funds held by trustee are subject to permitted investments authorized in the approved issuing documents and are not subject to mutual fund limits as defined by California law and the MTC Investment Policy.

From time to time, there will be negative balances in the checking account which reflect timing differences between payments and receipt of funds from internal or external sources.

Credit ratings of municipal variable rate demand obligations and mutual funds held in the MTC portfolio are within the limits required by the MTC Investment Policy.

Liquidity Summary of MTC Portfolio

| Maturity | Market Value (\$ million) | % of Total Portfolio | Cumulative Minimum Level per MTC Investment Policy |
|-----------------------|----------------------------------|-----------------------------|---|
| 30 days or less | \$ 1,077.5 | 31% | 10% |
| 90 days or less | 2,105.7 cumulative | 61% cumulative | 15% |
| 1 year or less | 3,101.7 cumulative | 90% cumulative | 30% |
| 1-5 years | 337.2 | 10% | |
| *greater than 5 years | 18.9 | Less than 1% | |

* BAAQMD Certificate of Participation matures November 2053 and is held in the RM1 BATA Admin Reserve.

The weighted maturity of the MTC portfolio is 224 days, and the maximum weighted maturity cannot exceed 5 years.

The MTC portfolio holds \$13 million (less than 1%) in variable rate demand obligations (VRDOs) issued by various California local agencies. The VRDOs are recognized as short term investment bonds for accounting classification purposes even though the various securities have maturities up to 30 years. The classification as short term investments is possible because VRDOs have “liquidity instruments” that allow the bonds to be “put” to the liquidity support bank at any time with seven days’ notice.

If there are any questions, please contact Brian Mayhew at (415) 778-6730.

Attachments: Comprehensive Investment Holdings for MTC and All Component Units



Therese W. McMillan



MTC
Summary by Issuer
April 30, 2019

| Issuer | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|--------------------------------|------------------------------|------------------|---------------------|-----------------------|------------------------|---------------------------------|
| FASTRAK - PREPAID | 1 | 20,040,110.45 | 20,040,110.45 | 0.58 | 0.000 | 1 |
| BAY AREA AIR QUALITY MGMT DIST | 1 | 18,900,000.00 | 18,900,000.00 | 0.55 | 3.446 | 12,603 |
| BLK ROCK T-FUND TRUSTEE | 2 | 8,076,600.83 | 8,076,600.83 | 0.23 | 2.430 | 1 |
| FASTRAK - PARKING FEES | 1 | 103,733.86 | 103,733.86 | 0.00 | 0.000 | 1 |
| FASTRAK - VIOLATIONS | 1 | 2,250,916.04 | 2,250,916.04 | 0.07 | 0.000 | 1 |
| FASTRAK - REFUND | 1 | 1,070,170.41 | 1,070,170.41 | 0.03 | 0.000 | 1 |
| FASTRAK - FEE ACCOUNT | 1 | 1,488,583.96 | 1,488,583.96 | 0.04 | 0.000 | 1 |
| CALIFORNIA ASSET MANAGEMENT PR | 8 | 1,208,698.45 | 1,208,698.45 | 0.03 | 2.550 | 1 |
| CASH BALANCE | 4 | 1,450,685.75 | 1,450,685.75 | 0.04 | 0.000 | 1 |
| EAST BAY MUD | 1 | 7,000,000.00 | 7,000,000.00 | 0.20 | 1.041 | 31 |
| FED FARM CREDIT BANK | 4 | 43,000,000.00 | 42,962,664.00 | 1.24 | 2.348 | 365 |
| FED HOME LOAN BANK | 160 | 2,248,812,000.00 | 2,237,795,647.65 | 64.72 | 2.444 | 130 |
| FED HOME LOAN MTG CORP | 44 | 526,224,000.00 | 522,850,840.06 | 15.12 | 2.279 | 404 |
| FED NATIONAL MTG ASSN | 2 | 16,200,000.00 | 16,093,184.60 | 0.47 | 2.097 | 990 |
| CLIPPER GS FIN SQ GOVT FUND | 1 | 66,285,731.81 | 66,285,731.81 | 1.92 | 2.330 | 1 |
| LAIF | 3 | 338,727.55 | 338,727.55 | 0.01 | 2.445 | 1 |
| LOS ANGELES DEPT WTR & PWR | 1 | 5,900,000.00 | 5,900,000.00 | 0.17 | 0.999 | 31 |
| MORGAN STANLEY GOVT ESCROW | 1 | 1,007,774.46 | 1,007,774.46 | 0.03 | 2.390 | 1 |
| MORGAN STANLEY GOVT CUSTODY | 11 | 8,501,920.82 | 8,501,920.82 | 0.25 | 2.419 | 1 |
| BLK ROCK LIQ TREAS TR TRUSTEE | 9 | 725,748.78 | 725,748.78 | 0.02 | 2.290 | 1 |
| FASTRAK BLK ROCK LIQ TREASURY | 1 | 98,376,599.92 | 98,376,599.92 | 2.85 | 1.616 | 1 |
| BLK ROCK LIQ TREAS TR CUSTODY | 8 | 18,070,264.16 | 18,070,264.16 | 0.52 | 2.290 | 1 |
| UBOC CHECKING | 1 | 3,245,209.55 | 3,245,209.55 | 0.09 | 0.010 | 1 |

MTC
Summary by Issuer
April 30, 2019

Agenda Item 2b - Investment Report

Page 2

| Issuer | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|--------------------------------|--------------------------|-------------------------|-------------------------|-------------------|--------------------|-----------------------------|
| UBOC DISTRICT 4 AND CHANGE FUN | 1 | 2,430,344.03 | 2,430,344.03 | 0.07 | 0.000 | 1 |
| UBOC INTEREST ON CHECKING | 34 | 317,061,679.09 | 317,061,679.09 | 9.17 | 2.340 | 1 |
| CLIPPER SETTLEMENT ACCOUNT | 1 | 3,295,199.20 | 3,295,199.20 | 0.10 | 0.000 | 1 |
| CLIPPER FLOAT ACCOUNT | 1 | 10,000,413.09 | 10,000,413.09 | 0.29 | 0.000 | 1 |
| CLIPPER PARTICIPANT CLAIM FUND | 1 | 1,856,066.91 | 1,856,066.91 | 0.05 | 0.000 | 1 |
| UBOC BAHA CHECKING | 2 | 6,165,547.55 | 6,165,547.55 | 0.18 | 0.000 | 1 |
| CLIPPER REFUND ACCOUNT | 1 | 836,992.94 | 836,992.94 | 0.02 | 0.000 | 1 |
| U.S. TREASURY | 2 | 32,416,000.00 | 32,369,029.22 | 0.94 | 2.519 | 22 |
| Total and Average | 310 | 3,472,339,719.61 | 3,457,759,085.14 | 100.00 | 2.343 | 224 |



MTC
Summary by Type
April 30, 2019
Grouped by Fund

| Security Type | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|---|-----------------------|-----------------------|-----------------------|----------------|-----------------|--------------------------|
| Fund: MTC CASH AND CASH EQUIVALENT | | | | | | |
| Local Agency Investment Funds | 1 | 226,654.19 | 226,654.19 | 0.01 | 2.445 | 1 |
| Checking Accounts | 2 | 42,925,975.75 | 42,925,975.75 | 1.24 | 2.164 | 1 |
| Subtotal | 3 | 43,152,629.94 | 43,152,629.94 | 1.25 | 2.165 | 1 |
| Fund: NON TRANSPORTATION PLNG | | | | | | |
| Checking Accounts | 1 | 251,489.88 | 251,489.88 | 0.01 | 2.340 | 1 |
| Subtotal | 1 | 251,489.88 | 251,489.88 | 0.01 | 2.340 | 1 |
| Fund: AB664 EAST | | | | | | |
| Federal Agency Disc. -Amortizing | 10 | 118,563,000.00 | 117,935,435.14 | 3.41 | 2.492 | 79 |
| Mutual Funds - Custodial | 1 | 792.68 | 792.68 | 0.00 | 2.420 | 1 |
| Checking Accounts | 1 | 19,349,042.49 | 19,349,042.49 | 0.56 | 2.340 | 1 |
| Subtotal | 12 | 137,912,835.17 | 137,285,270.31 | 3.97 | 2.471 | 68 |
| Fund: AB664 WEST | | | | | | |
| Federal Agency Disc. -Amortizing | 4 | 14,374,000.00 | 14,316,320.02 | 0.41 | 2.499 | 60 |
| Mutual Funds - Custodial | 1 | 10,707.84 | 10,707.84 | 0.00 | 2.420 | 1 |
| Checking Accounts | 1 | 31,860,430.55 | 31,860,430.55 | 0.92 | 2.340 | 1 |
| Subtotal | 6 | 46,245,138.39 | 46,187,458.41 | 1.33 | 2.389 | 19 |
| Fund: 5% STATE | | | | | | |
| Checking Accounts | 1 | 16,883,598.43 | 16,883,598.43 | 0.49 | 2.340 | 1 |
| Subtotal | 1 | 16,883,598.43 | 16,883,598.43 | 0.49 | 2.340 | 1 |
| Fund: 2% TRANSIT RESERVES FERRY | | | | | | |
| Federal Agency Disc. -Amortizing | 2 | 11,640,000.00 | 11,617,369.31 | 0.34 | 2.471 | 29 |
| Mutual Funds - Custodial | 1 | 1,020.60 | 1,020.60 | 0.00 | 2.420 | 1 |
| Checking Accounts | 1 | 5,756,911.21 | 5,756,911.21 | 0.17 | 2.340 | 1 |
| Subtotal | 4 | 17,397,931.81 | 17,375,301.12 | 0.51 | 2.428 | 20 |

MTC
Summary by Type
April 30, 2019
Grouped by Fund

Agenda Item 2b - Investment Report

Page 2

| Security Type | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|--|--------------------------|-----------------------|-----------------------|-------------------|--------------------|-----------------------------|
| Fund: 2% TRANSIT RESERVES STUDIES | | | | | | |
| Federal Agency Disc. -Amortizing | 5 | 19,756,000.00 | 19,653,818.26 | 0.57 | 2.476 | 77 |
| Mutual Funds - Custodial | 1 | 902.96 | 902.96 | 0.00 | 2.420 | 1 |
| Checking Accounts | 1 | 2,805,397.99 | 2,805,397.99 | 0.08 | 2.340 | 1 |
| Subtotal | 7 | 22,562,300.95 | 22,460,119.21 | 0.65 | 2.459 | 68 |
| Fund: 90% RAIL RESERVE EAST | | | | | | |
| Federal Agency Disc. -Amortizing | 4 | 25,032,000.00 | 24,889,268.07 | 0.72 | 2.491 | 85 |
| Mutual Funds - Custodial | 1 | 6,717.96 | 6,717.96 | 0.00 | 2.420 | 1 |
| Checking Accounts | 1 | 15,009,260.09 | 15,009,260.09 | 0.43 | 2.340 | 1 |
| Subtotal | 6 | 40,047,978.05 | 39,905,246.12 | 1.15 | 2.434 | 54 |
| Fund: 90% RAIL RESERVE WEST | | | | | | |
| Mutual Funds - Custodial | 1 | 173.92 | 173.92 | 0.00 | 2.420 | 1 |
| Checking Accounts | 1 | 1,650,223.20 | 1,650,223.20 | 0.05 | 2.340 | 1 |
| Subtotal | 2 | 1,650,397.12 | 1,650,397.12 | 0.05 | 2.340 | 1 |
| Fund: MTC FEEDER BUS | | | | | | |
| Checking Accounts | 1 | 174,256.04 | 174,256.04 | 0.01 | 2.340 | 1 |
| Subtotal | 1 | 174,256.04 | 174,256.04 | 0.01 | 2.340 | 1 |
| Fund: MTC EXCHANGE FUND | | | | | | |
| Checking Accounts | 1 | 28,574,457.79 | 28,574,457.79 | 0.83 | 2.340 | 1 |
| Subtotal | 1 | 28,574,457.79 | 28,574,457.79 | 0.83 | 2.340 | 1 |
| Fund: BART CAR EXCHANGE PROGRAM | | | | | | |
| Federal Agency Coupon Securities | 9 | 94,400,000.00 | 94,053,515.90 | 2.72 | 1.763 | 255 |
| Federal Agency Disc. -Amortizing | 10 | 268,651,000.00 | 267,106,269.97 | 7.72 | 2.507 | 86 |
| Mutual Funds - Custodial | 1 | 11,175.76 | 11,175.76 | 0.00 | 2.290 | 1 |
| Treasury Discounts -Amortizing | 1 | 31,997,000.00 | 31,950,636.35 | 0.92 | 2.519 | 22 |
| Subtotal | 21 | 395,059,175.76 | 393,121,597.98 | 11.36 | 2.329 | 121 |
| Fund: CLIPPER CAPITAL (MTC) | | | | | | |
| Checking Accounts | 1 | 7,003,262.56 | 7,003,262.56 | 0.20 | 2.340 | 1 |

MTC
Summary by Type
April 30, 2019
Grouped by Fund

Agenda Item 2b - Investment Report

Page 3

| Security Type | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|--|--------------------------|---------------------|---------------------|-------------------|--------------------|-----------------------------|
| Subtotal | 1 | 7,003,262.56 | 7,003,262.56 | 0.20 | 2.340 | 1 |
| Fund: CLIPPER 2.0 (MTC) | | | | | | |
| Checking Accounts | 1 | 1,658,993.72 | 1,658,993.72 | 0.05 | 2.340 | 1 |
| Subtotal | 1 | 1,658,993.72 | 1,658,993.72 | 0.05 | 2.340 | 1 |
| Fund: CLIPPER OPERATIONS (MTC) | | | | | | |
| Checking Accounts | 1 | 4,320,270.57 | 4,320,270.57 | 0.12 | 2.340 | 1 |
| Subtotal | 1 | 4,320,270.57 | 4,320,270.57 | 0.12 | 2.340 | 1 |
| Fund: MTC CAPITAL PROJECTS | | | | | | |
| Checking Accounts | 1 | 83,453.22 | 83,453.22 | 0.00 | 2.340 | 1 |
| Subtotal | 1 | 83,453.22 | 83,453.22 | 0.00 | 2.340 | 1 |
| Fund: SAFE | | | | | | |
| Local Agency Investment Funds | 1 | 111,829.73 | 111,829.73 | 0.00 | 2.445 | 1 |
| Checking Accounts | 1 | 9,590,634.84 | 9,590,634.84 | 0.28 | 2.340 | 1 |
| Subtotal | 2 | 9,702,464.57 | 9,702,464.57 | 0.28 | 2.341 | 1 |
| Fund: SAFE CAPITAL PROJECTS | | | | | | |
| Checking Accounts | 1 | 9,883,160.75 | 9,883,160.75 | 0.29 | 2.340 | 1 |
| Subtotal | 1 | 9,883,160.75 | 9,883,160.75 | 0.29 | 2.340 | 1 |
| Fund: RM2 OPERATING | | | | | | |
| Checking Accounts | 1 | 1,078,377.39 | 1,078,377.39 | 0.03 | 2.340 | 1 |
| Subtotal | 1 | 1,078,377.39 | 1,078,377.39 | 0.03 | 2.340 | 1 |
| Fund: UB DEBT PAYMENT - TRUSTEE | | | | | | |
| Mutual Funds - Trustee | 1 | 8,009,184.52 | 8,009,184.52 | 0.23 | 2.430 | 1 |
| Subtotal | 1 | 8,009,184.52 | 8,009,184.52 | 0.23 | 2.430 | 1 |
| Fund: BATA 2019 S-H BOND COI | | | | | | |
| Mutual Funds - Trustee | 1 | 36,118.12 | 36,118.12 | 0.00 | 2.290 | 1 |
| Subtotal | 1 | 36,118.12 | 36,118.12 | 0.00 | 2.290 | 1 |
| Fund: DEBT SERVICE RESERVE | | | | | | |

MTC
Summary by Type
April 30, 2019
Grouped by Fund

Agenda Item 2b - Investment Report

Page 4

| Security Type | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|--|--------------------------|-----------------------|-----------------------|-------------------|--------------------|-----------------------------|
| Fund: DEBT SERVICE RESERVE | | | | | | |
| Mutual Funds - Trustee | 1 | 67,416.31 | 67,416.31 | 0.00 | 2.430 | 1 |
| Municipal Bonds | 1 | 7,000,000.00 | 7,000,000.00 | 0.20 | 1.041 | 31 |
| Federal Agency Disc. -Amortizing | 9 | 218,833,000.00 | 217,821,309.91 | 6.30 | 2.490 | 69 |
| Federal Agency Coupon - Actual | 1 | 10,000,000.00 | 10,002,125.00 | 0.29 | 1.855 | 23 |
| Federal Agency Coupon Securities | 10 | 114,600,000.00 | 114,048,277.20 | 3.30 | 2.116 | 896 |
| Subtotal | 22 | 350,500,416.31 | 348,939,128.42 | 10.09 | 2.320 | 338 |
| Fund: BATA SUB 2014 S-5 RESERVE | | | | | | |
| Federal Agency Coupon Securities | 1 | 1,400,000.00 | 1,389,336.20 | 0.04 | 2.200 | 1,233 |
| Mutual Funds - Trustee | 1 | 94,224.97 | 94,224.97 | 0.00 | 2.290 | 1 |
| Subtotal | 2 | 1,494,224.97 | 1,483,561.17 | 0.04 | 2.206 | 1,155 |
| Fund: BATA SUB 2014 S-6 RESERVE | | | | | | |
| Federal Agency Disc. -Amortizing | 1 | 637,000.00 | 631,649.20 | 0.02 | 2.450 | 126 |
| Federal Agency Coupon Securities | 2 | 13,800,000.00 | 13,711,465.40 | 0.40 | 2.236 | 1,263 |
| Mutual Funds - Trustee | 1 | 114,021.08 | 114,021.08 | 0.00 | 2.290 | 1 |
| Subtotal | 4 | 14,551,021.08 | 14,457,135.68 | 0.42 | 2.246 | 1,204 |
| Fund: BATA 2010 S-1 RESERVE | | | | | | |
| Federal Agency Coupon - Actual | 1 | 8,000,000.00 | 7,999,784.00 | 0.23 | 2.238 | 21 |
| Federal Agency Disc. -Amortizing | 5 | 48,373,000.00 | 48,053,172.48 | 1.39 | 2.473 | 99 |
| Federal Agency Coupon Securities | 2 | 16,200,000.00 | 16,070,834.60 | 0.46 | 1.943 | 615 |
| Mutual Funds - Trustee | 1 | 99,456.14 | 99,456.14 | 0.00 | 2.290 | 1 |
| Subtotal | 9 | 72,672,456.14 | 72,223,247.22 | 2.08 | 2.328 | 206 |
| Fund: BONY DEBT PAYMENT - TRUSTEE | | | | | | |
| Mutual Funds - Trustee | 1 | 81,025.67 | 81,025.67 | 0.00 | 2.290 | 1 |
| Subtotal | 1 | 81,025.67 | 81,025.67 | 0.00 | 2.290 | 1 |
| Fund: BATA SUB 2019 S-H RESERVE | | | | | | |
| Federal Agency Disc. -Amortizing | 1 | 6,360,000.00 | 6,333,599.64 | 0.18 | 2.460 | 62 |
| Mutual Funds - Trustee | 1 | 802.18 | 802.18 | 0.00 | 2.290 | 1 |

MTC
Summary by Type
April 30, 2019
Grouped by Fund

Agenda Item 2b - Investment Report

Page 5

| Security Type | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|------------------------------------|--------------------------|----------------------|----------------------|-------------------|--------------------|-----------------------------|
| Subtotal | 2 | 6,360,802.18 | 6,334,401.82 | 0.18 | 2.460 | 62 |
| Fund: BATA 2017 S-7 RESERVE | | | | | | |
| Federal Agency Disc. -Amortizing | 1 | 1,915,000.00 | 1,901,796.08 | 0.06 | 2.446 | 103 |
| Federal Agency Coupon Securities | 5 | 57,210,000.00 | 56,729,542.59 | 1.64 | 2.205 | 1,119 |
| Mutual Funds - Trustee | 1 | 286,814.24 | 286,814.24 | 0.01 | 2.290 | 1 |
| Treasury Discounts -Amortizing | 1 | 419,000.00 | 418,392.87 | 0.01 | 2.519 | 22 |
| Subtotal | 8 | 59,830,814.24 | 59,336,545.78 | 1.72 | 2.215 | 1,074 |
| Fund: BATA 2010 S-2 RESERVE | | | | | | |
| Federal Agency Coupon Securities | 1 | 50,000.00 | 49,815.90 | 0.00 | 1.700 | 184 |
| Mutual Funds - Trustee | 1 | 2,675.07 | 2,675.07 | 0.00 | 2.290 | 1 |
| Subtotal | 2 | 52,675.07 | 52,490.97 | 0.00 | 1.730 | 175 |
| Fund: BATA 2010 S-3 RESERVE | | | | | | |
| Federal Agency Disc. -Amortizing | 1 | 6,654,000.00 | 6,608,120.67 | 0.19 | 2.446 | 103 |
| Federal Agency Coupon Securities | 4 | 16,170,000.00 | 16,048,188.71 | 0.46 | 2.038 | 782 |
| Mutual Funds - Trustee | 1 | 10,611.31 | 10,611.31 | 0.00 | 2.290 | 1 |
| Subtotal | 6 | 22,834,611.31 | 22,666,920.69 | 0.65 | 2.157 | 585 |
| Fund: RM2 CAPITAL | | | | | | |
| Federal Agency Disc. -Amortizing | 5 | 20,006,000.00 | 19,904,564.61 | 0.58 | 2.473 | 76 |
| Federal Agency Coupon Securities | 2 | 11,900,000.00 | 11,819,384.80 | 0.34 | 1.855 | 398 |
| Mutual Funds - Custodial | 2 | 75,949.97 | 75,949.97 | 0.00 | 2.497 | 1 |
| Checking Accounts | 1 | 7,508,870.25 | 7,508,870.25 | 0.22 | 2.340 | 1 |
| Subtotal | 10 | 39,490,820.22 | 39,308,769.63 | 1.14 | 2.261 | 159 |
| Fund: BATA REHAB RESERVE | | | | | | |
| Federal Agency Coupon Securities | 3 | 25,000,000.00 | 24,775,509.00 | 0.72 | 2.042 | 946 |
| Federal Agency Disc. -Amortizing | 6 | 48,577,000.00 | 48,346,444.21 | 1.40 | 2.484 | 71 |
| Mutual Funds - Custodial | 1 | 50,555.60 | 50,555.60 | 0.00 | 2.290 | 1 |
| Checking Accounts | 1 | 917,678.02 | 917,678.02 | 0.03 | 2.340 | 1 |
| Subtotal | 11 | 74,545,233.62 | 74,090,186.83 | 2.15 | 2.333 | 364 |

MTC
Summary by Type
April 30, 2019
Grouped by Fund

Agenda Item 2b - Investment Report

Page 6

| Security Type | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|--|--------------------------|-----------------------|-----------------------|-------------------|--------------------|-----------------------------|
| Fund: BATA REHAB PROJECTS | | | | | | |
| Federal Agency Coupon Securities | 1 | 15,000,000.00 | 14,884,260.00 | 0.43 | 1.800 | 485 |
| Federal Agency Disc. -Amortizing | 5 | 31,452,000.00 | 31,315,461.35 | 0.91 | 2.475 | 65 |
| Mutual Funds - Custodial | 1 | 85,351.73 | 85,351.73 | 0.00 | 2.420 | 1 |
| Checking Accounts | 1 | 2,324,837.79 | 2,324,837.79 | 0.07 | 2.340 | 1 |
| Subtotal | 8 | 48,862,189.52 | 48,609,910.87 | 1.41 | 2.260 | 191 |
| Fund: BATA - SEISMIC CAPITAL | | | | | | |
| Federal Agency Disc. -Amortizing | 6 | 74,705,000.00 | 74,345,888.02 | 2.15 | 2.466 | 72 |
| Mutual Funds - Custodial | 3 | 17,358,803.09 | 17,358,803.09 | 0.50 | 2.193 | 1 |
| Checking Accounts | 1 | 11,781,797.82 | 11,781,797.82 | 0.34 | 2.340 | 1 |
| Subtotal | 10 | 103,845,600.91 | 103,486,488.93 | 2.99 | 2.406 | 52 |
| Fund: BATA TRANSIT PROGRAM | | | | | | |
| Checking Accounts | 1 | 5,263,687.01 | 5,263,687.01 | 0.15 | 2.340 | 1 |
| Subtotal | 1 | 5,263,687.01 | 5,263,687.01 | 0.15 | 2.340 | 1 |
| Fund: AB 1171 PROJECTS | | | | | | |
| Federal Agency Disc. -Amortizing | 6 | 47,299,000.00 | 47,047,642.08 | 1.36 | 2.491 | 79 |
| Mutual Funds - Custodial | 2 | 100,120.91 | 100,120.91 | 0.00 | 2.322 | 1 |
| Checking Accounts | 1 | 19,617,454.84 | 19,617,454.84 | 0.57 | 2.340 | 1 |
| Subtotal | 9 | 67,016,575.75 | 66,765,217.83 | 1.93 | 2.447 | 56 |
| Fund: EXPRESS LANES CAPITAL | | | | | | |
| Federal Agency Coupon Securities | 5 | 40,000,000.00 | 39,774,970.00 | 1.15 | 2.038 | 465 |
| Federal Agency Disc. -Amortizing | 9 | 95,930,000.00 | 95,470,808.01 | 2.76 | 2.481 | 71 |
| Mutual Funds - Custodial | 2 | 201,759.44 | 201,759.44 | 0.01 | 2.399 | 1 |
| Checking Accounts | 1 | 2,462,591.61 | 2,462,591.61 | 0.07 | 2.340 | 1 |
| Subtotal | 17 | 138,594,351.05 | 137,910,129.06 | 3.99 | 2.350 | 184 |
| Fund: RM1 BATA ADMIN - SELF INSURED | | | | | | |
| Federal Agency Coupon - Actual | 1 | 5,000,000.00 | 4,992,550.00 | 0.14 | 2.322 | 358 |
| Federal Agency Disc. -Amortizing | 13 | 270,588,000.00 | 269,220,637.83 | 7.79 | 2.489 | 75 |

MTC
Summary by Type
April 30, 2019
Grouped by Fund

Agenda Item 2b - Investment Report

Page 7

| Security Type | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|---|--------------------------|-----------------------|-----------------------|-------------------|--------------------|-----------------------------|
| Fund: RM1 BATA ADMIN - SELF INSURED | | | | | | |
| Federal Agency Coupon Securities | 6 | 46,000,000.00 | 45,713,138.50 | 1.32 | 2.256 | 1,118 |
| Mutual Funds - Custodial | 2 | 693,459.89 | 693,459.89 | 0.02 | 2.292 | 1 |
| Checking Accounts | 1 | 113,778.53 | 113,778.53 | 0.00 | 2.340 | 1 |
| Subtotal | 23 | 322,395,238.42 | 320,733,564.75 | 9.27 | 2.452 | 229 |
| Fund: RM1 BATA ADMIN - O&M RESERVE | | | | | | |
| Federal Agency Coupon - Actual | 1 | 20,000,000.00 | 19,970,200.00 | 0.58 | 2.322 | 358 |
| Federal Agency Coupon Securities | 3 | 29,000,000.00 | 28,953,596.00 | 0.84 | 2.195 | 397 |
| Federal Agency Disc. -Amortizing | 8 | 108,622,000.00 | 108,041,446.86 | 3.12 | 2.500 | 80 |
| Mutual Funds - Custodial | 2 | 1,102,688.58 | 1,102,688.58 | 0.03 | 2.535 | 1 |
| Checking Accounts | 1 | 78,591.22 | 78,591.22 | 0.00 | 2.340 | 1 |
| Subtotal | 15 | 158,803,279.80 | 158,146,522.66 | 4.57 | 2.422 | 173 |
| Fund: RM1 BATA ADMIN | | | | | | |
| Municipal Bonds | 1 | 18,900,000.00 | 18,900,000.00 | 0.55 | 3.446 | 12,603 |
| Mutual Funds - Custodial | 3 | 7,196,478.76 | 7,196,478.76 | 0.21 | 2.334 | 1 |
| Federal Agency Disc. -Amortizing | 20 | 677,597,000.00 | 674,176,408.48 | 19.50 | 2.492 | 75 |
| Local Agency Investment Funds | 1 | 243.63 | 243.63 | 0.00 | 2.445 | 1 |
| Municipal Bonds | 1 | 5,900,000.00 | 5,900,000.00 | 0.17 | 0.999 | 31 |
| Checking Accounts | 1 | 23,280,849.29 | 23,280,849.29 | 0.67 | 2.340 | 1 |
| Subtotal | 27 | 732,874,571.68 | 729,453,980.16 | 21.10 | 2.498 | 396 |
| Fund: RM3 ESCROW | | | | | | |
| Mutual Funds - Custodial | 2 | 1,238,087.71 | 1,238,087.71 | 0.04 | 1.945 | 1 |
| Federal Agency Disc. -Amortizing | 9 | 41,012,000.00 | 40,747,808.71 | 1.18 | 2.488 | 96 |
| Subtotal | 11 | 42,250,087.71 | 41,985,896.42 | 1.22 | 2.472 | 94 |
| Fund: RM2 ADMIN RESERVES | | | | | | |
| Mutual Funds - Custodial | 2 | 1,493,923.27 | 1,493,923.27 | 0.04 | 2.047 | 1 |
| Federal Agency Disc. -Amortizing | 12 | 153,930,000.00 | 153,230,603.60 | 4.43 | 2.489 | 68 |
| Checking Accounts | 1 | 25,305,400.19 | 25,305,400.19 | 0.73 | 2.340 | 1 |

MTC
Summary by Type
April 30, 2019
Grouped by Fund

Agenda Item 2b - Investment Report

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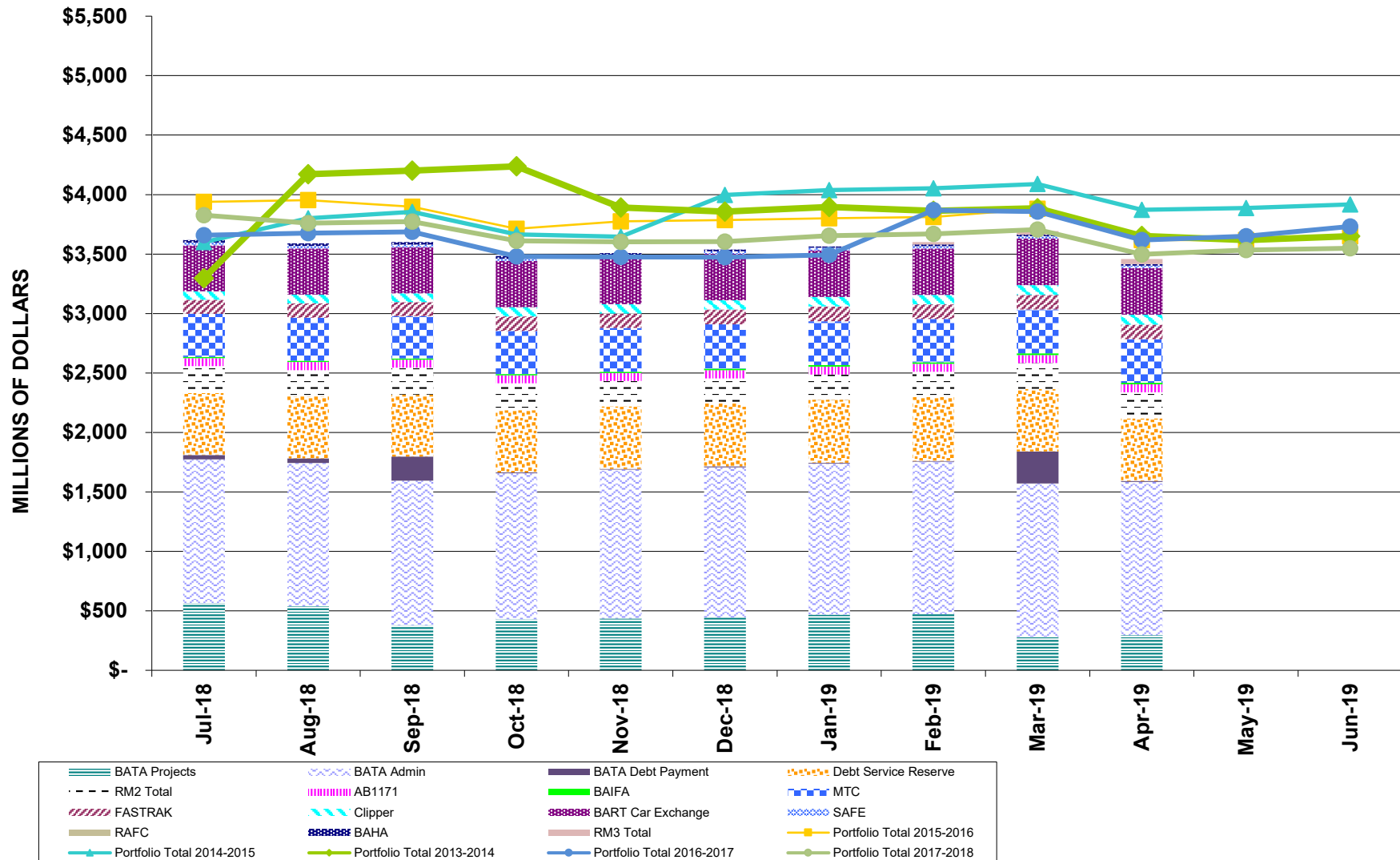
| Security Type | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|--------------------------------------|--------------------------|-----------------------|-----------------------|-------------------|--------------------|-----------------------------|
| Subtotal | 15 | 180,729,323.46 | 180,029,927.06 | 5.20 | 2.464 | 58 |
| Fund: UNDISTRIBUTED FUNDS | | | | | | |
| Checking Accounts | 1 | 2,430,344.03 | 2,430,344.03 | 0.07 | 0.000* | 1 |
| Subtotal | 1 | 2,430,344.03 | 2,430,344.03 | 0.07 | 0.000 | 1 |
| Fund: SEISMIC ADMIN | | | | | | |
| Mutual Funds - Custodial | 2 | 609,893.46 | 609,893.46 | 0.02 | 2.317 | 1 |
| Checking Accounts | 1 | 3,405,851.64 | 3,405,851.64 | 0.10 | 2.340 | 1 |
| Subtotal | 3 | 4,015,745.10 | 4,015,745.10 | 0.12 | 2.337 | 1 |
| Fund: FASTRAK | | | | | | |
| Checking Accounts | 5 | 24,953,514.72 | 24,953,514.72 | 0.72 | 0.000** | 1 |
| Mutual Funds - Custodial | 1 | 98,376,599.92 | 98,376,599.92 | 2.85 | 1.616 | 1 |
| Subtotal | 6 | 123,330,114.64 | 123,330,114.64 | 3.57 | 1.289 | 1 |
| Fund: CLIPPER | | | | | | |
| Mutual Funds - Custodial | 1 | 66,285,731.81 | 66,285,731.81 | 1.92 | 2.330 | 1 |
| Checking Accounts | 4 | 15,988,672.14 | 15,988,672.14 | 0.46 | 0.000*** | 1 |
| Subtotal | 5 | 82,274,403.95 | 82,274,403.95 | 2.38 | 1.877 | 1 |
| Fund: BAHA OPERATING | | | | | | |
| Checking Accounts | 2 | 3,697,273.46 | 3,697,273.46 | 0.11 | 1.378 | 1 |
| Subtotal | 2 | 3,697,273.46 | 3,697,273.46 | 0.11 | 1.378 | 1 |
| Fund: BAHA OWNER'S | | | | | | |
| Checking Accounts | 1 | 4,646,228.00 | 4,646,228.00 | 0.13 | 0.000*** | 1 |
| Subtotal | 1 | 4,646,228.00 | 4,646,228.00 | 0.13 | 0.000 | 1 |
| Fund: BAHA CAPITAL | | | | | | |
| Mutual Funds - Custodial | 1 | 779.51 | 779.51 | 0.00 | 2.290 | 1 |
| Checking Accounts | 1 | 4,787,725.49 | 4,787,725.49 | 0.14 | 2.340 | 1 |
| Subtotal | 2 | 4,788,505.00 | 4,788,505.00 | 0.14 | 2.340 | 1 |
| Fund: 375 BEALE STREET (BAHA) | | | | | | |

* Earnings Credit Rate of 0.01%
 ** Earnings Allowance Rate of 0.35%
 *** Earnings Credit Rate of 0.04%

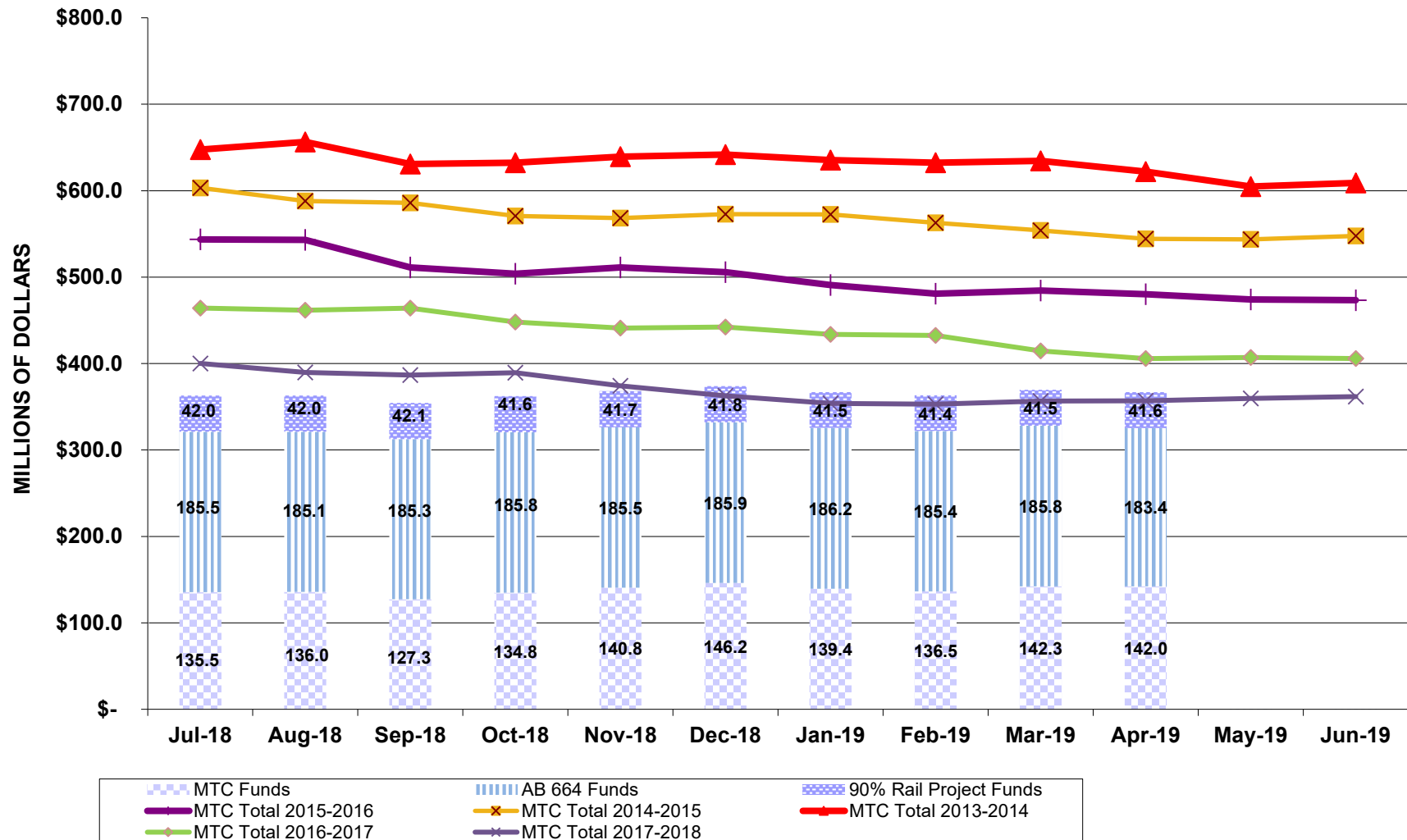
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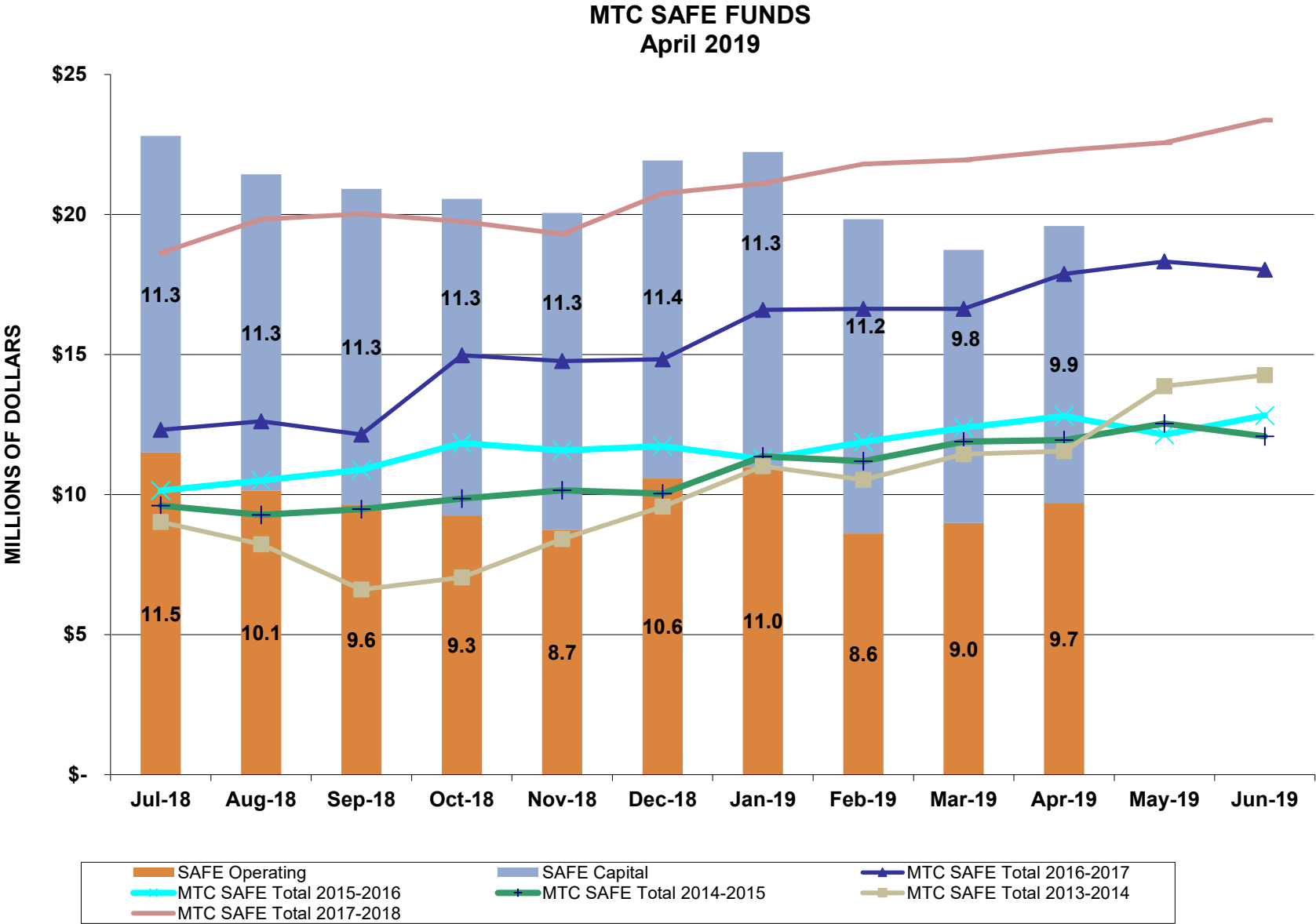
| Security Type | Number of Investments | Par Value | Market Value | % of Portfolio | Average YTM 365 | Average Days to Maturity |
|-------------------------------|-----------------------|------------------|------------------|----------------|-----------------|--------------------------|
| Fund: 375 BEALE STREET (BAHA) | | | | | | |
| Checking Accounts | 1 | 2,250.29 | 2,250.29 | 0.00 | 2.340 | 1 |
| Subtotal | 1 | 2,250.29 | 2,250.29 | 0.00 | 2.340 | 1 |
| Fund: BAIFA OP Admin | | | | | | |
| Checking Accounts | 1 | 12,418,374.27 | 12,418,374.27 | 0.36 | 2.340 | 1 |
| Subtotal | 1 | 12,418,374.27 | 12,418,374.27 | 0.36 | 2.340 | 1 |
| Total and Average | 310 | 3,472,339,719.61 | 3,457,759,085.14 | 100.00 | 2.343 | 224 |

TOTAL PORTFOLIO
April 2019

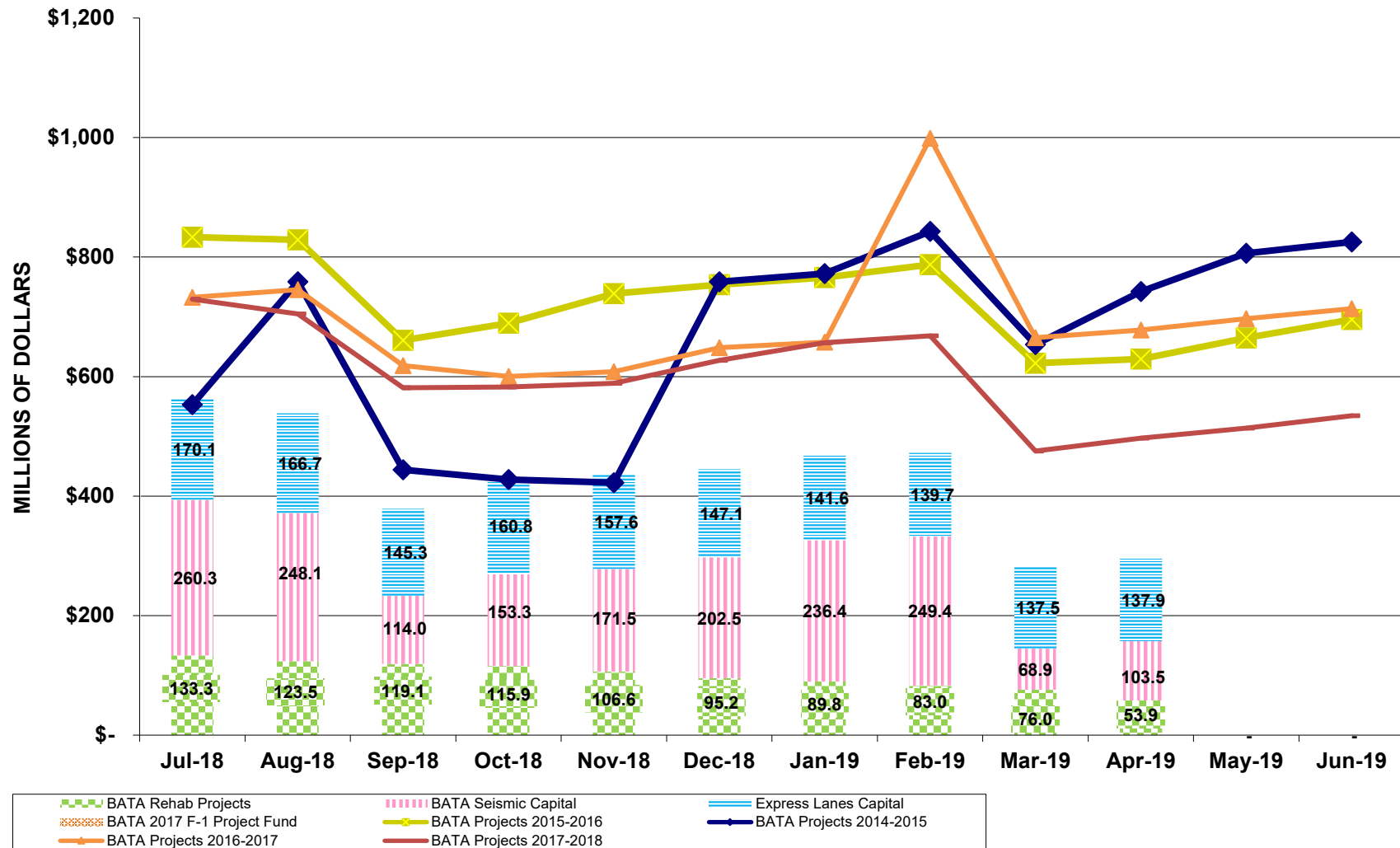


MTC FUNDS
April 2019

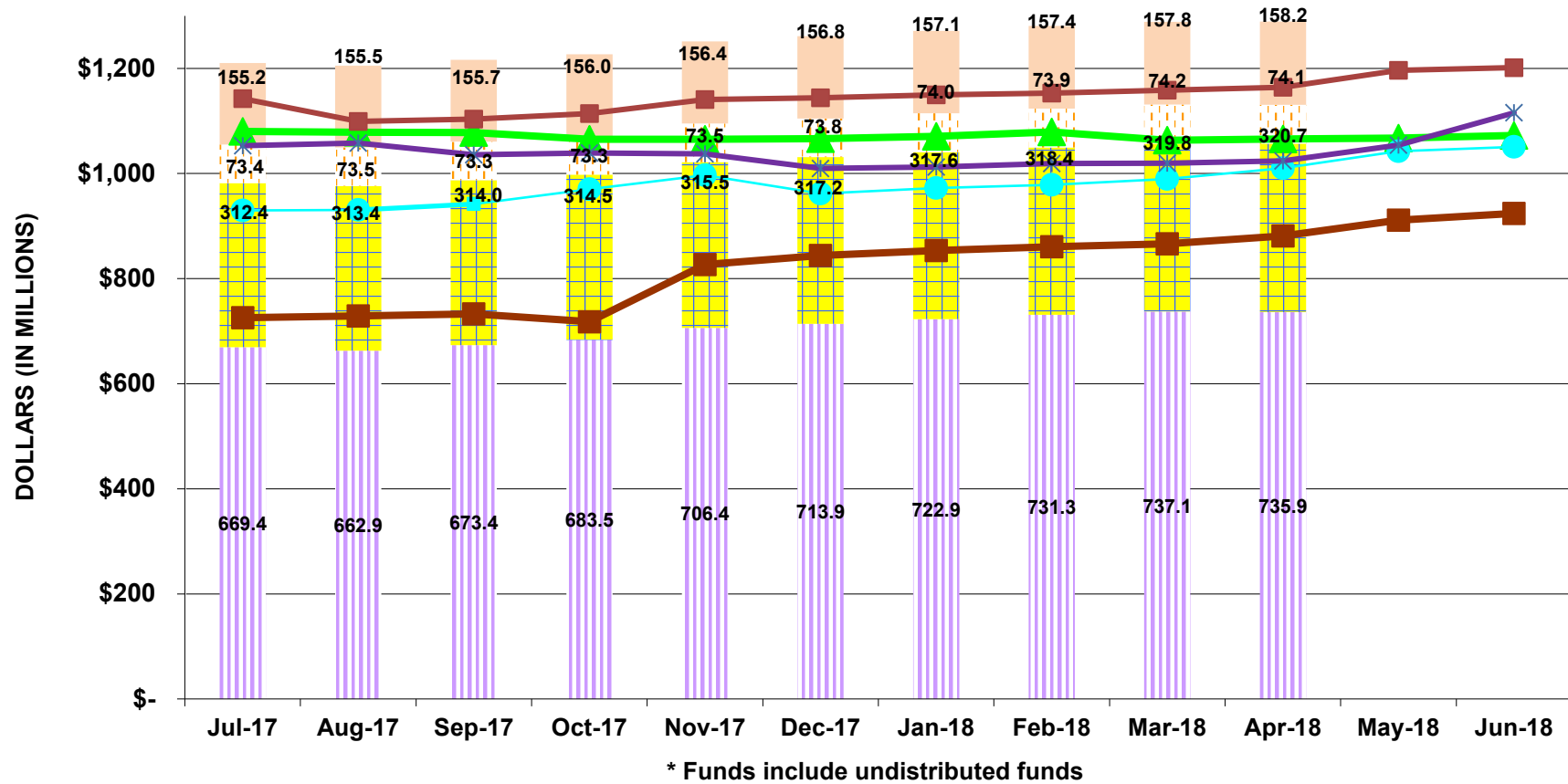




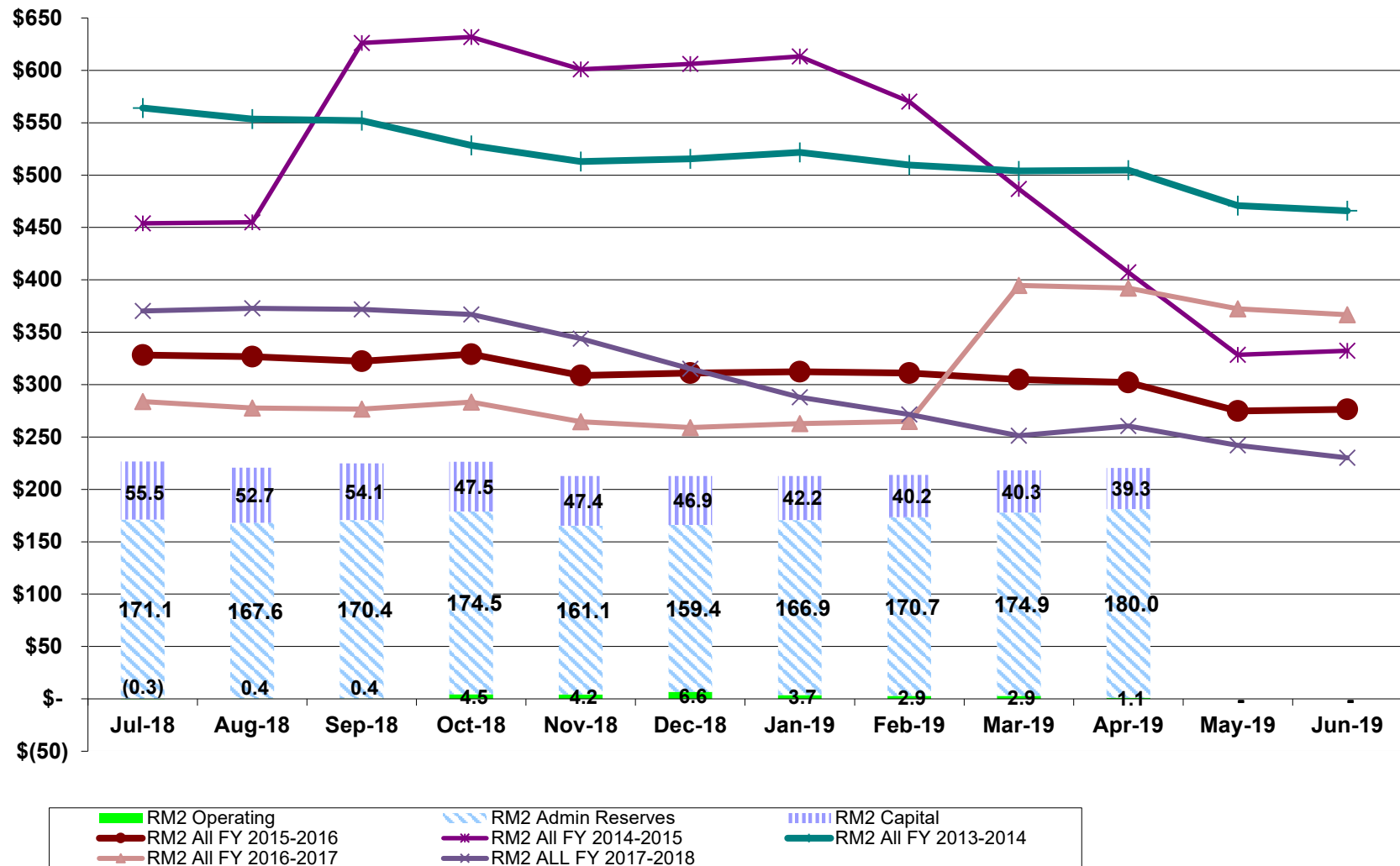
BATA PROJECTS
April 2019



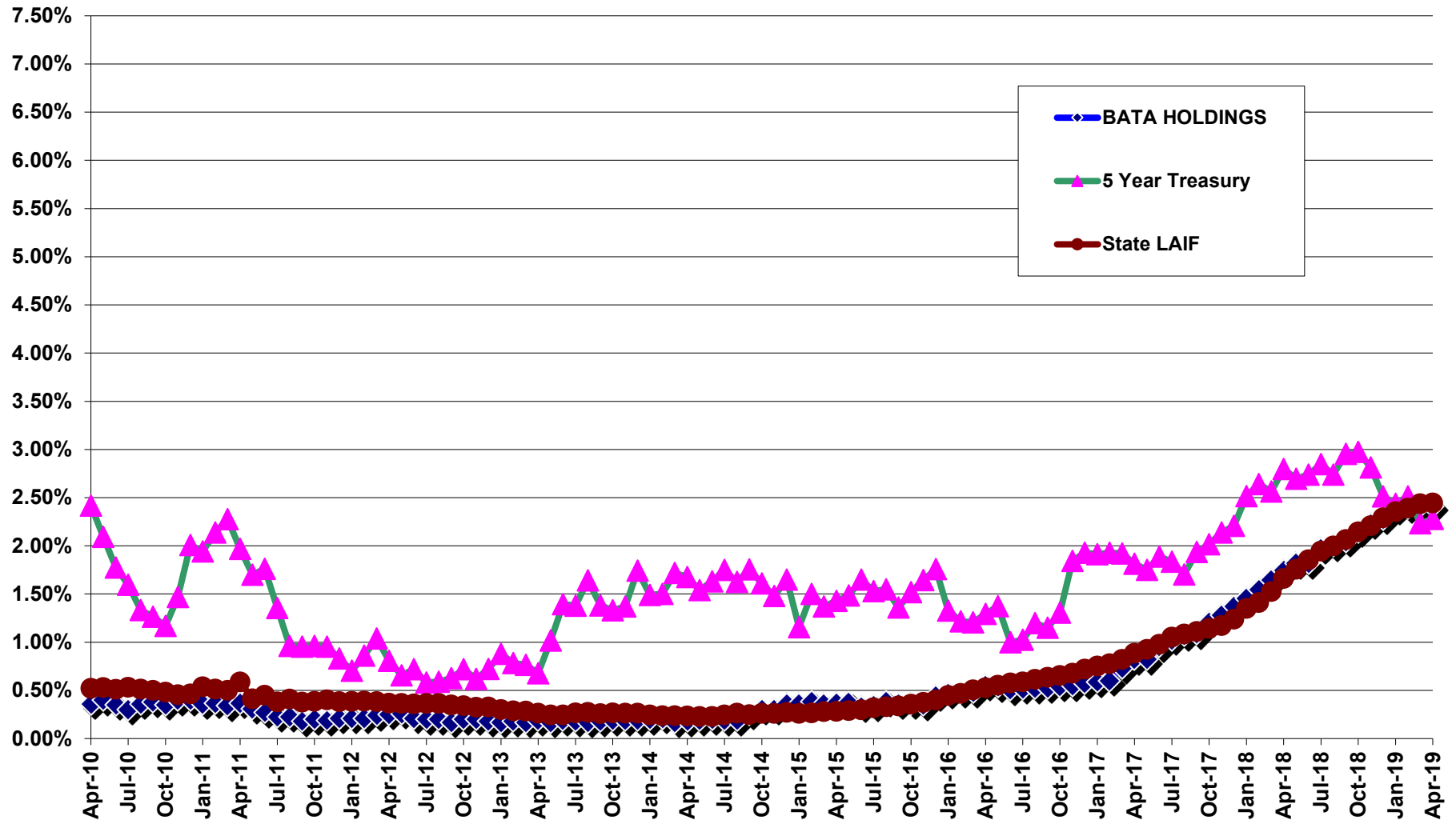
BATA ADMIN
April 2019



REGIONAL MEASURE 2 FUNDS
April 2019



Investment Rate Benchmarks
April 2019
(BATA)





Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0684 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 5/31/2019 **In control:** Administration Committee
On agenda: 7/10/2019 **Final action:**
Title: MTC Financial Statements for April 2019
Sponsors:
Indexes:
Code sections:
Attachments: [2c_FinancialStatement_April 2019.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Subject:
MTC Financial Statements for April 2019

Presenter:
Sonia Elsonbaty

Recommended Action:
Information

**Metropolitan Transportation Commission
Administration Committee**

July 10, 2019

Agenda Item 2c

MTC Financial Statements for April 2019

Subject: MTC Financial Statements for the ten-month period ending April 30, 2019.

Attached please find MTC financial statements for the ten-month period ending April 30, 2019. Major financial highlights include:

- (1) Operating Income: Total operating income for the ten-month period is below projections at 64.5% with 83% of the budget year expired. Transportation Development Act (TDA) revenues are the largest MTC revenue source and are running over budget projection. However it is difficult to project year end numbers because the state changed its allocation method this year.
- (2) Operating Expenditures: Total operating expenditures, excluding contracts, are under budget at 75.5% for the ten-month period, or 83% of the fiscal year. Salary and budget costs are very close to budget projections and will have to be updated as we approach fiscal year end. Contract services including encumbrances totaling \$22.1 million are under budget at 71% which is not unusual since most of the contracts are tied to projects that will run over multiple years.
- (3) Federal Grants: The Federal grant budget is now at \$217 million. There are four new grants in the FY 2018-19 budget that MTC will be applying for in the near future, ten amended grants, and ten grants that have been completed and will be closed out by year end.
- (4) Actions under Executive Director contract signature authority: please see Attachment A, pages 21 and 22 for relevant actions.

If there are any questions, please contact Arleicka Conley at (415) 778-6796.

Issues: None.

Recommendation: None. This item is provided for information only and no action is required of the Committee.

Attachments: Attachment A – Financial Statements for period ending April 30, 2019



Therese W. McMillan

Agenda Item 2c

Attachment A - Financial Statements

OPERATING INCOME MTC OPERATING BUDGET FOR FY 2018-19 As of April 2019 (83.3% of year)

| | 1 | 2 | 3 | 4 |
|---------------------------------------|----------------------------|-------------------|--------------------------------|--------------------------|
| Operating Revenue | FY 2018-19 Total Budget | Actual Revenue | Budget Balance Over/(Under) | % of Budget (col 2/1) |
| General Fund Revenue: | | | | |
| TDA | 13,528,282 | 12,566,969 | (961,314) | 92.9% |
| Interest | 40,000 | 654,774 | 614,774 | 1636.9% |
| General Fund Total | 13,568,282 | 13,221,741 | (346,541) | 97.4% |
| Federal Planning Revenue: | | | | |
| FHWA - PL | 8,392,923 | 7,010,982 | (1,381,941) | 83.5% |
| FHWA - SP&R | 220,000 | 58,175 | (161,825) | 26.4% |
| FTA 5303 | 3,914,358 | 2,969,517 | (944,841) | 75.9% |
| FTA 5304 | 984,577 | 245,968 | (738,609) | 25.0% |
| Federal Planning Total | 13,511,858 | 10,284,642 | (3,227,216) | 76.1% |
| State Funding Revenue: | | | | |
| STIP | 709,044 | 430,395 | (278,649) | 60.7% |
| State Funds | 6,000,000 | 37,771 | (5,962,229) | 0.6% |
| SB1 Awarded Grants | 406,000 | 35,444 | (370,556) | 8.7% |
| Senate Bill 1 (SB1) | 2,836,455 | 1,675,444 | (1,161,011) | 59.1% |
| State Revenue Total | 9,951,499 | 2,179,055 | (7,772,444) | 21.9% |
| Local Funding Revenue: | | | | |
| TFCA | 1,063,534 | 143,944 | (919,590) | 13.5% |
| HOV | 520,000 | 604,690 | 84,690 | 116.3% |
| Pavement Management | 1,847,670 | 1,225,958 | (621,712) | 66.4% |
| BAAQMD | 759,134 | 99,840 | (659,294) | 13.2% |
| Miscellaneous | 2,127,585 | 395,581 | (1,732,004) | 18.6% |
| Local Total | 6,317,923 | 2,470,013 | (3,847,910) | 39.1% |
| Transfers: | | | | |
| BATA 1% | 7,806,994 | 7,846,994 | 40,000 | 100.5% |
| Transfer BATA | 2,460,309 | 565,934 | (1,894,375) | 23.0% |
| SAFE | 2,197,815 | 1,292,751 | (905,064) | 58.8% |
| 2% Transit Transfers | 324,000 | 15,182 | (308,818) | 4.7% |
| Transfers in - STA | 1,443,823 | 204,626 | (1,239,197) | 14.2% |
| Bay Trail 2% Bridge Tolls & 5% | 723,421 | 469,147 | (254,274) | 64.9% |
| Membership Dues | 527,010 | - | (527,010) | 0.0% |
| Transfer from or (to) Reserve/Capital | 10,870,033 | 6,431,882 | (4,438,151) | 59.2% |
| Transfers Total | 26,353,405 | 16,826,517 | (9,526,888) | 63.8% |
| Total Operating Revenue | 69,702,966 | 44,981,968 | (24,720,999) | 64.5% |

Agenda Item 2c
Attachment A - Financial Statements

OPERATING EXPENDITURES
MTC OPERATING BUDGET FOR FY 2018-19
As of April 2019 (83.3% of year)

| | 1 | 2 | 3 | 4 | 5 |
|-------------------------------------|-------------------|-------------------|---------------------|--------------|-------------------|
| | FY 2018-19 | Actual | Budget Balance | % of Budget | |
| Operating Expenditures | Total Budget | Expense | Over/(Under) | (col 2/1) | Encumbrance |
| Salaries & Benefits | 30,172,295 | 24,156,726 | (6,015,569) | 80.1% | 374,831 |
| Travel & Training | 590,419 | 377,588 | (212,831) | 64.0% | 73,357 |
| Commission Expense | | | | | |
| Commissioner Expense | 150,000 | 126,935 | (23,065) | 84.6% | - |
| Advisory Committees | 15,000 | 12,900 | (2,100) | 86.0% | - |
| Printing & Graphics | 156,900 | 18,937 | (137,963) | 12.1% | 22,225 |
| Computer Services | 3,291,900 | 2,274,896 | (1,017,004) | 69.1% | 630,759 |
| General Operations | 4,199,059 | 2,159,752 | (2,039,307) | 51.4% | 808,587 |
| Total operating | 38,575,573 | 29,127,736 | (9,447,837) | 75.5% | 1,909,758 |
| Contract Services | 31,127,391 | 6,595,672 | (24,531,719) | 21.2% | 15,472,250 |
| Total Operating Expenditures | 69,702,966 | 35,723,408 | (33,979,558) | 51.3% | 17,382,008 |

Agenda Item 2c
Attachment A - Financial Statements

MTC CAPITAL BUDGETS
As of April 2019 (83.3% of year)

| <u>Capital</u> | Total Budget | Actual | Encumbrance | Balance |
|-------------------------------|-------------------------|-----------------|--------------------|------------------|
| Transfer from Reserves | \$130,000 | \$0 | \$0 | \$130,000 |
| Expense | \$130,000 | \$22,352 | \$93,956 | \$13,693 |

Bay Bridge Forward Project

| Operating | Total Budget | Actual | Encumbrance | Balance |
|------------------|-------------------------|--------------------|---------------------|---------------------|
| STP | 18,577,561 | 2,837,546 | - | 15,740,015 |
| CMAQ | 2,246,858 | 419,193 | - | 1,827,665 |
| RM2 Capital | 16,236,064 | 3,505,730 | - | 12,730,334 |
| SAFE Capital | 2,607,843 | 1,907,283 | - | 700,560 |
| Local - Cities | 3,901,346 | 8,203 | - | 3,893,143 |
| Revenue | \$43,569,672 | \$8,677,954 | \$0 | \$34,891,718 |
| Expense | \$43,569,672 | \$8,626,141 | \$24,723,412 | \$10,220,119 |

Hub Signage Program

| Capital | LTD Total Budget | LTD Actual | Encumbrance | LTD Balance |
|----------------------|-----------------------------|---------------------|--------------------|--------------------|
| Prop 1B | 9,729,204 | 9,729,204 | - | - |
| RM2 | 362,000 | 158,885 | - | 203,115 |
| Real Flag Sign - STA | 3,002,624 | 569,561 | - | 2,433,063 |
| Revenue | \$13,093,828 | \$10,457,651 | \$0 | \$2,636,177 |
| Expense | \$13,093,828 | \$10,454,978 | \$0 | \$2,638,850 |

Agenda Item 2c

Attachment A - Financial Statements

LIFE TO DATE FEDERAL GRANT BUDGET

As of April 2019 (83.3% of year)

| Fund Source | Project Description | Grant LTD Balance as of 6/30/2018 | New & Amended Grants | Total Grants | Staff Actual | Consultant Actual | Enc. | Remaining Balance |
|--------------------|--|---|----------------------------|--------------------|------------------|----------------------|-------------------|----------------------|
| STP GRANTS | | | | | | | | |
| 6084-175 1801 | MTC Regional Planning | 112,045 | - | 112,045 | 112,045 | - | - | - |
| 6084-176 1803 | 511 Grant | 1,671,742 | - | 1,671,742 | - | 1,671,742 | - | - |
| 6084-179 1806 | Pavement Management | 60,657 | - | 60,657 | - | 60,657 | - | - |
| 6084-180 1809 | FPI | 1,003,949 | - | 1,003,949 | - | 850,268 | 78,681 | 75,000 |
| 6084-186 1812 | OBAG Regional PDA | 4,481,243 | - | 4,481,243 | - | 1,048,520 | 3,432,723 | - |
| 6084-193 1816 | Arterial Operations | 820,610 | - | 820,610 | - | 609,119 | 209,007 | 2,483 |
| 6084-198 1818 | Pavement Management | 4,347,454 | - | 4,347,454 | - | 690,068 | 1,640,372 | 2,017,013 |
| 6084-199 1819 | 511 Traveler Information | 2,086,970 | - | 2,086,970 | 816 | 272,233 | 1,749,662 | 64,259 |
| 6084-201 1820 | Freeway Performance Initiative | 861,795 | - | 861,795 | - | 245,681 | 616,114 | - |
| 6084-205 1822 | Pavement Management | 1,334,614 | - | 1,334,614 | - | 176,855 | 131,766 | 1,025,993 |
| 6160-027 1823 | Incident Management | 223,589 | - | 223,589 | 221,811 | - | - | 1,778 |
| 6084-206 1826 | CMA Planning | 31,790,707 | 16,716,000 | 48,506,707 | - | 5,149,329 | 19,182,378 | 24,175,000 |
| 6084-207 1827 | MTC Planning | 8,757,362 | 35,000 | 8,792,362 | 1,418,273 | 117,923 | 148,077 | 7,108,089 |
| 6084-213 1833 | 511 Next Generation | 11,109,378 | - | 11,109,378 | 1,325,218 | 269,460 | 4,118,608 | 5,396,093 |
| 6084-222 1835 | Incident Management | 4,160,000 | - | 4,160,000 | 161,520 | - | - | 3,998,480 |
| 6084-225 1836 | TMC Asset | 1,150,000 | - | 1,150,000 | 44,652 | - | - | 1,105,348 |
| 6084-228 1838 | Freeway Performance - SR 84 | 1,000,000 | (625,000) | 375,000 | - | 240,744 | 134,256 | - |
| 6084-232 1839 | PDA Planning & Implementation | 8,300,433 | - | 8,300,433 | - | 119,415 | 2,920,940 | 5,260,078 |
| 6084-226-1841 | Arterial Operations Management | 4,250,000 | 8,000,000 | 12,250,000 | 2,270,538 | 97,534 | 118,557 | 9,763,371 |
| 6084-227-1842 | Enhance Arterial: CATI | 1,000,000 | 6,000,000 | 7,000,000 | - | 318,233 | 5,797,610 | 884,157 |
| 6084-230 1843 | Commuter Parking O&M | 997,113 | 1,500,000 | 2,497,113 | - | - | 70,000 | 2,427,113 |
| 6084-231 1844 | Freeway Performance - I880 Corridor | 995,796 | 2,000,000 | 2,995,796 | - | 92,855 | 152,941 | 2,750,000 |
| 6084-233 1845 | Freeway Performance - I 680 Corridor | 8,000,000 | 6,000,000 | 14,000,000 | - | 3,541 | 13,996,459 | - |
| 6084-235 1846 | Bay Area Forward - TMS | - | 2,500,000 | 2,500,000 | 8,108 | - | - | 2,491,892 |
| 6084-241 1847 | Shared Mobility | - | 2,500,000 | 2,500,000 | - | - | - | 2,500,000 |
| TOTAL | | 98,515,458 | 44,626,000 | 143,141,458 | 5,562,980 | 12,034,178 | 54,498,152 | 71,046,147 |
| CMAQ GRANTS | | | | | | | | |
| 6084-160 1589 | Arterial Operations | 408,143 | 179,276 | 587,419 | 188,094 | 21,989 | 169,179 | 208,157 |
| 6160-018 1596 | Freeway Performance | 379,046 | - | 379,046 | - | 229,699 | 52,250 | 97,097 |
| 6084-176 1804 | 511 Grant | 213,009 | - | 213,009 | - | 213,009 | - | - |
| 6084-188 1814 | Regional Bicycle Program | 80,654 | - | 80,654 | 11,722 | - | - | 68,932 |
| 6084-202 1824 | Climate Initiatives | 795,390 | - | 795,390 | - | 60,000 | 140,000 | 595,390 |
| 6084-209 1825 | Operate Car Pool Program | 7,408,497 | - | 7,408,497 | 162,124 | 882,443 | 645,052 | 5,718,877 |
| 6084-211 1828 | Commuter Benefits Implementation | 1,270,570 | - | 1,270,570 | 81,836 | 110,853 | 107,182 | 970,698 |
| 6084-210-1829 | Incident Management | 14,264,278 | 5,200,000 | 19,464,278 | - | 345,207 | 15,757,180 | 3,361,892 |
| 6084-215 1830 | Spare the Air Youth Program | 2,344,724 | - | 2,344,724 | - | 207,222 | 2,126,270 | 11,232 |
| 6084-216 1831 | Arterial/Transit Performance/Rideshare | 4,538,023 | - | 4,538,023 | - | 569,643 | 765,426 | 3,202,954 |
| 6084-208 1832 | Vanpool Program | 2,000,000 | - | 2,000,000 | 1,000 | 40,775 | 209,225 | 1,749,000 |
| 6084-212 1834 | Connected Vehicles/Shared Mobility - TMS | 2,861,080 | - | 2,861,080 | 399,702 | - | - | 2,461,378 |
| 6084-220 1837 | I-880 ICM Central | 1,142,000 | - | 1,142,000 | 26,248 | - | - | 1,115,752 |
| 6084-219 1840 | Bay Area Forward - BBF West Grand TSP | 1,000,000 | - | 1,000,000 | - | 1,400 | 899,600 | 99,000 |
| 6084-242 1848 | Regional Car Sharing | - | 1,200,411 | 1,200,411 | - | - | - | 1,200,411 |
| 6084-243 1849 | Targeted Transportation Alternatives | - | 325,000 | 325,000 | - | - | - | 325,000 |
| New | Climate Initiatives | - | 10,875,000 | 10,875,000 | - | - | - | 10,875,000 |
| New | I880 Central Segment Project Study | - | 8,840,000 | 8,840,000 | - | - | - | 8,840,000 |
| TOTAL | | 38,705,414 | 26,619,687 | 65,325,101 | 870,727 | 2,682,240 | 20,871,365 | 40,900,769 |
| FTA GRANTS | | | | | | | | |
| CA57-X023 1623 | New Freedom | 82,591 | - | 82,591 | - | - | 82,591 | 0 |
| CA37-X104 1625 | JARC | 20,062 | - | 20,062 | - | 20,061 | - | (0) |
| CA37-X133 1627 | JARC | 130,193 | - | 130,193 | - | - | - | 130,193 |
| CA37-X164 1629 | JARC | 89,496 | - | 89,496 | - | 17,211 | 72,285 | 0 |
| CA37-X177 1630 | JARC | 745,275 | - | 745,275 | - | 60,092 | 123,192 | 561,991 |
| CA34-X001 1631 | F1841 | 231,591 | - | 231,591 | - | - | 231,591 | - |
| CA57-X109 1632 | New Freedom | 346,512 | - | 346,512 | 13,370 | 5,837 | 240,419 | 86,886 |
| CA34-0024 1633 | FTA 5339 - Bus Purchases | 1,171,281 | - | 1,171,281 | - | - | 893,992 | 277,289 |
| CA34-0032 1634 | FTA 5339 - Bus Purchases | 725,458 | - | 725,458 | - | - | 452,441 | 273,017 |
| TOTAL | | 3,542,459 | - | 3,542,459 | 13,370 | 103,201 | 2,096,511 | 1,329,376 |

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Attachment A - Financial Statements

LIFE TO DATE FEDERAL GRANT BUDGET

As of April 2019 (83.3% of year)

| Fund Source | Project Description | Grant LTD Balance as of 6/30/2018 | New & Amended Grants | Total Grants | Staff Actual | Consultant Actual | Enc. | Remaining Balance |
|-----------------------------|--|---|----------------------------|--------------------|------------------|----------------------|-------------------|----------------------|
| SHA 6084-184 | 1112 FHWA - SHRP2 | 101,989 | - | 101,989 | 10,000 | 17,057 | 67,286 | 7,646 |
| G16AP00172 | 1312 USGS National Grant - G16AC00172 | 14,841 | 8,147 | 22,987 | 11,841 | 3,000 | - | 8,147 |
| G15AP00118 | 1313 USGS National Grant - G15AC00118 | 1,986 | - | 1,986 | 1,299 | - | - | 688 |
| G17AC00239 | 1315 USGS National Grant - G17AC00136 | 1,132 | - | 1,132 | - | - | - | 1,132 |
| G140CG0318P | 1316 USGS National Grant - G140G0318P0151 | 16,540 | - | 16,540 | 14,403 | - | - | 2,137 |
| BF-99T455 | 1340 Environmental Protection Agency (EPA) | 424,345 | - | 424,345 | 16,080 | 34,000 | 257,100 | 117,165 |
| CA000007-01 | 1342 Environmental Protection Agency (EPA) | 600,000 | - | 600,000 | 26,150 | - | 442,600 | 131,250 |
| EMF2016 | 1372 Federal Emergency Management Agency | 193,641 | 8,788 | 202,429 | 150,169 | 7,650 | 43 | 44,567 |
| CARB | 2404 California Air Resources Board | 2,500,000 | - | 2,500,000 | - | 208,493 | 1,015,327 | 1,276,180 |
| 14 -003 | 2800 Coastal Conservancy | 341,395 | 21,992 | 363,387 | - | - | 100,000 | 263,387 |
| 10-092 | 2801 Coastal Conservancy | 434,949 | - | 434,949 | 91,265 | 68,913 | 113,799 | 160,972 |
| North Bay | 5007 Rockefeller Philanthropy Advisors | 12,150 | - | 12,150 | 1,039 | 7,050 | 100 | 3,961 |
| New | Federal Emergency Management Agency | - | 300,000 | 300,000 | - | - | - | 300,000 |
| New | USGS National Grant | - | 75,000 | 75,000 | - | - | - | 75,000 |
| TOTAL | | 4,642,968 | 413,927 | 5,056,895 | 322,246 | 346,163 | 1,996,254 | 2,392,232 |
| Total Federal Grants Budget | | 145,406,299 | 71,659,614 | 217,065,913 | 6,769,324 | 15,165,784 | 79,462,282 | 115,668,523 |

| | | |
|-------------|---------------------------------------|--|
| G16AP00172 | 1312 USGS National Grant - G16AC00172 | This grant is fully spent and will be closed out in FY 2018-19 |
| G15AP00118 | 1313 USGS National Grant - G15AC00118 | This grant is fully spent and will be closed out in FY 2018-19 |
| G17AC00239 | 1315 USGS National Grant - G17AC00136 | This grant is fully spent and will be closed out in FY 2018-19 |
| G140CG0318P | 1316 USGS National Grant - G140G0318 | This grant is fully spent and will be closed out in FY 2018-19 |
| CA37-X104 | 1625 JARC | This grant is fully spent and will be closed out in FY 2018-19 |
| 6084-175 | 1801 MTC Regional Planning | This grant is fully spent and will be closed out in FY 2018-19 |
| 6084-176 | 1803 511 Grant | This grant is fully spent and will be closed out in FY 2018-19 |
| 6084-176 | 1804 511 Grant | This grant is fully spent and will be closed out in FY 2018-19 |
| 6084-179 | 1806 Pavement Management | This grant is fully spent and will be closed out in FY 2018-19 |
| 6160-027 | 1823 Incident Management | This grant is fully spent and will be closed out in FY 2018-19 |

Agenda Item 2c

Attachment A - Financial Statements

CLIPPER OPERATING BUDGET As of April 2019 (83.3% of year)

| Clipper Operating | Total FY 2018-19 Budget | Actual | Encumbrance | Balance |
|---------------------|----------------------------|---------------------|--------------------|---------------------|
| RM2 | 5,088,195 | 1,453,875 | - | 3,634,320 |
| STA | 10,609,531 | 8,563,765 | - | 2,045,765 |
| Clipper Escheatment | 3,996,255 | 1,460,359 | - | 2,535,896 |
| Transit Operators | 19,648,000 | 12,964,606 | - | 6,683,394 |
| Revenue | \$39,341,980 | \$24,442,605 | \$0 | \$14,899,375 |
| Expense | \$39,341,980 | \$22,989,926 | \$9,297,923 | \$7,054,131 |

CLIPPER I - CAPITAL BUDGET (Life to Date) As of April 2019 (83.3% of year)

| Clipper I - Capital | LTD Budget Thru FY 2018-19 | Actual | Encumbrance | Project Balance L-T-D |
|-----------------------|-------------------------------|----------------------|---------------------|-----------------------------|
| CMAQ | 66,669,515 | 66,903,705 | - | (234,190) |
| Card Sales | 12,951,267 | 10,907,338 | - | 2,043,929 |
| Cap and Trade (LCTOP) | 7,777,971 | 7,816,352 | - | (38,381) |
| ARRA | 11,167,891 | 11,167,891 | - | - |
| FTA | 14,072,565 | 23,334,886 | - | (9,262,321) |
| STP | 31,790,753 | 33,823,396 | - | (2,032,643) |
| STA | 21,946,540 | 21,523,546 | - | 422,994 |
| Prop 1B | 1,115,383 | 1,045,170 | - | 70,213 |
| SFMTA | 8,005,421 | 3,213,743 | - | 4,791,678 |
| GGBHTD | 2,975,000 | 2,638,123 | - | 336,877 |
| BART | 725,000 | 505,671 | - | 219,329 |
| MTC Exchange Fund | 7,573,878 | 7,573,878 | - | - |
| BATA | 26,864,813 | 23,725,816 | - | 3,138,997 |
| Transit Operators | 10,279,437 | 1,932,383 | - | 8,347,054 |
| WETA | 603,707 | 618,862 | - | - |
| Sales Tax | 890,216 | 890,216 | - | - |
| Revenue | \$225,409,357 | \$217,620,976 | \$0 | \$7,788,381 |
| Expense | \$225,409,357 | \$208,676,986 | \$13,019,904 | \$3,712,467 |

CLIPPER II - CAPITAL BUDGET (Life to Date) As of April 2019 (83.3% of year)

| Clipper II - Capital | LTD Budget Thru FY 2018-19 | Actual | Encumbrance | Project Balance L-T-D |
|--------------------------|-------------------------------|---------------------|---------------------|-----------------------------|
| STP | 10,316,887 | 6,517,758 | - | 3,799,129 |
| FTA | 133,903,689 | 893,336 | - | 133,010,353 |
| TCP - CMAQ Funds | 2,034,320 | - | - | 2,034,320 |
| Transit Operators | 4,077,563 | - | - | 4,077,563 |
| Toll Bridge | 23,000,000 | - | - | 23,000,000 |
| OBAG 2 | 34,000,000 | - | - | 34,000,000 |
| Prop 1B/LCTOP | 4,000,000 | - | - | 4,000,000 |
| Golden Gate pass Through | 5,000,000 | - | - | 5,000,000 |
| BATA | 260,000 | 259,802 | - | 198 |
| STA | 2,410,841 | 4,447,248 | - | (2,036,407) |
| Revenue | \$219,003,300 | \$12,118,144 | \$0 | \$206,885,156 |
| Expense | \$219,003,300 | \$12,126,524 | \$18,854,630 | \$188,022,146 |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT (Non- Federal Funded) As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|--|------------------|----------------|----------------|------------------|
| Support to the Commission | 115,500 | | | |
| Consultants | | 12,813 | 62,188 | |
| 1051111 - Subtotal | 115,500 | 12,813 | 62,188 | 40,499 |
| Implement Public Information Program | 2,114,919 | | | |
| Circlepoint | | 26,362 | 58,638 | |
| Consultants | | 339,101 | 367,264 | |
| Craft & Commerce, LLP | | 77,966 | 62,034 | |
| League f Women Voters | | | 25,000 | |
| 1051112 - Subtotal | 2,114,919 | 443,429 | 512,936 | 1,158,554 |
| Regional Transportation Plan | 1,801,241 | | | |
| AECOM | | 52,633 | 7,367 | |
| Consultants | | 253,985 | 317,977 | |
| Economic & Planning Systems | | 45,225 | 49,970 | |
| EMC Research | | 40,000 | 110,000 | |
| Exygy, Inc. | | 28,000 | 122,000 | |
| Trust for Conservation Innovation | | 35,000 | 40,000 | |
| Urban Institute | | 30,393 | 119,607 | |
| 1051121 - Subtotal | 1,801,241 | 485,236 | 766,921 | 549,084 |
| Analyze Regional Data using GIS & Travel Models | 2,420,359 | | | |
| Consultants | | 82,225 | 68,567 | |
| Corey, Canapary & Galanis | | 68,801 | 91,371 | |
| ETC Institute | | 222,642 | 79,338 | |
| Parsons Brinkerhoff, Inc. | | | 11,374 | |
| Redhill Group, Inc. | | | 95,787 | |
| Resource Systems Group | | 127,688 | 462,804 | |
| RSG, Inc. | | 188,309 | 119,386 | |
| WSP USA Inc. | | 64,940 | 25,125 | |
| 1051122 - Subtotal | 2,420,359 | 754,605 | 953,752 | 712,002 |
| Airport/Seaport/Freight Planning | 660,853 | | | |
| Cambridge Systematics | | 17,050 | 332,950 | |
| The Tioga Group, Inc. | | 70,000 | | |
| 1051124 - Subtotal | 660,853 | 87,050 | 332,950 | 240,853 |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT (Non- Federal Funded) As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|---|----------|----------|------------|---------|
| Active Transportation Planning | 545,000 | | | |
| Consultants | | 19,645 | 55,355 | |
| 1051125- Subtotal | 545,000 | 19,645 | 55,355 | 470,000 |
| Resiliency (Sea Level Rise/Adaptation) PL | 660,674 | | | |
| AECOM | | 178,964 | 221,673 | |
| Bay Conservation & Development | | 179,908 | 75,009 | |
| 1051126 - Subtotal | 660,674 | 358,872 | 296,682 | 5,120 |
| Regional Trails | 10,000 | | | |
| Consultants | | 10,000 | - | |
| 1051127 - Subtotal | 10,000 | 10,000 | - | - |
| Resilience and Hazards Planning | 118,667 | | | |
| Consultants | | 21,647 | 7,020 | |
| Rutherford & Chekene | | 2,805 | 87,195 | |
| 1051128 - Subtotal | 118,667 | 24,452 | 94,215 | - |
| Regional Research and Economic | 400,000 | | | |
| Bay Area Council Economics Ins. | | 30,000 | 10,000 | |
| Consultants | | 25,500 | 13,000 | |
| 1051129 - Subtotal | 400,000 | 55,500 | 23,000 | 321,500 |
| Advocate Legislative Programs | 571,045 | | | |
| Carter, Welch & Associates | | 60,219 | 13,001 | |
| Consultants | | 59,045 | - | |
| Government Relations | | 219,000 | 73,000 | |
| 1051132- Subtotal | 571,045 | 338,264 | 86,001 | 146,780 |
| Agency Financial Management | 745,679 | | | |
| SunGard Bi-Tech Inc. | | 1,620 | 2,154 | |
| Gray CPA Consulting Tech Support | | 50 | | |
| Milliman | | | 25,000 | |
| Govinvest Inc. Fees for Pension | | 57,500 | | |
| PWC | | 271,905 | | |
| 1011152 - Subtotal | 745,679 | 331,075 | 27,154 | 387,450 |

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Attachment A - Financial Statements

DISBURSEMENT REPORT (Non- Federal Funded) As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|---|------------------|----------------|----------------|----------------|
| Administrative Services | 879,407 | | | |
| Koff & Associates | | 3,165 | 98,229 | |
| Management Partners | | 56,011 | 3,502 | |
| Carl Warren & Co. | | 2,500 | 88,250 | |
| Pathways for High School | | 134,033 | 967 | |
| Bluewater Learn Telework | | 21,000 | | |
| Keenan & Associates | | 6,938 | | |
| San Jose State University | | 60,333 | 139,037 | |
| Perfromance Based Ergonomics | | 20,978 | 5,534 | |
| The Solis Group | | 115,559 | 58,908 | |
| Civic Edge | | 19,175 | 2,250 | |
| 1011153 - Subtotal | 879,407 | 439,692 | 396,677 | 43,038 |
| Information Technology Services | 652,581 | | | |
| Management Partners Inc. | | 13,293 | 74,536 | |
| Informatix, Inc. | | 32,542 | 77,255 | |
| Marcia T.Ruben | | | 25,000 | |
| SSP Data | | 9,058 | 85,690 | |
| Insight Global Destiny | | 2,554 | | |
| City Invoate | | 10,000 | | |
| 1011161 - Subtotal | 652,581 | 67,446 | 262,481 | 322,654 |
| Performance Measurement and Monitoring | 348,698 | | | |
| ARUP North America Ltd. | | 25,000 | - | |
| Consultants | | 23,551 | 148 | |
| Exygy, Inc. | | 66,688 | 198,312 | |
| 1051212 - Subtotal | 348,698 | 115,239 | 198,460 | 34,999 |
| Regional Rideshare Program | 1,083,694 | | | |
| Enterprise Rent-A-Car | | 122,325 | 627,675 | |
| Parsons Brinkerhoff | | 21,779 | 311,289 | |
| 1051222 - Subtotal | 1,083,694 | 144,104 | 938,964 | 626 |
| Support Regional Operations Program | 254,874 | | | |
| Iteris Inc. | | 21,111 | 153,929 | |
| Consultants | | | 79,834 | |
| 1051223 - Subtotal | 254,874 | 21,111 | 233,763 | 0 |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT (Non- Federal Funded) As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|---|------------------|------------------|----------------|----------------|
| Implement Regional Traveler Information Services | | | | |
| Regional Traveler Information | 542,407 | | | |
| Civic Resource Group | | 119,805 | 58,712 | |
| Consultants | | | 18,550 | |
| Iteris, Inc. | | 120,945 | 139,909 | |
| Kimley-Horn & Associates | | | 2,029 | |
| 1051224 - Subtotal | 542,407 | 240,750 | 219,200 | 82,457 |
| Emergency Response Planning | | | | |
| URS Corporation | 55,151 | | 55,151 | |
| 1051229 - Subtotal | 55,151 | - | 55,151 | 0 |
| Pavement Management Program (PMP) | 2,433,243 | | | |
| AMS Consulting | | 7,616 | 18,088 | |
| Bellecci & Associates | | 6,423 | 8,488 | |
| California State University, Chico | | | 50,000 | |
| Capitol Asset & Pavement Services | | 19,522 | 35,936 | |
| Consultants | | 33,187 | 47,600 | |
| DevMecca, LLC | | 1,188,334 | 328,806 | |
| Fugro Roadware, Inc. | | 13,730 | 27,723 | |
| Harris & Associates | | 17,021 | 34,502 | |
| Nichols Consulting | | 3,257 | 214,599 | |
| Pavement Engineering Inc. | | 17,446 | 28,446 | |
| Quality Engineering Solutions | | 12,158 | 32,747 | |
| 1051233 - Subtotal | 2,433,243 | 1,318,694 | 826,935 | 287,614 |
| Arterial Operations | 764,560 | | | |
| City of San Rafael | | | 207,844 | |
| DKS Associates | | 37,541 | 31,124 | |
| City of Hayward | | | 53,554 | |
| ITERIS, DBA, MMA | | 43,558 | 154,344 | |
| ITERIS, Inc. | | | 1,000 | |
| Kimley-Horn And Associates | | 51,759 | 11,274 | |
| City of Pleasanton | | | 47,644 | |
| City of South San Francisco | | | 95,764 | |
| TJKM Transportation | | 25,743 | 3,411 | |
| 1051234 - Subtotal | 764,560 | 158,601 | 605,959 | - |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT (Non- Federal Funded) As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|--|----------------|----------------|----------------|----------------|
| Incident Management | 841,300 | | | |
| Circlepoint | | | 83,300 | |
| Consultants | | | 20,453 | |
| ITERIS, Inc. | | | 175,000 | |
| City of Fremont | | | 50,000 | |
| Kimley-Horn | | 116,969 | 82,249 | |
| 1051235 - Subtotal | 841,300 | 116,969 | 411,002 | 313,329 |
| Implement Lifeline Transportation Programs | 723,000 | | 723,000 | |
| 1051311 - Subtotal | 723,000 | - | 723,000 | - |
| Climate Resilience for People with Disabilities | 501,000 | | | |
| World Institute on Disability | | 35,444 | 370,556 | |
| 1051313 - Subtotal | 501,000 | 35,444 | 370,556 | 95,000 |
| Climate Assessment Initiative | 85,000 | | | |
| Consultants | | 56,180 | | |
| 1051413 - Subtotal | 85,000 | 56,180 | - | 28,820 |
| Road Maintenance and Rehabilitation | 300,000 | 10,303 | 189,506 | |
| 1051415 - Subtotal | 300,000 | 10,303 | 189,506 | 100,191 |
| Regional Assistance Program | 250,734 | | | |
| Pieriott & Associates, LLC | | 34,000 | 28,000 | |
| 1051514 - Subtotal | 250,734 | 34,000 | 28,000 | 188,734 |
| State Programing, Monitoring and TIP Developmen | 187,200 | | | |
| Consultants | | - | 187,200 | |
| 1051515 - Subtotal | 187,200 | - | 187,200 | - |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT (Non- Federal Funded) As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|---|------------------|----------------|------------------|------------------|
| Transit Sustainability Project | 7,241,604 | | | |
| Arup North America Ltd. | | 102,198 | 72,721 | |
| Consultants | | 2,200 | 2,800 | |
| Golden Gate Bridge & Highway | | | 42,857 | |
| HDR Engineering Inc. | | 37,771 | 4,962,229 | |
| Nelson Nygaard | | | 6,840 | |
| Parsons Brinckerhoff, Inc. | | 86,423 | 127,636 | |
| Sonoma County Transportation | | 15,182 | 59,818 | |
| 1051517 - Subtotal | 7,241,604 | 243,774 | 5,274,901 | 1,722,929 |
| Transportation for Livable Communities Program | 149,904 | | | |
| California Housing Partnerships | | | 15,000 | |
| Consultants | | 15,883 | 71,063 | |
| FEHR & PEERS Assocaites | | | 7,963 | |
| Nelson Nygard | | 6,165 | | |
| Placeworks | | 8,423 | - | |
| City of Santa Clara | | | 60,000 | |
| 1051611 - Subtotal | 149,904 | 30,471 | 154,026 | - |
| Climate Adaptation Consulting (BARC) | 105,530 | | | |
| Consultants | | 49,375 | 1,402 | |
| San Francisco Estuary Institute | | | 25,000 | |
| 1051612- Subtotal | 105,530 | 49,375 | 26,402 | 29,753 |
| Road Maintenance and Rehabilitation | 487,474 | | | |
| Consultants | | | | |
| 1051613- Subtotal | 487,474 | - | - | 487,474 |
| Connecting Housing and Transportation | 453,532 | | | |
| Consultants | | 291,666 | | |
| Estolano Lesar | | | 111,369 | |
| Community Outreach | | 12,000 | 6,000 | |
| Monument Impact | | 6,000 | - | |
| TransIght LLC | | 38,572 | 104,710 | |
| 1051615- Subtotal | 453,532 | 348,238 | 222,079 | (116,785) |
| Regional Advance Mitigation Projects | 50,000 | | | |
| Consultants | | | 50,000 | |
| 1051616- Subtotal | 50,000 | - | 50,000 | - |
| Technical Assistance Strategic Planning | 100,000 | | | |
| Estolano Lesar Advisors | | | 100,000 | |
| 1051617- Subtotal | 100,000 | - | 100,000 | - |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT (Non- Federal Funded) As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|--|-------------------|-------------------|-------------------|-------------------|
| Affordable Mobility Pilot Program | 601,600 | | | |
| TransForm | | 58,806 | 286,374 | |
| 1051618- Subtotal | 601,600 | 58,806 | 286,374 | 256,420 |
| Diordon Cencept Plan | 500,000 | | | |
| 1051619- Subtotal | 500,000 | - | - | 500,000 |
| General Operations c/o | | | | |
| 1011998 & 1011999 | 223,964 | - | - | 223,964 |
| Legal | 1,146,994 | | | |
| Fatella Braun and Martnell LLP | | | 20,000 | |
| Hanson and Bridgett | | 47,723 | 32,027 | |
| Glynn and Finley | | 126,301 | 51,413 | |
| Meyers Nave | | 7,248 | 35,060 | |
| Best Best & Krieger LLP | | 4,260 | 35,740 | |
| Renne Public Law Group | | | 326,226 | |
| 1060000 - Subtotal | 1,146,994 | 185,532 | 500,466 | 460,996 |
| Total Operating Contract Services | 31,127,391 | 6,595,672 | 15,472,250 | 9,094,059 |
| Bay Area Forward - Capital | | | | |
| 11051237 - Subtotal | 20,826,724 | 5,411,876 | 8,973,262 | 6,441,586 |
| Total Non-Federal Grant Funded | 51,954,115 | 12,007,548 | 24,445,512 | 15,501,055 |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT - (Funded by Federal Grants) As of April 2019 (83.3% of year)

| Work Element/Consultant | Expended | Encumbered |
|--|------------------|------------------|
| Regional Transportation Plan | | |
| Consultants | 17,057 | 42,436 |
| San Francisco Transportation Authority | | 24,850 |
| 1051122 - Subtotal | 17,057 | 67,286 |
| Regional Trails | | |
| Consultants | | 100,000 |
| East Bay Regional Park District | 66,906 | 100,000 |
| Petaluma Small Craft Center | 2,007 | 13,799 |
| 1051127 - Subtotal | 68,913 | 213,799 |
| Resilience and Hazards Planning | | |
| Arietta Chakos | 7,050 | 100 |
| Consultants | 10,650 | 43 |
| 1051128 - Subtotal | 17,700 | 143 |
| Analyze Regional Data using GIS & Travel Models | | |
| Consultants | 70,000 | 0 |
| Enterprise Rent-A-Car | 40,775 | 209,225 |
| Parsons Brinkerhoff | 1,004,191 | 1,304,908 |
| Sonoma County Transportation | | 28,038 |
| Valley Transportation Authority | | 70,000 |
| 1051222 - Subtotal | 1,114,966 | 1,612,171 |
| Support Regional Traveler Information Services | | |
| Kimley-Horn and Associates | 7,708 | 4,648 |
| 1051223 - Subtotal | 7,708 | 4,648 |
| Regional Traffic Information Services | | |
| Civic Resource Group | 1,091,036 | 913,743 |
| Faneuil, Inc. | 310,889 | 933,883 |
| Iteris, Inc. | 935,635 | 2,585,087 |
| Kimley-Horn & Associates | 281 | 590,198 |
| 1051224 - Subtotal | 2,337,841 | 5,022,911 |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT - (Funded by Federal Grants) As of April 2019 (83.3% of year)

| Work Element/Consultant | Expended | Encumbered |
|--|------------------|-------------------|
| Pavement Management Program (PMP) | | |
| AMS Consulting | 58,784 | 139,612 |
| Bellecci & Associates | 49,577 | 65,512 |
| Capitol Asset & Pavement Services | 150,678 | 277,364 |
| Consultants | 177,554 | 31,766 |
| Fugro Roadware Inc. | 105,970 | 213,977 |
| Harris & Associates | 131,379 | 266,298 |
| Nichols Consulting Engineers | 25,143 | 305,301 |
| Pavement engineering Inc. | 134,654 | 219,554 |
| Quality Engineering Solutions | 93,842 | 252,753 |
| 1051233 - Subtotal | 927,579 | 1,772,137 |
| Arterial Operations Coordination | | |
| City of Emeryville | | 726,913 |
| City of San Rafael | | 704,691 |
| Consultants | 540,130 | 209,007 |
| DKS Associates | 317,947 | 193,958 |
| City of Hayward | | 263,279 |
| ITERIS, DBA MMA | 283,805 | 513,443 |
| ITERIS, INC. | | 23,618 |
| Kimely-Horn | 315,955 | 508,040 |
| Kimely Horn and Associates | | 31,111 |
| City of Pleasanton | | 233,791 |
| City of San Jose | | 1,342,688 |
| City of San Ramon | | 444,949 |
| City of So San Francisco | | 469,566 |
| TJKM Transportation Consultant | 154,002 | 187,164 |
| Town of Los Gatos | | 643,662 |
| City of Union City | | 618,916 |
| 1051234 - Subtotal | 1,611,839 | 7,114,796 |
| Implement Incident Management Program | | |
| AC Transit | | 308,160 |
| Consultants | 185,023 | 4,977 |
| MNS Engineering, Inc. (Former S & C) | 54,647 | 1,630,271 |
| Sturgeon Electric California | | 13,754,990 |
| URS Corporation | 105,537 | 86,463 |
| 1051235 - Subtotal | 345,207 | 15,784,861 |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT - (Funded by Federal Grants) As of April 2019 (83.3% of year)

| Work Element/Consultant | Expended | Encumbered |
|--|----------------|------------------|
| Lifeline Program | | |
| County of Contra Costa | 19,829 | 29,588 |
| County of Contra Costa | 15,822 | 34,000 |
| Cycles of Change | 42,789 | 22,083 |
| San Mateo County Human Service | 1,714 | 37,521 |
| 1051310 - Subtotal | 80,154 | 123,192 |
| Implement Lifeline Transportation Program | | |
| Marin Transit | 17,211 | 72,285 |
| 1051311 - Subtotal | 17,211 | 72,285 |
| Lifeline Planning | | |
| Alta Planning and Design | 207,222 | 2,126,270 |
| Silicon Valley Bicycle Coalition | 60,000 | 140,000 |
| 1051413 - Subtotal | 267,222 | 2,266,270 |
| Federal Programming, Monitoring and TIP Development | | |
| City of Santa Rosa | | 231,591 |
| County Connection | | 13 |
| ECCTA | | 1,344,299 |
| Valley Transportation Authority | | 2,134 |
| 1051512 - Subtotal | 0 | 1,578,037 |
| New Freedom - Non - Planning Funds | | |
| County Connection | | 15,000 |
| Outreach & Escort Inc. | 5,837 | 240,419 |
| San Mateo County Transit District | | 67,578 |
| 1051518 - Subtotal | 5,837 | 322,997 |

Agenda Item 2c

Attachment A - Financial Statements

DISBURSEMENT REPORT - (Funded by Federal Grants) As of April 2019 (83.3% of year)

| Work Element/Consultant | Expended | Encumbered |
|---|-------------------|-------------------|
| Transportation for Livable Communities | | |
| Bay Conservation & Development | 117,923 | 148,077 |
| City of Berkeley | | 340,416 |
| City & County of San Francisco | | 500,000 |
| City of Santa Rosa | | 800,000 |
| Community Design and Architecture | 50,358 | |
| Consultant | 6,816 | 382,184 |
| Dyett & Bhatia | 1,500 | 3,315 |
| City of El Cerrito | 62,108 | 140,402 |
| Fehr & Peers Associates | 21,830 | 188,847 |
| Nelson Niggard | 100,945 | 581,451 |
| City of Oakland | | 459,800 |
| Placeworks | 65,015 | 214,985 |
| City and County of San Francisco | 700,000 | 400,000 |
| City of San Jose | | 683,802 |
| Santa Clara VTA | 88,964 | 761,036 |
| City of Sunnyvale | 70,400 | 335,200 |
| TJKM Transportation Consultant | | 200,000 |
| City of Vacaville | | 350,000 |
| City of Walnut Creek | | 12,225 |
| 1051611 - Subtotal | 1,285,859 | 6,501,740 |
| Connecting Housing and Transportation | | |
| | | 442,600 |
| Ninyo and Moore | 34,000 | 257,100 |
| 1051615 - Subtotal | 34,000 | 699,700 |
| Affordable Mobility Pilot Program | | |
| Transform | 208,493 | 1,015,327 |
| 1051618 - Subtotal | 208,493 | 1,015,327 |
| Fund 190 CMA PLANNING | 5,149,328 | 19,344,697 |
| Total Federal Grant Funded | 13,496,916 | 63,516,997 |
| Bay Area Forward - Capital | | |
| 11051237 - Subtotal | 1,668,867 | 15,945,285 |
| Total Federal Grant Funded | 15,165,783 | 79,462,282 |

Agenda Item 2c

Attachment A - Financial Statements

CAPITAL PROJECTS DISBURSEMENT REPORT As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|---|-----------------------|-----------------------|-------------------|----------------------|
| Capital Expenditures | 130,000 | 22,352 | 93,956 | |
| Subtotal | 130,000 | 22,352 | 93,956 | 13,693 |
| Bay Bridge Forward | 43,569,672 | | | |
| AC Transit | | | 900,000 | |
| Audio Visual Innovations Inc. | | | 5,135 | |
| California Engng. Contractors | | 1,920,634 | 177,266 | |
| California Highway Patrol | | 120,311 | 749,689 | |
| CONSULTANTS (PO) | | 576,982 | 210,161 | |
| Contra Costa Transportation Authority | | | 13,990,000 | |
| FEHR & PEERS ASSOCIATES | | 31,204 | 9,053 | |
| HDR Engineering, Inc. | | 582,128 | 273,423 | |
| Kimley Horn Associates | | 125,878 | 15,157 | |
| KIMLEY-HORN | | 686,328 | 243,711 | |
| Kittelson & Associates | | | 42,726 | |
| Kittelson & Associates, Inc | | | 125,000 | |
| LUUM | | | 25,000 | |
| MTC STAFF COSTS | | 1,545,397 | | |
| O.C. Jones & Sons, Inc. | | 1,878,571 | 6,283,504 | |
| Parsons Transportation Group | | 67,280 | 160,516 | |
| Placeworks | | 5,000 | 45,711 | |
| San Mateo County Transit District | | | 50,000 | |
| Transportation Mobility Solutions | | | 75,376 | |
| UC REGENTS | | 543,773 | 96,244 | |
| Wilson, Sparling & Associates | | | 30,000 | |
| WSP USA Inc. | | 293,421 | 988,974 | |
| WSP USA, Inc. | | | 100,000 | |
| WSP, USA INC. | | 249,234 | 126,766 | |
| | 43,569,672 | 8,626,141 | 24,723,412 | 10,220,119 |
| Hub Signage Program | 13,093,828 | | | |
| Staff Costs | | 1,474,838 | | |
| Consultants | | 1,444,765 | | |
| Kimly-Horn and Associates | | 792,395 | | |
| BART | | 4,760,658 | | |
| Wilbur Smith Associates | | 100,850 | | |
| City of Santa Rosa | | 89,424 | | |
| Jacobs Carter Burgess | | 481,201 | | |
| Fluoresco Lighting | | 448,201 | | |
| Solari Corporation | | 188,388 | | |
| Nematode Holdings, LLC | | 224,369 | | |
| NCPTA | | 133,860 | | |
| Ghirardelli Association | | 316,028 | | |
| 3322650,2651,2652,2654 & 2655 Subtotal | 13,093,828 | 10,454,978 | - | 2,638,850 |

Agenda Item 2c

Attachment A - Financial Statements

CLIPPER PROJECTS DISBURSEMENT REPORT As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|---|---------------------|---------------------|--------------------|--------------------|
| Clipper Operating | 39,341,980 | | | |
| AC Transit | | 163,200 | 81,600 | |
| Caribou Public Relations | | 69,858 | 90,218 | |
| CONSULTANTS (PO) | | 325,932 | 996,633 | |
| CUBIC | | 120,472 | | |
| Cubic Transportation Systems | | 19,796,154 | 7,660,734 | |
| Faneuil, Inc. | | 304,242 | 102,910 | |
| MOORE, IACOFANO, GOLTSMAN | | 599,364 | 236,557 | |
| MTC STAFF COSTS | | 1,197,193 | | |
| Nematode Holdings | | 233,972 | 90,243 | |
| Resource Development Assoc. | | 160,973 | 39,028 | |
| Synapse Strategies | | 18,566 | | |
| 320122116 Clipper Operating Expenses | \$39,341,980 | \$22,989,926 | \$9,297,923 | \$7,054,131 |
| Clipper I - Capital | 225,409,357 | | | |
| Staff costs | | 13,158,526 | | |
| Auriga Corporation | | 12,293 | | |
| A T & T | | 77,112 | | |
| AC TRANSIT | | 397,683 | | |
| Acumen Building Enterprise | | 302,151 | | |
| AT&T | | 13,445 | | |
| Auriga Corporation | | 373,734 | | |
| BART | | 2,574,547 | | |
| BART | | 1,130,185 | | |
| Booz Allen Hamilton | | 8,882,934 | 712,551 | |
| Booz Allen Hamilton | | 13,544,126 | | |
| Caporicci & Larson | | 11,530 | | |
| Consultants | | 3,640,275 | 32,605 | |
| Cornerstone Transp. Consulting | | 110,119 | | |
| Cubic Transportation Systems | | 94,573,031 | 11,855,598 | |
| D-S-P | | 10,000 | | |
| Elmwood Consulting | | 11,603 | | |
| Fleishman-Hillard Inc. | | 175,760 | | |
| Glynn & Finley, LLP | | 199,990 | | |
| Golden Gate BHTD | | 46,347 | | |
| Golden Gate BHTD | | 38,790 | | |
| Golden Gate Transit District | | 25,270 | | |
| Hanson Bridgett Marcus Vlahos | | 5,000 | | |
| Hothouse Interactive | | 13,104 | | |

Agenda Item 2c

Attachment A - Financial Statements

CLIPPER PROJECTS DISBURSEMENT REPORT

As of April 2019 (83.3% of year)

| Work Element/Consultant | Budgeted | Expended | Encumbered | Balance |
|---|----------------------|----------------------|---------------------|--------------------|
| Intl. Programming & Systems | | 29,491 | | |
| Invoke Technologies | | 156,962 | | |
| Karen Antion Consulting | | 290,397 | | |
| Kennison Metal Fabrication | | 225,361 | | |
| Kimley-Horn and Associates | | 728,455 | 38,797 | |
| Kimley-Horn and Associates | | 337,390 | | |
| KPMG consulting | | 1,127,033 | | |
| Local Government Services | | 915,517 | | |
| Macias, Gini and Company | | 47,190 | | |
| Moore, Iacofano, Goltsman | | 128,627 | | |
| MOTOROLA (PHASE I) | | 2,166,458 | | |
| MOTOROLA (PHASE II) | | 37,511,848 | | |
| PB CONSULT | | 193,500 | | |
| Peninsula Corr. Joint Powers | | 2,079,685 | | |
| Pricewaterhouse Coopers | | 40,000 | | |
| Samtrans | | 149,013 | | |
| San Francisco Muni | | 579,882 | | |
| Santa Clara VTA | | 1,636,101 | | |
| SBC/MCI | | 1,128 | | |
| SF Muni | | 431,580 | | |
| Shiralian Management Group | | 83,160 | | |
| Synapse Strategies | | 437,245 | | |
| Solano County Transit | | 165,480 | | |
| Solutions for Transit | | 192,013 | | |
| Thompson Coburn LLP | | 19,459 | | |
| Valley Transportation Authority | | 2,265,500 | | |
| VenTek Transit, Inc. | | 842,352 | 380,353 | |
| Water Emergency Transportation Authority | | 127,867 | | |
| RM2 Capital construction | | 16,440,738 | | |
| 310 Clipper Capital I - Total Expenses | \$225,409,357 | \$208,676,986 | \$13,019,904 | \$3,712,467 |

Clipper II- Capital 219,003,300

| | | | | |
|--|----------------------|---------------------|---------------------|----------------------|
| Staff Costs | | 7,174,031 | | |
| CH2M Hill Clipper Consultants | | 1,925,235 | 539,511 | |
| Cubic | | 2,009,310 | 16,307,913 | |
| IBI Group | | 350,034 | 1,765,105 | |
| Invoke Technologies | | 122,442 | 87,857 | |
| Consultants | | 14,877 | 13,620 | |
| KPMG Consulting | | 49,950 | | |
| Thompson Coburn LLP | | 480,645 | 140,624 | |
| 312 Clipper II - Total Expenses | \$219,003,300 | \$12,126,524 | \$18,854,630 | \$188,022,146 |

Agenda Item 2c

Attachment A - Financial Statements

PURCHASE ORDERS EXECUTED BY EXECUTIVE DIRECTOR \$2,500-\$200,000

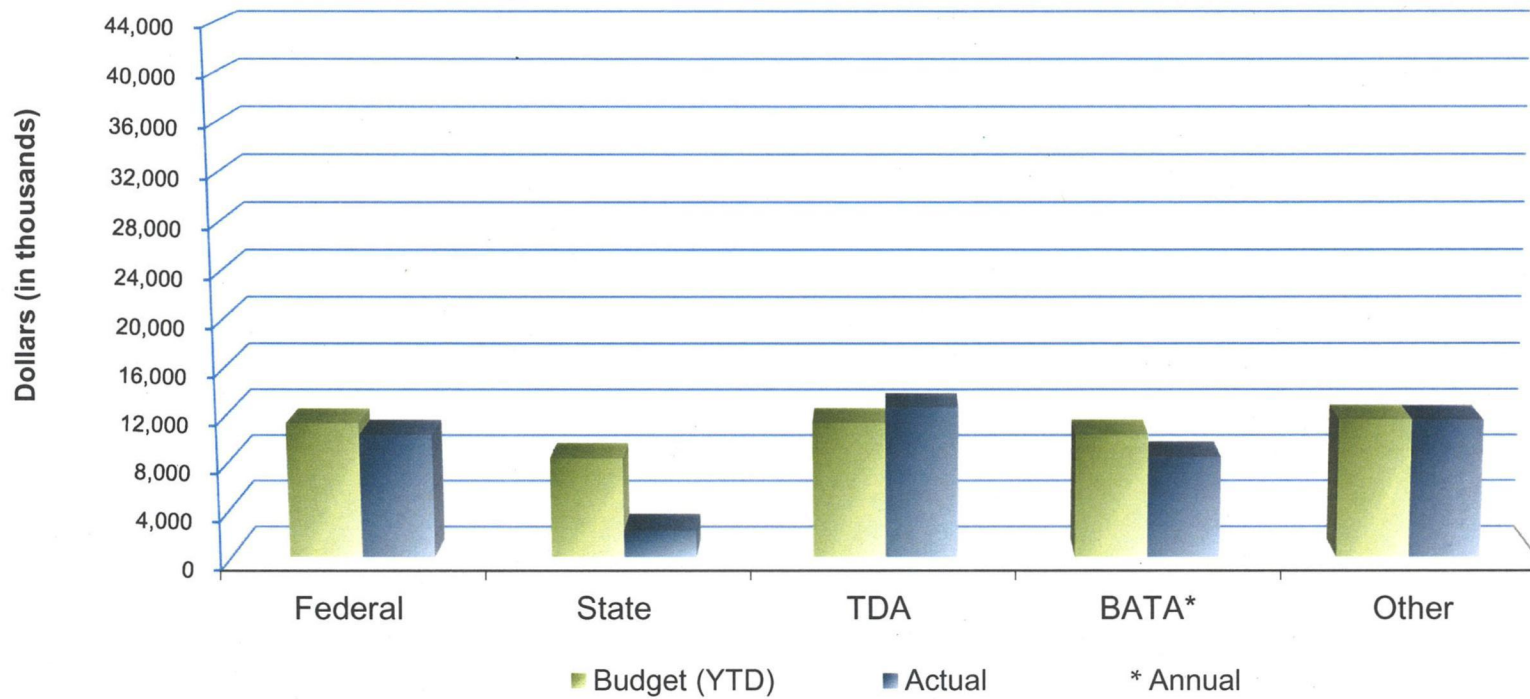
| | | April, 2019 |
|----------------------------------|---|-------------|
| Blanket Purchase Order for Fleet | | \$3,000 |
| | <i>Auto Expenses</i> | |
| American Management | | \$9,995 |
| | <i>Staff Training Courses</i> | |
| Carshoft Technology | | \$19,900 |
| | <i>Hosted Services</i> | |
| PCM-G | | \$8,701 |
| | <i>Computer Upgrade</i> | |
| Keenan & Associates | | \$6,938 |
| | <i>Employee Benefits Consultant</i> | |
| Costar Group Inc. | | \$23,911 |
| | <i>Advertising and Public Awareness</i> | |
| BP Promo | | \$3,000 |
| | <i>FY 2018-19 MTC Art Contest</i> | |
| CDW Government Inc. | | \$5,766 |
| | <i>Advertising and Public Awareness</i> | |
| Bay Crossings | | \$5,500 |
| | <i>Room Rental</i> | |
| Gartner Inc. | | \$112,500 |
| | <i>Software License Renewal</i> | |

Agenda Item 2c
Attachment A - Financial Statements

CONTRACTS EXECUTED BY EXECUTIVE DIRECTOR
\$2,500-200,000

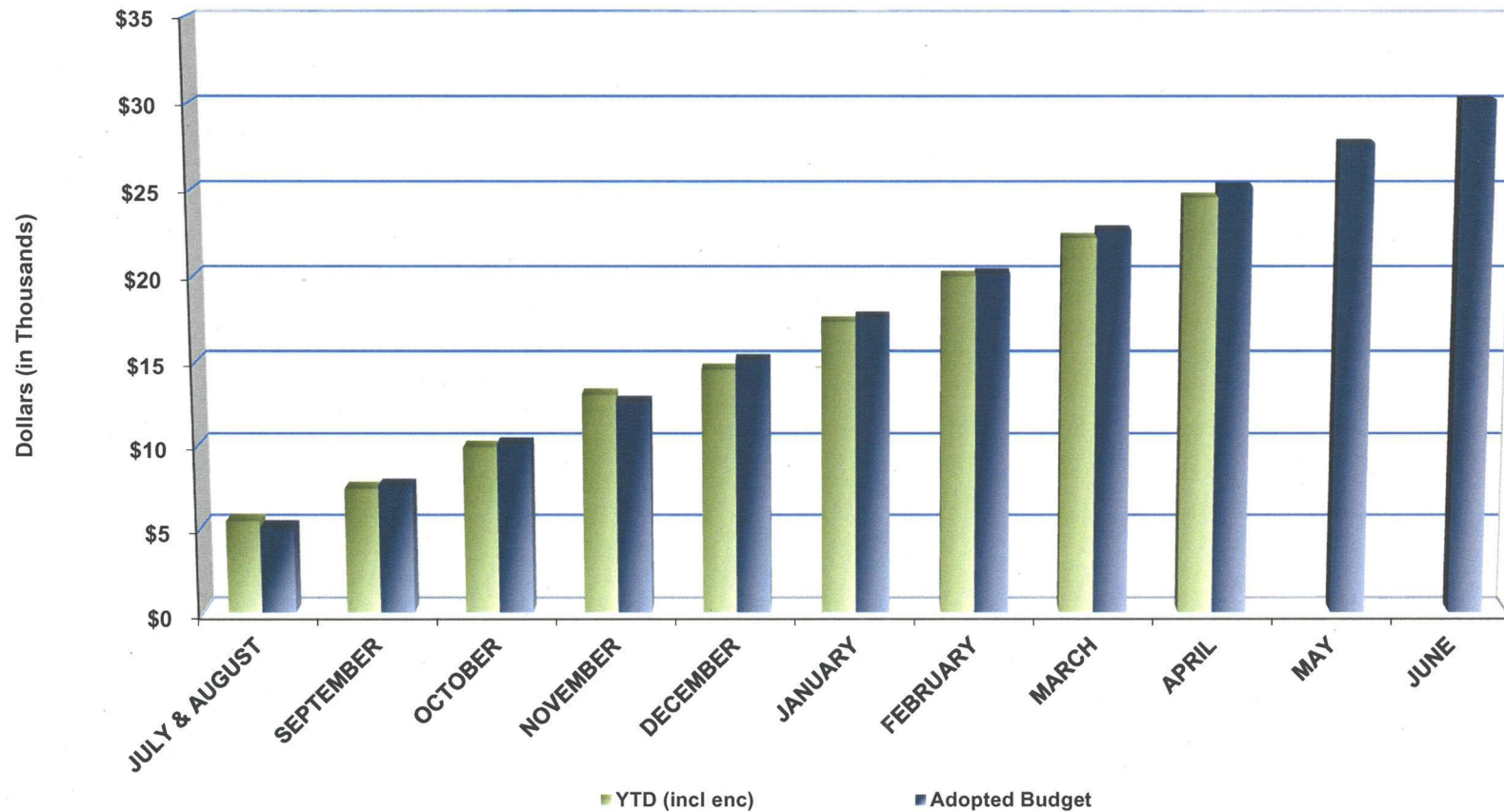
| <u>Consultant</u> | <u>Purpose</u> | <u>April, 2019</u> |
|---------------------|----------------|--------------------|
| Symmetrical Designs | | \$52,000 |

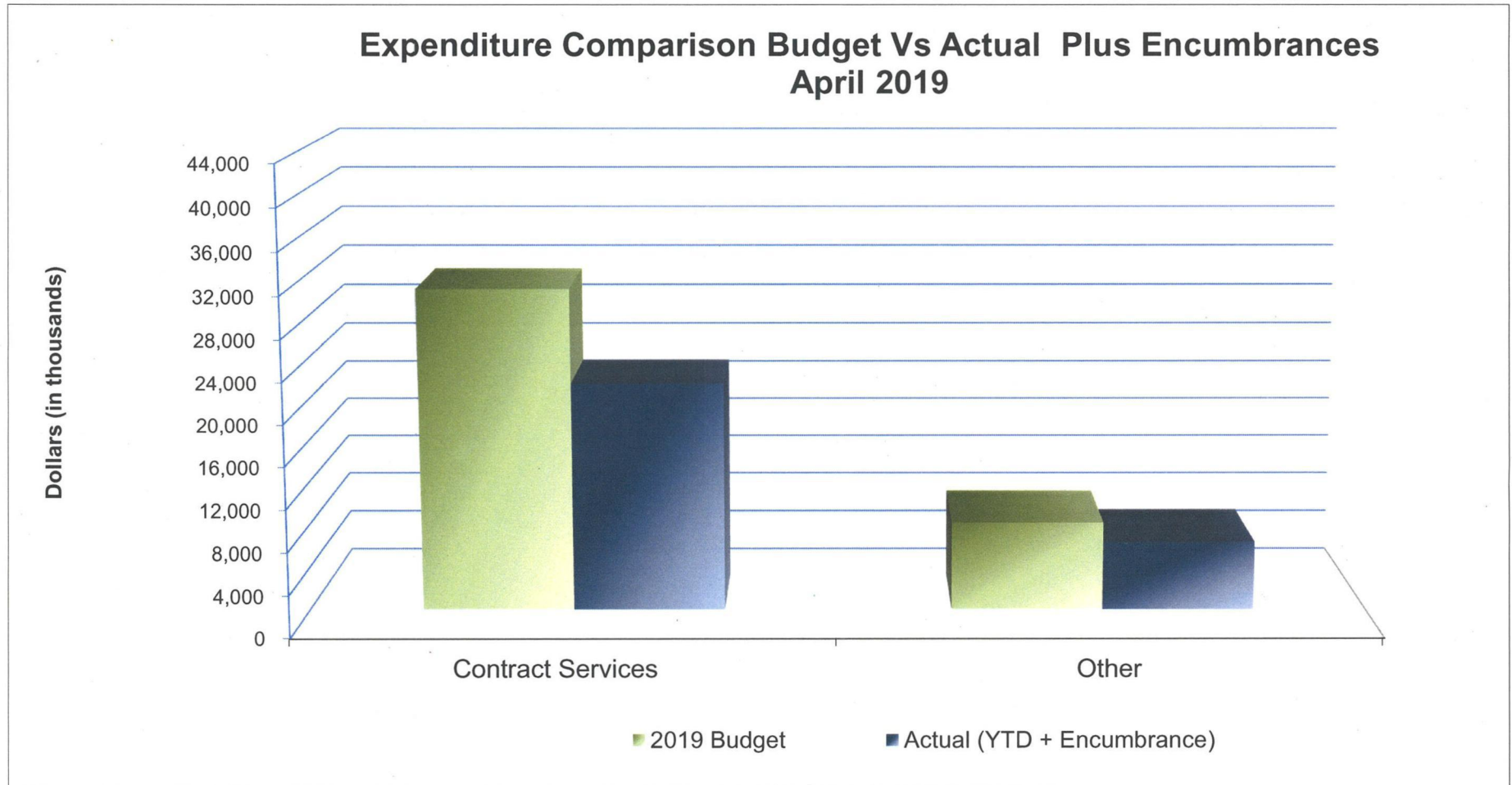
Revenue Comparison Budget Vs Actual April 2019



* Annual

Salaries & Benefits Budget vs Actual Plus Encumbrance







Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0685 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 5/31/2019 **In control:** Administration Committee
On agenda: 7/10/2019 **Final action:**
Title: Monthly Travel Report
Sponsors:
Indexes:
Code sections:
Attachments: [2d Monthly Travel Report Apr 2019.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Subject:
Monthly Travel Report

Presenter:
Sonia Elsonbaty

Recommended Action:
Information (Committee Approval if Travel Request included)

Metropolitan Transportation Commission Administration Committee

July 10, 2019

Agenda Item 2d

Monthly Travel Report

Subject: Monthly Travel Report for the ten-month period ending April 30, 2019.

Background: Pursuant to MTC Resolution No. 1058, Revised, this memorandum constitutes the monthly travel report to the Administration Committee. As a reminder, the Commission revised the policies governing Commissioner and staff travel to require that three items be approved by, or reported to, this Committee:

1. International travel (outside the United States and Canada) must be approved in advance by this Committee at a regular public meeting.
2. All MTC funded Commissioner travel must be disclosed in regular monthly reports to this committee.
3. On a quarterly basis, actual vs. budgeted travel expenditures must be reported to this Committee.

Commissioner Travel:

None this month.

Budget Report:

As outlined in Attachment A, actual travel expenses for all combined MTC travel funds are below budget at 59% as of April 2019 with 83% of the budget year elapsed.

Issues: None.

Recommendation: None. This item is provided for information only and no action is required of the Committee.

Attachments: Attachment A – Travel Report for FY 2018-19 (as of April, 2019)



Therese W. McMillan

TRAVEL REPORT FOR FY 2018-19
As of April, 2019 (83.3% of year)

| FUND | Budget | YTD Actual | % of Budget |
|--------------|------------------|-------------------|--------------------|
| MTC | \$461,819 | \$233,473 | 51% |
| BATA | \$186,200 | \$155,366 | 83% |
| SAFE | \$12,000 | \$3,454 | 29% |
| Clipper | \$23,608 | \$9,922 | 42% |
| Total | \$683,627 | \$402,215 | 59% |



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0673 **Version:** 1 **Name:**

Type: Contract **Status:** Consent

File created: 5/30/2019 **In control:** Administration Committee

On agenda: 7/10/2019 **Final action:**

Title: Contract Amendment - Bay Area Bike to Work Day Program Implementation: Silicon Valley Bicycle Coalition (\$600,000)

Sponsors:

Indexes:

Code sections:

Attachments: [2e Contract Amendment SVBC.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Subject:

Contract Amendment - Bay Area Bike to Work Day Program Implementation: Silicon Valley Bicycle Coalition (\$600,000)

Presenter:

Jay Stagi

Recommended Action:

Committee Approval

**Metropolitan Transportation Commission
Administration Committee**

July 10, 2019

Agenda Item 2e

**Contract Amendment- Bay Area Bike to Work Day Program Implementation: Silicon
Valley Bicycle Coalition (\$600,000)**

- Subject:** Staff requests Committee approval to enter into a contract amendment in an amount not to exceed \$600,000 (\$200,000 per year) with the Silicon Valley Bicycle Coalition (SVBC) for the Bay Area Bike to Work Day Program.
- Background:** The Bay Area's Bike to Work Day is the region's premiere cycling event, and plays a key role in increasing awareness of multi-modal options for Bay Area travelers. On December 14, 2016 after a competitive procurement process, this Committee approved a three-year contract with SVBC, with the ability to extend the period of performance for up to three years. The initial contract was for a total of \$620,000. The proposed amendment would extend the contract for an additional three-year period to coordinate, promote, and implement Bike to Work Day activities for 2020, 2021 and 2022, subject to budgetary approval.
- Attachment A includes a summary of the Silicon Valley Bicycle Coalition's and its subcontractors' small business and disadvantaged business enterprise status.
- Issues:** None
- Recommendation:** Staff recommends that the Committee authorize the Executive Director or designee to enter into 3-year contract amendment with the Silicon Valley Bicycle Coalition in an amount not to exceed a total of \$600,000, with \$200,000 allocated in each of those years to implement the Bike to Work Day Program, subject to the approval of MTC's FY 2019-20 through FY 2021-22 budgets.
- Attachments:** Attachment A: Contractor DBE and SBE Status
Request for Committee Approval – Summary of Proposed Contract Amendment



Therese W. McMillan

Attachment A

| | | DBE* Firm | | | SBE** Firm | | | |
|------------------|----------------------------------|--|-----|----------------|------------|-----|----------------|----|
| | Firm Name | Role on Project | Yes | If Yes, List # | No | Yes | If Yes, List # | No |
| Prime Contractor | Silicon Valley Bicycle Coalition | Project Management Coordination | | | X | | | X |
| Subcontractor | Hallie Barron Consulting | Project Management support with an emphasis on communication | X | 44107 | | | | X |

*Denotes certification by the California Unified Certification Program (CUCP).

**Denotes certification by the State of California.

REQUEST FOR COMMITTEE APPROVAL

Summary of Proposed Contract Amendment

| | |
|-----------------------------|--|
| Work Item No.: | 1112 |
| Consultant: | Silicon Valley Bicycle Coalition San Jose, CA |
| Work Project Title: | Bay Area Bike to Work Implementation |
| Purpose of Project: | Implement Bike to Work Day events and related Bike to Work Month activities. |
| Brief Scope of Work: | Coordinate, promote and implement Bike to Work activities for 2020, 2021 and 2022. |
| Project Cost Not to Exceed: | \$600,000 this amendment Previous approved agreement = \$620,000 Total approved contract amount based on this action = \$1,220,000 |
| Funding Source: | CMAQ |
| Fiscal Impact: | Funds for this amendment are available in the FY 2019-20 agency budget for Bike to Work 2020, subject to approval; future funding for Bike to Work Day 2021 and 2022 is subject to approval of the FY 2020-21 and FY 2021-22 agency budgets. |
| Motion by Committee: | That the Executive Director or designee is authorized to negotiate and enter into a contract amendment with Silicon Valley Bicycle Coalition (SVBC) to implement Bike to Work Day as described above and in the Administration Committee Summary Sheet dated July 10, 2019 and that the Chief Financial Officer is authorized to set aside \$600,000 for such amendment, in an amount of \$200,000 per fiscal year in FY 2019-20, FY 2020-21, and FY 2021-22, with future funds subject to approval of agency budgets. |
| Administration Committee: | <hr/> Federal D. Glover, Chair |
| Approved: | July 10, 2019 |



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0674 **Version:** 1 **Name:**

Type: Contract **Status:** Consent

File created: 5/30/2019 **In control:** Administration Committee

On agenda: 7/10/2019 **Final action:**

Title: Contract Amendment - SamTrans Passenger Origin/Destination Survey: Corey, Canapary & Galanis (\$250,000)

Sponsors:

Indexes:

Code sections:

Attachments: [2f Contract Amendment CCG.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Subject:

Contract Amendment - SamTrans Passenger Origin/Destination Survey: Corey, Canapary & Galanis (\$250,000)

Presenter:

Shimon Israel

Recommended Action:

Committee Approval

Metropolitan Transportation Commission Administration Committee

July 10, 2019

Agenda Item 2f

Contract Amendment – SamTrans Passenger Origin/Destination Survey: Corey, Canapary & Galanis (\$250,000)

- Subject:** Staff requests Committee approval to enter into a contract amendment with Corey, Canapary & Galanis (CCG) in an amount not to exceed \$250,000, to allow CCG to perform an origin/destination survey of SamTrans passengers.
- Background:** Staff issued a competitive Request for Qualifications (RFQ) for the consultant panel on February 9, 2017. The RFQ allowed for services through June 30, 2020, with the option to renew through 2022. In May 2017, the Administration Committee approved a pre-qualified consultant panel of the following three firms to collect and analyze transit passenger demographic and travel pattern data from Bay Area transit agencies: CCG, Redhill Group Inc., and ETC Institute. The consultant panel was assembled to collect transit passenger data for the region's operators, as described in MTC Resolution No. 3866, the Transit Coordination Implementation Plan. The data collected in each operator survey effort is used to support Title VI equity reporting requirements and to refine regional analytical planning tools. The survey of SamTrans passengers for this cycle of data collection will be performed by CCG and is anticipated to begin in fall 2019. SamTrans was assigned to CCG based on a "mini-procurement" sent to all three panel consultants on March 22, 2019. Responses for the mini-procurement were received from CCG and ETC Institute, and the evaluation panel of MTC and SamTrans staff recommended CCG because of its cost-effectiveness and experience in transit data collection, with specific experience working with SamTrans.
- CCG is neither a Small Business Enterprise nor a Disadvantaged Business Enterprise. Its subcontractor's SBE and DBE status is listed in Attachment A.
- Recommendation:** Staff recommends that the Committee authorize the Executive Director or designee to amend the contract with CCG in an amount not to exceed \$250,000 to perform an origin/destination survey of SamTrans passengers, subject to the approval of the FY 2019-20 agency budget.
- Attachments:** Attachment A: Contractor DBE and SBE Status
Attachment B: Request for Committee Approval – Summary of Proposed Contract Amendment



Therese W. McMillan

Attachment A

Prime Contractor

Subcontractor

| | | DBE* Firm | | | SBE** Firm | | |
|---------------------------|---|-----------|----------------|----|------------|----------------|----|
| Firm Name | Role on Project | Yes | If Yes, List # | No | Yes | If Yes, List # | No |
| Corey, Canapary & Galanis | Survey Development and Project Management | | | X | | | X |
| Monroe Personnel | Temporary Staffing of Onboard Survey Administrators | X | 36744 | | | | X |

*Denotes certification by the California Unified Certification Program (CUCP).

**Denotes certification by the State of California.

REQUEST FOR COMMITTEE APPROVAL

Summary of Proposed Contract Amendment

| | |
|-----------------------------|--|
| Work Item No.: | 1122 |
| Consultant: | Corey, Canapary & Galanis San Francisco, CA |
| Work Project Title: | Transit Passenger Surveying Services |
| Purpose of Project: | Collect and analyze transit passenger demographic and travel data from Bay Area transit agencies. |
| Brief Scope of Work: | Collect transit passenger survey data that will be used to support Title VI equity reporting requirements for transit riders and to refine regional analytical planning tools. |
| Project Cost Not to Exceed: | \$250,000 (this amendment) Total contract before this amendment: \$250,000 Total Authorized Contract after this amendment: \$500,000 |
| Funding Source: | FHWA Planning, FTA 5303 |
| Fiscal Impact: | Funds are included in the FY 2019-20 agency budget. |
| Motion by Committee: | That the Executive Director or designee is authorized to negotiate and enter into a contract amendment with Corey, Canapary & Galanis to perform transit passenger work described above and in the Administration Committee Summary Sheet dated July 10, 2019 and the Chief Financial Officer is authorized to set aside \$250,000 for such amendment. |
| Administration Committee: | <hr/> Federal D. Glover, Chair |
| Approved: | July 10, 2019 |



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0823 **Version:** 1 **Name:**

Type: Resolution **Status:** Consent

File created: 6/28/2019 **In control:** Administration Committee

On agenda: 7/10/2019 **Final action:**

Title: MTC Resolution No. 1058, Revised - Revision to MTC's Commission Procedures Manual

Sponsors:

Indexes:

Code sections:

Attachments: [2g_Reso-1058_Commission_Procedures_Manual_Revision.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Subject:
MTC Resolution No. 1058, Revised - Revision to MTC's Commission Procedures Manual

Presenter:
Leslie Miessner

Recommended Action:
Commission Approval

Metropolitan Transportation Commission Administration Committee

July 10, 2019

Agenda Item 2g

MTC Resolution No. 1058, Revised – Revision to MTC's Commission Procedures Manual

Subject: MTC Resolution No. 1058, Revised – Revision to MTC's Commission Procedures Manual

Background: Per Section 1.08 of MTC's Commission Procedures Manual, Commissioners shall be paid necessary travel expenses as may be authorized from time to time by the Commission.

Appendix B to MTC's Commission Procedures Manual sets forth the policy for reimbursement to Commissioners for actual and necessary expenses incurred in connection with the performance of their duties or in lieu of reimbursement for attendance at Commission or committee meetings. Under this policy, Commissioners are required to submit claims for reimbursement using the Meeting and Travel Expense Claim Form attached to Appendix B.

MTC has recently simplified the Meeting and Travel Expense Claim Form. It is therefore appropriate that the Commission Procedures Manual be amended to substitute the updated Meeting and Travel Expense Claim Form for the prior version of the Meeting and Travel Expense Claim Form as the attachment to Appendix B.

Issues: No issues identified.

Recommendation: Staff recommends that the Committee refer MTC Resolution No. 1058, Revised to the Commission for approval to effect the revision described above.

Attachments: MTC Resolution No. 1058, Revised



Andrew B. Fremier

| | | |
|--------------|----------|----------|
| Date: | 11/25/81 | |
| W.I.: | 11.1.1.0 | |
| Referred by: | A&O | |
| Revised: | 10/27/82 | 11/24/82 |
| | 11/27/85 | 02/25/87 |
| | 09/23/87 | 04/26/89 |
| | 09/18/89 | 09/26/90 |
| | 06/26/91 | 11/25/92 |
| | 01/27/93 | 12/15/93 |
| | 05/24/95 | 02/26/97 |
| | 12/16/98 | 07/28/99 |
| | 11/17/99 | 02/26/03 |
| | 07/23/03 | 04/28/04 |
| | 01/25/06 | 04/26/06 |
| | 12/19/12 | 05/22/13 |
| | 01/28/15 | 03/25/15 |
| | 09/28/16 | 09/27/17 |
| | 06/27/18 | 07/24/19 |

ABSTRACT

Resolution No. 1058, Revised

This resolution adopts the Commission Procedures Manual as revised and dated November 25, 1981. Resolution No. 1058 supersedes Resolution No. 745. Resolution No. 745 previously superseded Resolution No. 358.

Appendix A to the Commission Procedures Manual (MTC's Conflict of Interest Code) was revised by the Commission on October 27, 1982.

The Commission Procedures Manual was revised by the Commission on November 24, 1982 to amend the election of the Commission Chair and Vice-Chair to terms that begin in February of odd-numbered years.

The Commission Procedures Manual was revised by the Commission on November 27, 1985 to clarify some minor parliamentary procedures, to update information, and to revise Appendices B, D, and E so that those appendices supersede MTC Resolution Nos. 208, 348, 291, and 1057.

The Commission Procedures Manual was revised on February 25, 1987 to require all agendas to be posted at least 72 hours prior to meetings, special meeting agendas to be posted at least 24 hours prior to the meeting, to provide additional information on public comment, to clarify the approval authority of GR&AC and WPPRC Committees, and to allow flexibility in selection of the first meeting date of each new Commission term.

The Commission Procedures Manual was revised on September 23, 1987 to state that items on Commission and committee agendas are all subject to action.

The Commission Procedures Manual was revised on April 26, 1989 to revise the membership of standing committees, to add the Vice-Chair as an ex-officio member of all standing committees, and to allow per diem payments to any Commissioner attending any committee meeting.

The Commission Procedures Manual was revised on September 18, 1989 to clarify certain expense provisions in Appendix B.

Appendix E to the Commission Procedures Manual was revised by the Commission on September 26, 1990 to clarify certain delegations between the Grant Review and Allocations Committee and the Work Program and Plan Revision Committee.

The Commission Procedures Manual was revised on June 26, 1991 to change the membership of standing committees; to eliminate the Transportation Finance standing committee and change the name of the Work Program and Plan Revision Committee to the Work Program Committee; to update and clarify standing committee delegations and descriptions of special and advisory committees; and to update references.

Appendix D to the Commission Procedures Manual was revised on November 25, 1992 to add the Blue Ribbon Advisory Council to the list of Citizen Advisory Committees eligible for expense reimbursement.

The Commission Procedures Manual was revised on January 27, 1993 to delete provisions for reimbursement for meals of citizen advisors.

The Commission Procedures Manual was revised on December 15, 1993 to amend Section 3.08 to include further guidance regarding public comment at MTC meetings.

The Commission Procedures Manual was revised on May 24, 1995 to incorporate new MTC responsibilities, update references and committee information, make editorial changes, and delete Appendices F, G, H, and I. The revisions are summarized in the General Counsel's memorandum to the A&O Committee dated May 3, 1995.

The Commission Procedures Manual was revised on February 26, 1997 to amend the regular meeting date and times of MTC's standing committees.

The Commission Procedures Manual was revised on December 16, 1998 to update references, update special and advisory committees, add language regarding the designation of ad hoc committee members, and revise MTC's Conflict of Interest Code (Attachment A).

Appendix E to the Commission Procedures Manual was revised by the Commission on July 28, 1999 to rename: the Administration and Oversight Committee to the Administration Committee; the Grant Review and Allocations Committee to the Programming and Allocations Committee; the Legislation and Public Affairs Committee to the Legislation Committee; and the Work Program and Plan Revision Committee to the Planning and Operations Committee; and to restructure and clarify certain delegations among and between them.

Section 1.07 of the Commission Procedures Manual was revised on November 17, 1999 to allow commissioners to be reimbursed for up to five meetings in one day.

Appendix D to the Commission Procedures Manual was revised on February 26, 2003, to revise the reimbursement policy for advisors appointed by the Commission serving on the Advisory Council, the Minority Citizens Advisory Committee, and the Elderly and Disabled Advisory Committee.

The Commission Procedures Manual was revised on July 23, 2003 to update references, update committees, and incorporate MTC's revised Conflict of Interest Code (Attachment A).

Appendix D to the Commission Procedures Manual was revised on April 28, 2004, to clarify that members of the Advisory Council, the Minority Citizens Advisory Committee, and the Elderly and Disabled Advisory Committee may seek reimbursement for attending meetings of working groups with MTC staff formed at the direction of the Commission to provide input into Commission decisions.

Section 4.14 Commission Committees, and Appendix E to the Commission Procedures Manual were revised on January 25, 2006, to rename the Planning and Operations Committee as the Planning Committee and to add the Operations Committee to replace the SAFE Committee.

The Commission Procedures Manual was revised on April 26, 2006 to revise Appendix E to delegate specific contract, personal services agreement, and purchase order approval authority to the Operations Committee.

The Commission Procedures Manual was revised on December 19, 2012 to update provisions relating to AB57, SB375, MAP 21, the development of the Commission's Public Participation Plan, the creation of the Policy Advisory Council, the creation of the Bay Area Infrastructure Financing Authority and the Bay Area Headquarters Authority, clarify ex-officio voting capacity, incorporate MTC's revised Conflict of Interest Code, and to update provisions to conform to current practice (Attachment A, Appendices A, B, D and E).

The Commission Procedures Manual was revised on May 22, 2013 to incorporate MTC's revised Conflict of Interest Code as approved by the California Fair Political Practices Commission (FPPC) on April 17, 2013 to more accurately reflect the most current designated positions and assigned disclosure categories in MTC's organizational structure (Attachment A).

The Commission Procedures Manual was revised on January 28, 2015 to update and revise the Travel Policy contained in Appendix B.

The Commission Procedures Manual was revised on March 25, 2015 to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on February 2, 2015, to more accurately reflect the most current designated positions and assigned disclosure categories in MTC's organizational structure (Attachment A).

The Commission Procedures Manual was revised on September 28, 2016 to provide for the appointment of one or more public transportation representatives in accordance with provisions contained in MAP 21 as amended by the FAST Act and to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on June 30, 2016, to more accurately reflect the most current designated positions and assigned disclosure categories in MTC's organizational structure (Appendix A to Attachment A), and to add a MTC special committee.

Appendix E to the Commission Procedures Manual was revised on September 27, 2017 to change the composition of the MTC Executive Committee to add the Association of Bay Area Governments (ABAG) Representative.

The Commission Procedures Manual was revised on June 27, 2018 to incorporate MTC's revised Conflict of Interest Code, as approved by the California Fair Political Practices Commission (FPPC) on March 29, 2018, to revise the designated positions to reflect the MTC-Association of Bay Area Governments staff consolidation, MTC's staffing of the Advancing California Financing Authority, and MTC's current organizational structure (Appendix A to Attachment A).

Appendix B to the Commission Procedures Manual was revised on July 24, 2019 to substitute the updated Meeting and Travel Expense Claim Form for the prior version of the Meeting and Travel Expense Claim Form as the attachment to Appendix B.

Date: 11/25/81
W.I.: 99.1.20
Referred by: A&O

Re: Commission Procedures Manual.

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION NO. 1058

WHEREAS, by Resolution No. 358 and 746 the Metropolitan Transportation Commission (Commission) adopted the Commission Procedures Manual relating to the Commission and commissioners, Commission officers, Commission meetings and the conduct of business, and Commission committees; and

WHEREAS, the Commission now desires to revise the Procedures Manual to clarify and reflect current practice as well as make revisions to the duties of the Commission resulting from recent State legislation; now, therefore, be it

RESOLVED, that the Metropolitan Transportation Commission adopts its Commission Procedures Manual as revised and dated November 25, 1981, a copy of which is attached hereto and marked Attachment A and incorporated by reference; and, be it further

RESOLVED, that MTC Resolution No. 1058 supersedes Resolution No. 746.

METROPOLITAN TRANSPORTATION COMMISSION

/s/ William R. "Bill" Lucius
William R. "Bill" Lucius, Chairman

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California on November 25, 1981.

W.I.: 1111
Referred by: A&O
Revised: See below

Attachment A
Resolution No. 1058

METROPOLITAN TRANSPORTATION COMMISSION

COMMISSION PROCEDURES MANUAL

Adopted September 22, 1976
Revised December 19, 1979
Adopted and Revised November 25, 1981
Revised October 27, 1982
Revised November 24, 1982
Revised November 27, 1985
Revised February 25, 1987
Revised September 23, 1987
Revised April 26, 1989
Revised September 18, 1989
Revised September 26, 1990
Revised June 26, 1991
Revised November 25, 1992
Revised January 27, 1993
Revised December 15, 1993
Revised May 24, 1995
Revised February 26, 1997
Revised December 16, 1998
Revised July 28, 1999
Revised November 17, 1999
Revised February 26, 2003
Revised July 23, 2003
Revised April 28, 2004
Revised January 25, 2006
Revised April 26, 2006
Revised December 19, 2012
Revised May 22, 2013
Revised January 28, 2015
Revised March 25, 2015
Revised September 28, 2016
Revised September 27, 2017
Revised June 27, 2018
Revised July 24, 2019

METROPOLITAN TRANSPORTATION COMMISSION

COMMISSION PROCEDURES MANUAL

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APPENDICES

Appendix A

Resolution No. 1198
(Last revised 06/27/18)

Conflict of Interest Code

Appendix B

(Last revised 07/24/19)

Travel Reimbursement to Commissioners and MTC Staff

Appendix C

Resolution Nos. 663 and 664
(Adopted 05/23/79)

MTC Legal Counsel

Appendix D

(Last revised 12/19/12)

Travel Reimbursement Rates for Citizens on Advisory Committees

Appendix E

(Last revised 09/27/17)

Standing Committees' Structure

METROPOLITAN TRANSPORTATION COMMISSION,
METROPOLITAN TRANSPORTATION COMMISSION SERVICE AUTHORITY FOR
FREEWAYS AND EXPRESSWAYS, BAY AREA TOLL AUTHORITY, BAY AREA
INFRASTRUCTURE FINANCING AUTHORITY AND BAY AREA HEADQUARTERS
AUTHORITY
PROCEDURES MANUAL

INTRODUCTION

The Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for that area of California comprising the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma (Government Code § 66500 *et seq.*). These nine counties of the Bay Area cover an area of approximately 7,000 square miles and have a population of approximately 7.2 million (2010 census). Within the structure of California governmental agencies, MTC is classified as a local area planning agency and not as part of the executive branch of the state government.

In accordance with its legislative mandate, MTC adopted a Regional Transportation Plan (RTP) in June 1973. Thereafter, the Commission has regularly reviewed and revised the RTP in compliance with the statutory requirement of continuing plan review. The enactment of Senate Bill 375 (Steinberg) in 2008 requires MTC to adopt a Sustainable Communities Strategy (SCS) together with its RTP to strive to reach greenhouse gas (GHG) reduction targets. The first SCS/RTP is scheduled for adoption in 2013.

The Commission is charged with certain responsibilities for implementation of the SCS/RTP, as well as the RTP standing alone. Applications of local agencies for grants of certain state and federal transportation funds are subject to MTC review and approval as to their compatibility with the RTP. Generally, the state must conform to the RTP in allocating funds for construction on the state highway system within the MTC region.

Legislation passed in 1997 gave MTC increased decision-making authority over the selection of project and allocation of funds for the State Transportation Improvement Program (STIP). MTC is the agency responsible for allocation of local transportation funds among qualified claimants

under the Transportation Development Act (TDA) (Public Utilities Code § 99200 *et seq.*). The TDA statute provides MTC with a role in fulfilling fiscal and performance audit requirements with respect to claimants of TDA funds.

Under AB 1107 (Public Utilities Code § 29142.2), MTC allocates among eligible claimants one-fourth of the one-half cent Bay Area Rapid Transit District (BART) sales tax in Alameda, Contra Costa and San Francisco counties. Under AB 664 (Streets and Highways Code § 30880 *et seq.*), MTC is responsible for allocation of net revenues of state toll bridges located within the region. Pursuant to Streets and Highways Code § 30889, MTC may establish tolls for such bridges in order to generate net revenues provided that net revenues may not exceed the average net revenues available during fiscal year 1977-78 and 1978-79, except as may be adjusted annually according to the appropriate inflationary index as adopted by MTC. SB 620 (Public Utilities Code § 99310 *et seq.*) provides MTC with authority to allocate the regional share of the State Public Transportation Account.

MTC is responsible for meeting state and federal Transportation Improvement Program (TIP) requirements for the Bay Region. (Government Code § 65080 *et seq.* and 23 Code of Federal Regulations Section 450 Subpart B.) The Commission is the region's Metropolitan Planning Organization (MPO) and conducts the continuing, comprehensive, cooperative planning program necessary to maintain this region's eligibility for federal transportation funding. (23 Code of Federal Regulations Section 450 Subpart A.) MTC is the designated recipient of large urbanized area Federal Transit Administration (FTA) formula funds, such as 5307, 5339, and 5337. MTC is also designated other responsibilities for FTA funds by the California Department of Transportation (Caltrans), such as the 5303 planning funds, 5311, and 5310.

Through state law, MTC has programming responsibilities for Federal Highway Administration (FHWA) funds such as Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement (CMAQ). MTC is also responsible for submitting a Regional Transportation Improvement Program to the California Transportation Commission and Caltrans every two years.

MTC has conducted special planning studies at a multi-regional and subregional level. Examples include the Transit Connectivity Plan, the Transit Sustainability Project, and the Regional Goods Movement Study. MTC is jointly responsible with the Association of Bay Area Governments (ABAG) and the Bay Area Air Quality Management District (BAAQMD) for air quality planning to meet the requirements of the federal Clean Air Act, as amended, and shares with the BAAQMD the responsibility for air quality transportation control measures under the state Clean Air Act, as amended. MTC shares with ABAG the responsibility for ~~adopting~~ preparing the SCS.

The Metropolitan Transportation Commission Service Authority for Freeways and Expressways (“MTC SAFE”) was created by legislation effective January 1, 1988 (Streets and Highways Code § 2550 *et seq.*), which authorized the creation of an MTC SAFE to provide for implementation, maintenance and operation of motorist-aid services through a call box program linked directly to the California Highway Patrol and a fleet of roving tow truck patrols, the Freeway Service Patrol. Under the law, MTC oversees the regional SAFE, which was officially convened in mid-1988.

The Bay Area Toll Authority (“BATA”) was created by legislation effective January 1, 1998 (Streets & Highways Code § 30950 *et seq.*) to administer the base \$1 toll on the San Francisco Bay Area’s seven state-owned toll bridges. Pursuant to additional legislation including SB 60, AB 1171, AB 144 and AB 1175 and voter-approved toll increases, tolls in addition to the \$1.00 base toll are collected and administered. Under the law, MTC serves as BATA.

In July, 2012 AB 57 (Beall) was chaptered. AB 57 amended Sections 66503 and 66504 of the Government Code to add, effective January 1, 2013, two additional voting seats on the commission and impose certain other requirements on commissioner appointments as further outlined in Part I of this Commission Procedures Manual.

In 2015 Congress enacted, and the President signed into law the FAST Act (23 U.S.C. §101). Title 23 U.S.C. §134 (d)(2) provides that a metropolitan planning organization shall consist of local officials, officials of public agencies that administer or operate major modes of transportation in the

metropolitan area, including representation by providers of public transportation, and appropriate State officials. Title 23 U.S.C. §134 (d)(3)(B) provides that, subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

For the purposes of this Commission Procedures Manual, the term “MTC” includes the three agencies: the Metropolitan Transportation Commission, the Metropolitan Transportation Commission Service Authority for Freeways and Expressways and the Bay Area Toll Authority. It also includes two joint powers authorities formed by MTC and BATA: the Bay Area Infrastructure Financing Authority (BAIFA), and the Bay Area Headquarters Authority (BAHA).

I. THE COMMISSION AND COMMISSIONERS

1.01. Commissioners. Effective January 1, 2013, there are eighteen voting commissioners. The City and County of San Francisco and the Counties of Contra Costa and San Mateo, each have two commissioners, and the Counties of Alameda and Santa Clara each have three commissioners, appointed as follows: the Board of Supervisors of each county appoints one commissioner; in San Francisco, the Mayor appoints one commissioner; in each of the remaining counties, the City Selection Committee appoints one commissioner; and in the Counties of Alameda and Santa Clara, the Mayors of the Cities of Oakland and San Jose shall be self-appointed or shall appoint a member of their respective City Councils to serve as the third commissioner . The Counties of Marin, Napa, Solano, and Sonoma each have one commissioner who is appointed by the county's Board of Supervisors from a list of three nominees furnished by the Mayor's Selection Committee. The Association of Bay Area Governments appoints one commissioner who shall not be from the Counties of Alameda or Santa Clara or from the City and County of San Francisco. The San Francisco Bay Conservation and Development Commission appoints one commissioner, who shall be a resident of the City and County of San Francisco approved by the Mayor of San Francisco. All appointments are subject to Section 1.02.

Effective September 28, 2016, any sitting commissioner who also serves on the board of a public transit agency shall be deemed to be a representative of a provider of public transportation within the meaning of the FAST Act ("Transit Representative"). Subsequent to September 28, 2016, at the beginning of each Commission term, the Chair shall designate and the Commission shall approve any sitting commissioner who also serves on the board of a public transit agency as a Transit Representative. Upon a vacancy occurring during a Commission term of a commissioner then serving as a Transit Representative, the Chair shall designate, and the Commission shall approve, one or more representatives not then currently designated, if any, from the commissioners then currently on the board who are also serving on a board of a transit agency as a Transit Representative.

The Commission's enabling legislation provides for three non-voting members, one appointed by the Secretary of the Business, Transportation and Housing Agency, and one each appointed by the United States Department of Transportation, and the United States Department of Housing and Urban Development.

1.02. Selection. The basis for selection of a commissioner is special familiarity with the problems and issues in the field of transportation. Elected or appointed public officers may serve as commissioners during their terms of public office. The effect of this is that such public officers are not prohibited from being commissioners; i.e., the two positions are not necessarily incompatible. No more than three voting members of the Commission shall be residents of the same county.

1.03. Term of Office. The term of office of a commissioner is four years. Since the initial term for commissioners commenced February 10, 1971, the organizational meeting date of the Commission, the four-year terms of commissioners shall commence quadrennially from that date. The current appointment term began February 10, 2011. Except as provided in the next sentence, the next appointment dates are February 10, 2015 and February 10, 2019. The commissioners appointed by the Mayors of the Cities of Oakland and San Jose shall have an initial term of office commencing January 1, 2013 and ending in February 2015. Appointments to fill a resignation or vacancy during a term shall be only for the balance of such term. Commissioners shall continue to serve as such until reappointed or until their successor is appointed; provided that, where a commissioner has been appointed as a public officer, the commissioner must vacate his/her Commission seat upon ceasing to hold such public office, unless the appointing authority consents to completion of the commissioner's term (Government Code Section 66504).

1.04. Oath of Office. Commissioners shall complete oath of office forms when they are appointed to the Commission, which are then notarized. The original is kept on file at the MTC offices.

1.05. Conflict of Interest Code. The Commission adopted a conflict of interest code by Resolution No. 1198, Revised (Appendix A), which was subsequently approved by the State of

California Fair Political Practices Commission. Commissioners are required to file annual statements of economic interest and within thirty days of assuming or leaving office.

1.06. Alternates. There is no provision for voting alternates for the voting commissioners. Substitutes may sit on behalf of non-voting commissioners.

1.07. Reimbursement. Commissioners serve without compensation. Commissioners are entitled to receive reimbursement for actual and necessary expenses incurred in connection with the performance of their duties. In lieu of such reimbursement for attendance at Commission or committee meetings, each commissioner shall receive one hundred dollars (\$100.00) per meeting for a maximum of five (5) such meetings in any one calendar month, plus necessary travel expenses as authorized by the Commission pursuant to the rates and terms set forth in Appendix B to this manual. Commissioners may be reimbursed a separate per diem for each such meeting in any one day up to the monthly maximum reimbursement number of meetings. The monthly maximum is calculated and applied separately to MTC and BATA. BAIFA and BAHA meeting per diem is applied and counts toward the BATA monthly maximum. No reimbursement applies to MTC SAFE meetings.

1.08. Travel Expenses. Commissioners shall be paid necessary traveling expenses as may be authorized from time to time by the Commission. The Commission policy for travel expenses is set forth in Appendix B to this manual. The policy applies to all MTC employees as well.

1.09. Orientation for New Commissioners. When a new commissioner is appointed to the Commission, the Secretary to the Commission will provide the commissioner, along with administrative materials, copies of the current major MTC, BATA, MTC SAFE, BAIFA and BAHA documents and an overview of the content of these documents. The Secretary will also arrange an orientation session for the new commissioner with the Executive Director and section managers.

II. OFFICERS

2.01. Commission Officers. There are two (2) Commission officers: a Chair and a Vice-Chair. Any voting commissioner is eligible to hold the office of Chair or Vice-Chair. Non-voting commissioners are ineligible for such offices.

2.02. Term. The Chair and Vice-Chair shall serve two-year terms commencing upon elections at the regular Commission meeting in February of odd numbered years. A commissioner may serve as Chair or Vice-Chair without restriction as to number of terms. The Chair and Vice-Chair shall serve as such until their successors are elected.

2.03A. Nomination/Election of Commission Officers (New Commission Term). In years when new Commission terms begin, the following procedure for the nomination and election of Commission officers shall be followed:

- a. The Commission shall meet on February 10, or within five working days thereof, for a special meeting. The meeting date shall be set by the prior Commission.
- b. The existing Chair, if reappointed, or if not reappointed, the Vice-Chair, if reappointed, or if not reappointed, the reappointed commissioner with the longest continuous length of service, shall preside over the meeting, and is the Acting Chair until the election of new officers.
- c. The Acting Chair shall at this special meeting appoint an Ad Hoc Nominating Committee of commissioners subject to the confirmation of the Commission.
- d. The Ad Hoc Nominating Committee shall meet and send its report in writing to the Commission with the packet for the regular February meeting.
- e. The Acting Chair shall convene the regular February meeting, usually the fourth Wednesday of the month, at which the Ad Hoc Nominating Committee shall give its report as the first order of business. Additional nominations may be offered after the Committee report. Thereafter, nominations may be closed; but, if not closed, nominations shall remain open until the March meeting.
- f. The Commission shall elect a Chair and Vice-Chair at its regular February meeting, or as soon thereafter as possible after nominations are closed.
- g. Upon the election of new officers, the new Chair shall take over the gavel and conduct the remaining business of the meeting.

2.03B. Nomination/Election of Commission Officers (Mid-Commission Term.) The Chair shall appoint an Ad Hoc Nominating Committee of commissioners subject to the confirmation of the Commission at the regular Commission meeting in December of even-numbered years. The Ad Hoc Nominating Committee shall send its report in writing to the Commission with the packet for the regular January Commission meeting. Additional nominations may be offered after the Committee report. Thereafter, nominations may be closed; but, if not closed, nominations shall remain open until the February Commission meeting. The Commission shall elect a Chair and Vice-Chair at its regular February meeting as the first order of business, or as soon thereafter as possible.

2.04. Duties of Chair. The Chair shall preside at all meetings of the Commission, state each question for vote, announce the decision, and decide all questions of order subject to appeal to the Commission. The Chair is a voting ex-officio member of all standing committees of the Commission. In such capacity the Chair shall vote only when necessary to attain a quorum of voting members of a committee. The Chair shall execute all resolutions adopted by the Commission, the approved minutes, and any other documents that may require the signature of the Chair.

The Chair shall appoint, subject to approval of the Commission, members of standing committees, and subsequent to September 28, 2016, the Chair shall designate, subject to approval of the Commission, the Transit Representative(s). In making committee and Transit Representative appointments/designations, the Chair shall, as much as possible, attempt to balance the representation of various areas of the region. The Chair shall select the Chair and Vice-Chair of each committee subject to approval of the Commission. The Chair should request individual commissioners to submit their preferences and areas of interest regarding appointment to committees. The Chair shall also appoint, subject to the approval of the Commission, Commission members of special committees.

In years when a new Chair is elected, then current committee members, chairs, and vice chairs shall continue to serve as such until the new Chair makes new committee appointments. To

the extent necessary to carry out committee business, the Chair may appoint temporary committee chairs, vice-chairs, and members, pending confirmation of committee appointments at the regular March Commission meeting.

The Chair shall approve, within the limits of the approved budget, commissioner's attendance and expenses at an out-of-region conference or any conference in which MTC has a substantial interest in being represented.

The Chair shall perform such functions as may be delegated by action of the Commission. Where circumstances warrant, the Chair may, in the absence of existing policy, act as necessary for the Commission between its scheduled meetings and shall report that action at the next Commission meeting.

The Chair shall select a temporary chair of a committee when that committee's chair and vice-chair are both unable to attend that committee's meeting(s).

2.05. Duties of Vice-Chair. The Vice-Chair shall assume the Chair's duties in his/her absence. In addition, the Vice-Chair is a voting ex-officio member of all standing committees of the Commission. In such capacity the Vice-Chair shall vote only when necessary to attain a quorum of voting members of a committee.

2.06. Chair Pro Tem. If both the Chair and Vice-Chair are or will be absent from a Commission meeting or other functions, or duties of the Chair must be performed (including, but not limited to, the execution of documents), the most senior member of the Commission shall perform such functions and duties.

2.07. Vacancies During Term of Office.

A. Chair. In the event the office of Chair is vacated during the term, the vacancy shall be filled for the unexpired balance of the term by the Vice-Chair.

B. Vice-Chair. In the event the office of Vice-Chair is vacated during the term, the vacancy may be filled for the unexpired balance of the term by a special election. If the vacancy is to be filled, an ad hoc nominating committee shall be appointed by the Chair, subject to the approval of the Commission at the next regular Commission meeting. At the Commission meeting

following the meeting approving the ad hoc nominating committee, the ad hoc nominating committee shall present its written report which shall be included in the meeting packet sent to commissioners; additional nominations, if any, may be made by commissioners at the meeting; nominations shall thereafter be closed and the election for Vice-Chair held at that meeting.

C. Chair and Vice-Chair. In the event the office of Chair and Vice-Chair are both vacated simultaneously during their terms, the vacancy for Chair and Vice-Chair shall be filled in the same manner as the vacancy for Vice-Chair in paragraph B of this Subsection, with the ad hoc nominating committee being appointed by the Commission.

2.08 Staff Officers.

A. Executive Director. The Commission shall appoint an Executive Director who shall have charge of administering the affairs of the Commission subject to the Commission's direction and policies. The Executive Director shall in turn appoint, subject to approval of the Commission, such employees as may be necessary to carry out the functions of the Commission (Resolution No. 664). The Executive Director shall designate an employee to act as Secretary of the Commission for the purpose of keeping its minutes and resolutions.

B. Legal Counsel. The Executive Director shall appoint a Legal Counsel subject to the approval of the Commission. In addition to other duties, the Legal Counsel shall have a responsibility to directly advise the Commission and commissioners in the course of their duties (Resolution Nos. 663 and 664, Appendix C).

III. COMMISSION MEETINGS AND CONDUCT OF BUSINESS

3.01. Principal Offices. The principal offices of the Commission shall be at the-Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105, or at such other location as may be determined by Commission action.

3.02. Regular Commission Meetings. Regular Commission meetings shall be on the fourth Wednesday of each month with the exception of the month of December when the regular meeting of the Commission shall be the third Wednesday of December and with the exception of the month of August which shall not have a regular Commission meeting. Unless otherwise scheduled, meetings regularly commence at 9:30 a.m. When a regular meeting falls upon a legal holiday, the date and time of such meeting shall be determined by the Commission no later than at its preceding regular meeting. Commission meetings shall be held in the Board Room, 375 Beale Street, San Francisco, CA 94105, in alternate locations within the region that are easily available to the public and accessible to persons with disabilities; provided that, if such an alternative location is chosen, it shall be publicly announced, if possible, at the preceding regular Commission meeting.

The Chair may cancel or reschedule a regular Commission meeting if a quorum cannot be obtained, or if there is insufficient business to warrant a meeting. Notice of cancellation of a meeting shall be given, if possible, not later than seven (7) days prior to the meeting date to those persons who receive formal notice of regular meetings.

3.03. Special Commission Meetings. The Chair may call special meetings of the Commission when warranted by the business of the Commission. In addition, upon written request of ten (10) Commissioners, a special meeting shall be held upon the call of the Chair.

3.04. Notice Regarding Commission Meetings. Notice of Commission meetings shall be given as follows:

A. Regular Meetings. Notice of all regular Commission meetings shall be given in compliance with applicable provisions of the Ralph M. Brown Act (Government Code Section 54950 *et seq.*, as may be amended from time to time; hereinafter "Brown Act"). The notice shall at

a minimum specify the date, hour, and location of the meeting and may be a preliminary agenda for the meeting. The final agenda shall be posted adjacent to the front door of the Bay Area Metro Center not later than 72 hours prior to the date of the meeting.

B. Special Meetings. Notice of special meetings shall be given in compliance with applicable provisions of the Brown Act. Notice of special meetings shall specify the date, time, and location of the meeting and the matters to be considered by the Commission. No matters other than those specified in the notice of special meetings may be considered. Notice of special meetings shall be given to those persons who receive notice of regular meetings. Unless otherwise provided by the Brown Act, at least twenty-four (24) hours' written notice shall be given by electronic or U.S. postal mail or personal delivery to each commissioner and to each local newspaper of general circulation, radio or television station requesting notice in writing, and by posting such notice in the MTC library.

C. Recipients of Notice. Notice of MTC meetings may be received by any person or organization requesting notice. Designated staff shall maintain a database of persons and organizations who have requested notice or to whom, in designated staff's judgment, notice shall be sent. The database is updated on an ongoing basis.

D. Brown Act. In providing notice of Commission meetings, MTC staff shall at all times comply at least with all minimum applicable notice requirements of the Brown Act.

3.05. Open Meetings. In accordance with the provisions of the Brown Act, all meetings of the Commission shall be open to the public except matters that may be discussed in closed session pursuant to the Brown Act. Members of the public shall have an opportunity to directly address the Commission on matters before it, subject to limitations on the total amount of time allocated for public testimony on particular issues and for each individual speaker.

3.06. Quorum. A majority of the appointed, voting commissioners shall constitute a quorum for any meeting of the Commission. When 18 voting commissioners have been appointed and seated, the quorum is ten (10) commissioners. No official action shall be taken by the Commission unless a quorum is present. A majority of the commissioners present and voting shall

be required to carry any action of the Commission; provided that, no action shall be valid unless approved by at least a majority of a quorum.

3.07. Voting. Voting shall be by voice; provided that a roll call shall be taken at the Chair's discretion or upon the request of one (1) commissioner.

3.08. Conduct of Meetings. Robert's Rules of Order, as revised, except when inconsistent with these procedures, law, or specific resolutions of the Commission, shall govern the conduct of meetings of the Commission and its established committees.

3.09. Agenda. The Commission may take no action on any item not appearing on the agenda except as allowed under the Brown Act. All items on Commission agendas shall be subject to action.

A preliminary agenda shall be distributed electronically or by regular or express mail prior to the date of the meeting, consistent with the Brown Act. (See Subsection 3.04, Notice Regarding Commission Meetings.) A final agenda will be prepared and posted adjacent to the front door of the Bay Area Metro Center in accordance with the Brown Act. Copies of the final agenda will be available at the meeting.

If, in the Chair's judgment, it is necessary to maintain the orderly flow of business, public comment may be restricted by any one or a combination of the following procedures:

1. limiting the time each speaker may testify per agenda item. The limit may not be less than one (1) minute for each speaker, and may range, at the discretion of the Chair, up to three (3) minutes per speaker.
2. requiring a speaker who plans to speak on more than one agenda item to combine his or her testimony on all agenda items to one appearance. The limit for a combined appearance may not be less than three (3) minutes per speaker, and may range, at the discretion of the Chair, up to seven (7) minutes per speaker.
3. establishing the maximum amount of time available during the meeting for public comment so as to permit the meeting agenda to be completed before the loss of a quorum; provided, however, that each speaker be permitted to speak at least one (1) minute.

4. establishing a single period of time during a meeting to take all public testimony before proceeding with the agenda, when there are multiple requests to speak on multiple items on the agenda.

5. rearranging the order of items on the agenda to accommodate public testimony.

Any decision of the Chair regarding the taking of public testimony made pursuant to the Commission Procedures Manual shall govern for the meeting unless overruled by a two-thirds vote of the quorum present.

The order of agenda items may also be changed, if, in the Chair's judgment, there are other reasons to do so.

3.10. Resolutions. Resolutions may be considered by the Commission at any regular or special Commission meetings. All resolutions shall be in writing.

A summary explanation of the purpose and content of each resolution shall be prepared and attached to the proposed resolution, but shall not be considered part of such resolution. The original of a resolution adopted by the Commission is the one signed by the Chair and shall be the official text of that resolution.

3.11. Regional Transportation Plan Revisions. Revisions of the Commission's adopted Regional Transportation Plan (RTP) are prepared as the need arises. Except for revisions approved by the Commission under emergency procedures, revisions to the RTP are considered by the Commission for adoption every four years. Review of proposed Plan revisions is assigned to a standing committee of the Commission, which shall make recommendations to the full Commission for Plan revision. Notice of availability of the text of proposed revisions of the RTP shall be sent to organizations and concerned citizens on the current Commission mailing list. Not earlier than twenty (20) days after this distribution of the proposed revisions, and at a time convenient to the public, no less than (2) public hearings shall be held in the region to receive comments, suggestions, and reactions to the proposed revisions. Additional hearings may be scheduled if necessary to allow opportunity for public comment in parts of the region significantly affected by proposed revisions. These public hearings may be conducted by less than a quorum of

the Commission. A transcript or summary of the public hearings shall be provided to all commissioners prior to their acting on the Plan revisions. Notice of the public hearings shall appear in major newspapers of the region and other media as appropriate at least thirty (30) days prior to the scheduled hearings.

3.12 Public Hearings. Public hearings shall be conducted in accordance with MTC's Public Participation Plan, MTC Resolution No. 3821.

3.13. Recording of Meetings. Commission meetings shall be recorded electronically and are available on the Commission's website at no cost and are archived for meetings occurring since 2004. Copies of any recordings (in accessible formats, for persons with disabilities) shall be made available to the public upon request. Further, any citizen may record a Commission meeting or parts thereof, if such recording is done in a reasonable manner.

3.14. Minutes of Meetings. The Commission shall keep accurate minutes of all meetings and make them available to the public. Minutes shall include a record of attendance, a summary of motions, resolutions, consensus items, discussion on motions receiving a split vote and/or resulting in a direction to staff or a Commission committee, other business, and public comment. Minutes approved by the board at a succeeding meeting shall be the evidence of action taken at a prior meeting.

3.15. Public Information Materials. MTC staff will routinely prepare and provide all commissioners with general public informational material. Requests for specialized public information assistance for a specific commissioner will be handled on a time-available basis.

3.16 Meeting Conduct. In the event that any public meeting conducted by MTC is willfully interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible, the Chair may order the removal of those individuals who are willfully disrupting the meeting. Such individuals may be subject to arrest. If order cannot be restored by such removal, the members of the Commission may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue on matters appearing on the agenda.

IV. COMMISSION COMMITTEES

4.01. Types. Commission committees are designated as standing committees, special committees, or advisory committees.

4.02. Policy. It is the general policy of the Commission to receive comments from the public on specific items at committee meetings. Summaries of these comments shall be included in the committee minutes and forwarded to all commissioners.

4.03. Standing Committees. Each standing committee is charged with subject matter responsibility over specific element(s) of the Commission's overall mission and/or organizational functions. Standing committees shall be composed solely of commissioners. Non-voting commissioners may be appointed to standing committees. Notwithstanding that there may be a quorum of the Commission (10 or more commissioners commencing January 1, 2013) in attendance at a standing committee meeting, no standing committee may act for the full Commission unless the meeting is noticed, in accordance with the Brown Act, as a Commission meeting. Each standing committee shall be responsible for reviewing comments of appropriate MTC advisory committees and such comments shall accompany any standing committee recommendations to the Commission.

4.04. Special Committees. The Commission may establish special committees to supervise the development of a specific task or project. Membership of special committees is not limited to commissioners. Composition of special committees will depend upon the task to be performed and may involve the participation of private citizens or representatives of other public agencies.

4.05. Advisory Committees. Advisory committees are discussed in Section 4.14C.

4.06. Appointments to Committees.

A. Manner of Appointment. The Chair of the Commission, subject to the approval of the Commission, shall appoint members of standing committees and special committees to the extent that special committee appointments are the responsibility of MTC. The Commission Chair

shall designate the Chair and Vice-Chair of the standing committee, subject to approval of the Commission. Designation by the MTC Chair of special committee chairs and vice-chairs is subject to the approval of the Commission to the extent that these appointments are the responsibility of MTC. Appointments to advisory committees shall be made by the Commission in accordance with the Commission resolution establishing the particular advisory committee. In the event the Chair and Vice-Chair of a standing committee are not present at a standing committee meeting, the committee members present shall select a Chair Pro Tem for that meeting from among themselves.

B. Term. Subject to Section 2.04, appointments to standing committees shall be for the term of the Commission Chair. Appointments of commissioners to special committees shall be for the term of the Commission Chair. Other appointments to special committees shall be for a term dependent upon the function of the special committee as set forth in the resolution which governs the special committee. Appointments to advisory committees are for a term dependent upon the function of the advisory committee as set forth in the resolution establishing the particular advisory committee.

4.07. Quorum. The quorum for committees established by the Commission shall be a majority of the committee's non-ex-officio voting membership. If necessary to establish a quorum of a committee at a meeting, the Chair and Vice-Chair of the Commission, as ex-officio members of the committee, shall become voting members for that meeting. Unless otherwise approved by the Commission, MTC standing committees shall have eight (8) voting members, as approved by the Commission, plus the MTC Chair and Vice-Chair as ex-officio, voting members.

Every member of the Commission who is not a voting member of a standing committee is an ad hoc non-voting member. Although a quorum of the Commission may be in attendance at a meeting of a standing committee, the committee may take action only on those matters delegated to it. The committee may not take any action as the full Commission unless a meeting has been previously noticed as a Commission meeting.

An ad hoc non-voting committee member who is also a voting member of the Commission may be designated by the committee chairperson as a voting member at a particular committee meeting if an additional voting member is needed for a committee quorum.

4.08. Open Meetings. It is recognized that "legislative body" as defined in the Brown Act does not include committees composed solely of commissioners when they number less than a quorum of the Commission or a quorum of a standing committee. It is the intention of the Commission to apply the Brown Act to include all non-ad-hoc committees created by the Commission, not just those identified as advisory commissions or committees. All meetings of non-ad-hoc committees created by the Commission, with the exception of closed sessions permitted by the Brown Act, shall be open meetings properly announced in accordance with the provisions of the Brown Act.

4.09. Notice of Meetings. Notice of regular committee meetings shall be given consistent with applicable provisions of the Brown Act and posted adjacent to the front door of the Bay Area Metro Center not less than 72 hours, preceding the date of the meeting. If a special meeting is called on short notice, then notice shall comply with the requirements of Subsection 3.04 B of these procedures. The notice shall announce the date, time, and location of the meeting together with an agenda. This notice shall be sent to all commissioners and to media representatives, concerned citizens, and organizations who have filed a request for receipt of notice of committee meetings and posted in the MTC library. Special meetings of committees shall comply with the minimum notice provisions of the Brown Act. Notices of postponed or canceled committee meetings shall be posted adjacent to the front door of the Bay Area Metro Center not less than 72 hours prior to the regular date of the meeting and shall state the date, time, and location of the next committee meeting if possible. Notices of meetings held earlier than the regular meeting date shall be sent out and posted adjacent to the front door of the Bay Area Metro Center as soon as possible.

4.10. [Reserved]

4.11. Recording of Meetings. Standing and special committee meetings, if possible, shall be recorded electronically and follow the procedures as stated in Subsection 3.13 of this document.

4.12. Minutes of Committee Meetings. Minutes of all committee meetings shall be kept and made available to the public. Minutes shall include a record of attendance, a summary of motions, resolutions, consensus items, discussion on motions receiving a split vote and/or resulting in a direction to staff or a Commission committee, other business, and public comment.

4.13. Reimbursement and Travel Expenses. Commissioners who are members of standing or special committees shall be entitled to receive in lieu reimbursement for attendance at such committee meetings in accordance with Government Code Section 66504.1. Commissioners serving on standing and/or special committees shall also be entitled to receive necessary travel expenses in accordance with the Commission's current resolution in this regard. (See Appendix B.) Members of special committees appointed by the Commission and members of advisory committees appointed through Commission resolutions shall be reimbursed for their necessary travel expenses in accordance with the Commission's current procedures regarding this subject. (See Appendix D.)

Commissioners appointed by the Chair or the full Commission to represent MTC on committees other than those created by MTC shall be entitled to receive the MTC per diem and necessary travel expenses for attendance at such committee meetings. If the procedures of such committees require or permit the appointment of an alternate representative, MTC alternates to such committees may not claim per diem or travel expenses for any meeting at which the MTC commissioner is also present and claiming per diem.

4.14. Commission Committees.

A. Standing Committees. The current charters of the Commission's standing committees, as established by this Manual, are attached as Appendix E. Current Commission standing committees are as follows:

1. Administration Committee - is charged with the oversight of the operation and performance of the Commission staff including the development and oversight of agency personnel, financial policies, and management.

2. Programming and Allocations Committee - reviews projects seeking federal, state and regional funding approval for conformance with the Sustainable Communities Strategy/Regional Transportation Plan, adopts the region's multi-year program of funding priorities for federal, state and regional funds, and recommends allocation of various federal, state and regional funds among the various eligible claimants and applicants within the region.

3. Planning Committee - develops the region's annual transportation work program and program budget, reviews planning policies and issues, and together with ABAG, develops the Sustainable Communities Strategy, and proposes revisions to the Sustainable Communities Strategy/Regional Transportation Plan.

4. Operations Committee - establishes, oversees and evaluates transportation system management and operational activities sponsored by MTC, SAFE and others.

5. Legislation Committee - recommends Commission legislative policy, represents the Commission in the legislative process, and oversees the Commission's public information and citizen participation program.

6. Executive Committee - considers matters of urgency brought before it by the Chair between Commission meetings and other matters assigned to it by the Commission or the Chair.

B. Special Committees. Special committees are committees consisting of MTC commissioners and representatives of other organizations. Special committees are established, modified or disbanded by separate Commission action. Examples of current committees include, but are not limited to, the following:

1. Regional Airport Planning Committee - reorganized pursuant to MTC Resolution No. 3123 and is responsible for recommendations relating to the Regional Airport Element of the Regional Transportation Plan and the update of revisions relating to this element.

2. MTC/Bay Conservation and Development Commission (BCDC) Seaport Planning Advisory Committee - was established pursuant to a Memorandum of Understanding between BCDC and MTC (MTC Resolution No. 516) and is responsible for developing the

legislatively-mandated Seaport Element to the Regional Transportation Plan and recommendations for revision of the Seaport Element of the BCDC Bay Plan

3. Mega-Region Working Group – was established in 2015 through Resolution 4209 to identify issues of common interest and recommend joint activities among metropolitan planning organizations in the Northern California mega-region.

C. Advisory Committees. Advisory committees consist of members of the public and/or staff from public agencies or private organizations. Advisory committees are established, modified or disbanded by separate Commission action. When appropriate, all upcoming vacancies on MTC advisory committees shall be posted on the Commission website. Prior to making appointments to such committees, thirty days shall be allowed to receive responses from citizens who are interested in appointment. Examples of current advisory committees include, but are not limited to, the following:

1. Policy Advisory Council – This advisory committee was established in November 2009 pursuant to MTC Resolution No. 3931 to advise the Commission on transportation policies in the San Francisco Bay Area, incorporating diverse perspectives relating to the environment, the economy and social equity. Its 27 members are appointed by the Commission, including 9 members, one from each Bay Area county, selected to represent interests related to the communities of color, environmental justice and low-income issues; 9 members, one from each Bay Area county, selected to represent the interests of disabled persons and seniors; and 9 members selected to represent interests related to the economy and the environment.

2. The Bay Area Partnership (The Partnership) - The Partnership is a consortium of local, state and federal agencies, including the top managers from agencies for transportation and protecting the region's environmental quality; intended to foster consensus in the implementation of TEA 21 and its successor statutes, develop agreed-upon funding and planning priorities, and implement plans and programs to better manage and operate the metropolitan transportation system.

3. Regional Transit Coordinating Council (RTCC) - Pursuant to Public Utilities Code § 29142.4, the Commission has established the RTCC to advise MTC with respect to its state and federal programs, to focus attention on transit coordination, and to encourage participation of transit operators' top management in MTC's deliberations. MTC Resolution No. 2467 establishes the RTCC.

4. Paratransit Coordinating Councils (PCCs) - established by MTC Resolution No. 468 in 1977 to require participation by counties in promoting the efficient use of limited paratransit services. Membership composition is established in MTC Resolution No. 1209.

NOTE: Special and advisory committees usually forward their recommendations to the Programming and Allocations Committee. Special issues can be referred to the appropriate MTC standing committee.

V. MISCELLANEOUS

5.01 Authority. The Metropolitan Transportation Commission finds that these procedures are necessary to carry out the purposes of the Metropolitan Transportation Commission Act. These procedures are adopted pursuant to the Commission's authority under Government Code § 66506.

5.02 Emergency Notice Provision. In the event a postal strike or other calamity makes it impossible to give notice of meetings by mail as required in these procedures, notice of meetings of the Commission and its committees shall be given to commissioners and committee members, respectively, with such time and by such means as may be practical, which may include, but not be limited to, personal service, facsimile, email and posting at MTC's website. In such event, the general public and those requesting notice of Commission and committee meetings shall be notified, if possible, by publication of notice in a newspaper or newspapers of general circulation in the region. The timing and content of such published notice shall conform, if possible, to the requirements pertaining to mailed notice set forth in these procedures.

5.03 Severability. Should any part, term, portion, or provision of these procedures be finally decided to be in conflict with any law of the United States or the State of California or otherwise be ineffectual or unenforceable, the validity of the remaining parts, terms, portions, or provisions shall be deemed severable and shall not be affected thereby, providing such remaining portions or provisions can be construed to stand as the Commission intended.

Appendix B
Resolution No. 1058

Travel Reimbursement to Commissioners and MTC Staff

POLICY FOR REIMBURSEMENT TO COMMISSIONERS
FOR ACTUAL AND NECESSARY EXPENSES
INCURRED IN CONNECTION WITH THE PERFORMANCE OF THEIR DUTIES
OR IN LIEU OF REIMBURSEMENT FOR ATTENDANCE
AT COMMISSION OR COMMITTEE MEETINGS; POLICY FOR MTC STAFF OUT- OF-
REGION TRAVEL, TRAINING & RELATED BUSINESS EXPENSES

PURPOSE AND PRINCIPLES: This policy sets forth the rules and procedures for advances and reimbursement for actual and necessary expenses incurred by members of the Commission and MTC staff. Procedures pertaining to submittal of expenses and mechanics for approval for MTC staff are also contained in Executive Director Management Memorandum (EDMM) 340. In the event of any conflict between this policy and EDMM 340, this policy shall prevail.

The guiding principle of this policy is that travel on behalf of MTC is strictly in the public interest, resulting in benefit to the programs and policies MTC advocates, funds, supports and enacts.

- A. All members of the Commission shall be reimbursed for actual and necessary expenses incurred in connection with the performance of their official duties for the Commission providing, however, that in lieu of such reimbursement for attendance at Commission or committee meetings, each member of the Commission shall receive a per diem of one hundred dollars (\$100) not to exceed a combined total of five such meetings in any one calendar month, plus the necessary travel expenses as specified below. Consistent with precedent, and for clarity, such combined total of five meetings per month limit shall apply separately to MTC meetings and BATA meetings. In the case of joint powers authorities formed by MTC and BATA, meeting per diems shall count towards the BATA maximum allocation.
- B. "Committee meetings" include attendance by a commissioner at a publicly noticed meeting of an authorized standing committee of the Commission, a special committee established by action of the Commission or by the Chairman of the Commission, a joint program committee, a regional committee and a board of control created under a joint exercise of powers agreement. It also includes attendance at any public hearing sponsored by the Commission when the Chairman has appointed a special committee to conduct or supervise the hearing and the commissioner is a duly appointed member of that committee.
- C. The in-lieu reimbursement for attendance at Commission or committee meetings shall apply to a maximum of two such meetings in any one day.
- D. All members of the Commission shall, whenever possible and feasible, use public transit services in preference to privately-owned vehicles.
- E. For purposes of attending Commission or committee meetings within the region, necessary traveling expenses for members of the Commission shall include actual cost of public

transportation services or mileage allowance for the use of privately-owned vehicles and related bridge tolls and parking fees.

- F. The Bay Area is comprised of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma, and for the purpose of this reimbursement to commissioners for travel expenses the policy includes the County of Sacramento. Within this region, members of the Commission, when designated by the Chairman to represent the Commission at other than meetings for which they are entitled to receive in-lieu reimbursement, shall be reimbursed for necessary authorized traveling expenses which shall include actual costs of public transportation services or use of privately-owned vehicles, related bridge tolls and parking fees, and meals.
- G. MTC Staff shall follow the rules and procedures set forth in EDMM 340. The additional rules contained in this policy also apply to MTC staff. In the event of any conflict between this policy and EDMM 340, the terms of this policy shall prevail.
- H. Out-of-region necessary travel expenses shall include actual cost of transportation including air fare, lodgings, meals, and incidentals. First and Business Class airfare is not eligible for reimbursement.
- I. As used in this policy, “international travel” shall mean travel outside of the United States and Canada.

Authority

Reimbursement to members of the Commission for actual and necessary expenses incurred in connection with the performance of their duties or in lieu of reimbursement for attendance at Commission and committee meetings plus the minimum travel expenses are provided for in Section 66504.1 of the Government Code, and with respect to BATA, Streets and Highways Code Section 30950.1.

Responsibilities

- A. Executive Director
 - 1. Responsible for developing and including in the agencies’ annual operating budget requirements for funds to support reimbursements to members of the Commission as authorized for attendance at Commission meetings and for traveling expenses. In-region and out-of-region funds will be segregated. The Executive Director shall review the travel budget with the Administration Committee on a quarterly basis in order to track actual versus budgeted expenditures.

2. Responsible for administrative processing and payment of claims for reimbursement submitted by members of the Commission in conformance with this policy.
3. Responsible for bringing all MTC staff international travel and requests for exceptions to this policy to the Administration Committee and the Chair and Vice Chair of the Commission, as appropriate.
4. Responsible for approving Deputy Executive Director and General Counsel out-of-region travel and for overseeing Deputy Executive Director approval of travel training and activities, as set forth in EDMM 340.

B. Commissioners and MTC Staff

1. Members of the Commission and MTC staff shall travel in a manner which will be most advantageous to the Commission, consistent with performing their duties for the Commission.
2. Members of the Commission shall submit claims for reimbursement for travel to the Executive Director for administrative processing and payment using the attached Meeting and Travel Expense Claim Form. A separate Meeting and Travel Expense Claim Form will be used for claiming compensation for travel for each trip for out-of-region travel. Claims for per diem and reimbursement for travel within the region may be consolidated onto a single Meeting and Travel Expense Claim Form and submitted on a monthly basis.
3. MTC staff shall submit claims for reimbursement for travel in accordance with EDMM 340.
4. All international travel shall be approved in advance by the Administration Committee.
5. All Commissioner travel shall be disclosed in regular monthly reports to the Administration Committee.
6. Any exceptions to this policy shall be approved in advance by the Chair and Vice-Chair of the Commission and reported to the Administration Committee in the next succeeding meeting. MTC staff shall coordinate such requests through the office of the Executive Director.

C. Commission Chair

1. Responsible for approving all travel and expense reports of the Executive Director, subject to advance approval by the Administration Committee relating to international travel.

Schedule for Reimbursement

- A. Commissioner attendance at Commission or committee meetings within the region:
 - 1. Per diem: \$100 per Commission or committee meeting, not to exceed a combined total of five such meetings in any one calendar month. The combined total limit shall apply separately to MTC meetings and BATA meetings.
 - 2. Travel
 - a. Public transportation service - actual cost.
 - b. Privately-owned vehicle - at the rate established by the Internal Revenue Service; related bridge tolls and parking fees are also reimbursable.

- B. Travel within the region and including the County of Sacramento for purposes other than attending Commission or committee meetings:
 - 1. Per diem: None authorized.
 - 2. Travel
 - a. Public transportation services - actual cost.
 - b. Privately-owned vehicle - at the rate established by the Internal Revenue Service; related bridge tolls and parking fees are also reimbursable.
 - c. Meals: for actual costs, receipts required; for unreceipted actual costs, amounts shall not exceed: breakfast, \$12; lunch, \$18; dinner, \$36, including tips. A Commissioner who pays the bill for a meal attended by more than one Commissioner may submit a receipt for combined meal costs. The receipt shall be accompanied by a list of the names of all Commissioners attending the meal.
 - 3. Lodging: Costs within the region and Sacramento are eligible when authorized by the Commission Chair in the case of commissioners and the Executive Director; for MTC staff, when authorized as set forth in EDMM 340.

- C. Outside the Region
 - 1. Receipted costs of lodging, meals and incidentals, such as tips for baggage handling, do not require receipts as long as they are reasonable. Unreceipted actual costs for meals shall not exceed: breakfast, \$12; lunch, \$18; dinner, \$36, including tips.
 - 2. Transportation: Actual cost; First Class and Business Class airfare are not reimbursable. Use of rental car service is a reimbursable cost to a commissioner when required or more advantageous to the Commission in the performance of official duties.

D. Business Meetings

1. For business events hosted by MTC, the Commission expects the Executive Director to be responsible for determining if the meeting is necessary and to adhere to the following guidelines:
 - a) Authorization for hosting meetings or events may be granted only for the following objectives:
 - (1) The event is directly related to clearly identified MTC business; or
 - (2) The event aims to improve MTC's working relationship with other agencies, organizations, or groups having a direct impact on MTC's activities.
 - b) Any large business meeting, defined as a meeting in which the cost of food and beverage may be expected to exceed \$1,000, must have the advance authorization of MTC's Administration Committee.
 - c) Other business meetings (having a cost of less than \$1,000) arranged by the Executive Director shall be documented in his monthly expense report.

MTC / BATA Commissioner Monthly Meeting and Travel Expense Claim: Within Region Travel

Instructions to Commissioners: please review and sign if you are in agreement with amount indicated then return signed form to Meeting Clerk or Secretary.

Instructions to Staff: fill in yellow shaded fields as appropriate.

| |
|---|
| Commissioner's Name (Last Name, First Name): |
| |

| |
|---|
| Month / Year of Reimbursement Claim: |
| |

| |
|--------------------------------|
| Total to Be Reimbursed: |
| \$ - |

| |
|--------------------|
| Vendor Code |
| |

| \$100 Per Meeting Attended* | | |
|---|--------------|--------------------|
| Metropolitan Transportation Commission and Committee Meetings (Up to Five (5) Meetings)* | Meeting Date | "X" If Attended |
| Administration Committee 101 199 501 5703 | | |
| Programming & Allocations Committee 101 199 501 5703 | | |
| Legislation Committee 101 199 501 5703 | | |
| Operations Committee 101 199 501 5703 | | |
| Planning Committee 101 199 501 5703 | | |
| Metropolitan Transportation Commission 101 199 5015703 | | |
| Policy Advisory Council 101 199 804 5703 | | |
| | | |
| | | |

| | |
|---|---|
| Number of Meetings Attended: | 0 |
| Number of Meetings Attended To Be Reimbursed: | 0 |

| Bay Area Toll Authority and Committee Meetings (Up to Five (5) Meetings)* | Meeting Date | "X" If Attended |
|--|--------------|--------------------|
| Bay Area Toll Authority (BATA) 850 0000 015703 | | |
| Bay Area Infrastructure Financing Authority (BAIFA) | | |
| Bay Area Toll Authority Oversight Committee | | |
| Bay Area Regional Collaborative (BARC) | | |
| Bay Area Headquarters Authority (BAHA) 901 9110 185703 | | |
| | | |
| | | |

| | |
|---|---|
| Number of Meetings Attended: | 0 |
| Number of Meetings Attended To Be Reimbursed: | 0 |

| Performance of Other Official Duties of the Commission (Up to Five (5) Meetings)* | Meeting Date | "X" If Attended | Location | Miles Driven (\$0.58 per Mile Driven) | Public Transit | Parking | Tolls | Meals | Totals |
|--|--------------|--------------------|----------|--|----------------|---------|-------|-------|--------|
| | | | | \$ - | | | | | \$ - |
| | | | | \$ - | | | | | \$ - |
| | | | | \$ - | | | | | \$ - |
| | | | | \$ - | | | | | \$ - |
| | | | | \$ - | | | | | \$ - |
| | | | | \$ - | | | | | \$ - |
| | | | | \$ - | | | | | \$ - |
| | | | | \$ - | | | | | \$ - |
| | | | | \$ - | | | | | \$ - |
| Number of Meetings Attended: | 0 | | | | | | | | \$ - |
| Number of Meetings Attended To Be Reimbursed: | 0 | | | | | | | | |

| |
|------------------|
| |
| Signature |

| |
|-------------|
| |
| Date |

| |
|---|
| Travel Reimbursement Amount at \$0.58/Mile: (per meeting date referenced below) |
| |

| | |
|---|----------------------|
| Transit & Parking Reimbursement Amount: (per meeting date referenced below) | # of Meetings |
| | 0 |

| | |
|---|----------------------|
| Per Diem Amount: (\$100 per meeting / per sections on left) | # of Meetings |
| \$ - | 0 |



Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 19-0778 **Version:** 1 **Name:**
Type: Report **Status:** Informational
File created: 6/12/2019 **In control:** Administration Committee
On agenda: 7/10/2019 **Final action:**
Title: Procurement/Contracting Update

Staff will provide an update on procurements and contracts.

Sponsors:

Indexes:

Code sections:

Attachments: [3a_ProcurementContracting_Update.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Subject:

Procurement/Contracting Update

Staff will provide an update on procurements and contracts.

Presenter:

Therese McMillan and Michael Brinton

Recommended Action:

Information

Metropolitan Transportation Commission Administration Committee

July 10, 2019

Agenda Item 3a

Procurement/Contracting Update

- Background:** MTC's procurement and contracting efforts are an integral component in achieving the goals of the agency. Therese McMillan, MTC Executive Director and Michael Brinton, Assistant Director, Contracts/Compliance Manager will present information to the Committee on the following areas:
- Contracts Group and Procurement/Contract Trends
 - Procurement/Contracting Policies – Executive Director Management Memorandum 352
 - Signature Authority Resolutions
 - Sole Source Activity
 - Multi-Year Contract Strategy
 - Pre-Qualified Bench Procurements
 - Executive Director Signature Authority
- Issues:** None – Information Item.
- Recommendation:** None – Information Item.
- Attachments:** Attachment A: Presentation
Attachment B: EDMM 352 – Third Party Contracting



Andrew B. Fremier

Attachment A
Presentation



PROCUREMENT AND CONTRACTING UPDATE



PRESENTATION CONTENTS

- Relevant Policies and Authority
 - Executive Director's Management Memorandum (EDMM) 352
 - Delegated Signature Authority
- Sole Source Trends
- Multi-Year Contracts
- Executive Director Authority



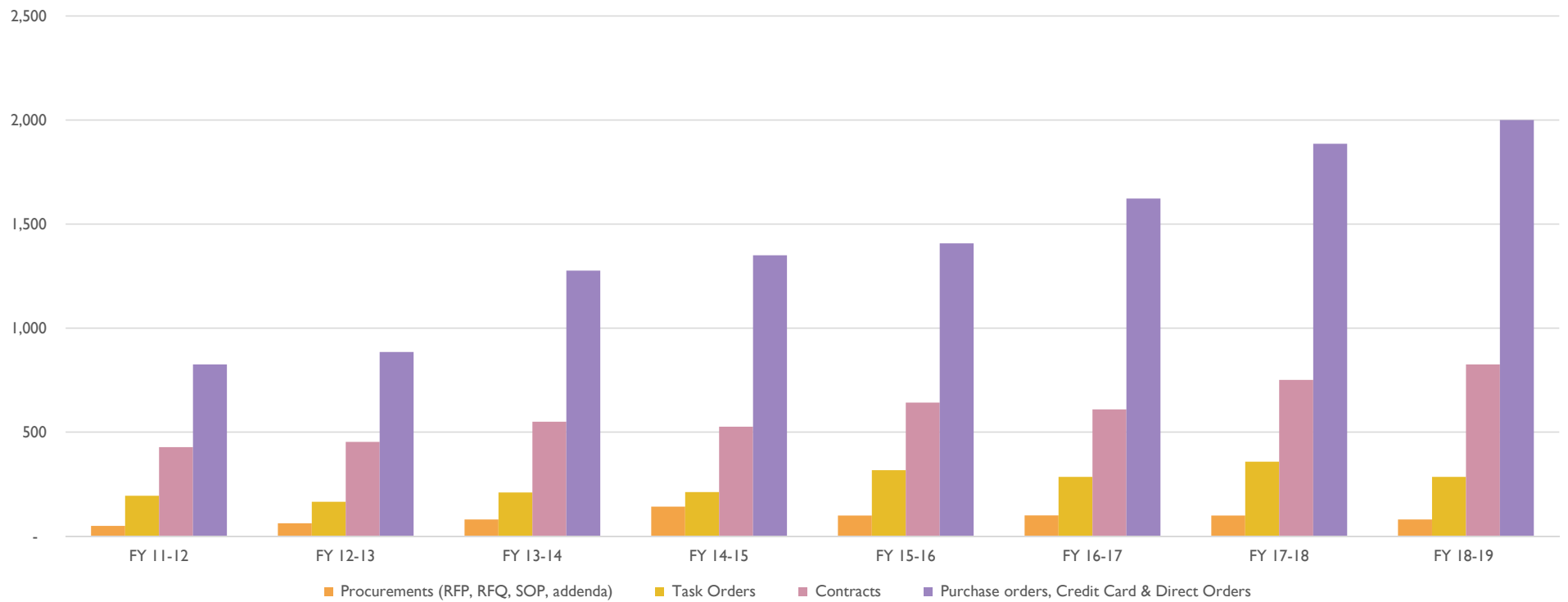
PROCUREMENT / CONTRACTS INFO

ACCOMPLISHMENTS AND TRENDS

- Procurement and Contract volume has increased 218% since FY 11/12
- Complexity of procurements and contracting activities has also increased over this time period
- Adopted and implemented an SBE Program in 2015
- Implemented a web based procurement system (Bonfire), electronic signatures (DocuSign)
- Implemented a paperless approval routing and database system (eContracts) and compliance tracking systems (B2GNow, LCPTracker)



Contract/Procurement Actions





EDMM 352

EDMM 352 sets forth the Agency's policy and procedures for entering into and administering contracts with vendors, contractors and consultants.

Formal policies date back to 1997 however EDMM 352 in its current form was established July 1, 2010 and has been revised twice (May 15, 2015 and June 1, 2017).

DELEGATED SIGNATURE AUTHORITY

- MTC Resolution No. 3619, Revised
- MTC SAFE Resolution No. 44, Revised
- BATA Resolution No. 46, Revised
- BAHA Resolution No. 1, Revised
- BAIFA Resolution No. 1, Revised

Resolutions establish the delegated signature authority of the Executive Director, Deputy Executive Directors and Section Directors

Executive Director and Deputy Executive Directors Authority increased from \$100,000 to \$200,000 in 2015 for all contracts, except for emergency contracts, for which authority was increased from \$100,000 to \$1,000,000, with subsequent report to and approval by the Commission.



SOLE SOURCE INFORMATION

POLICY

- EDMM 352, Attachment A – General Contracting Guidelines, Article 9, Sole Source Contracts, pages 6-7:

To receive Agency approval for a sole source contract, the Project Manager must prepare a sole source justification memorandum detailing the reasons why a competitive procurement is not feasible and citing one or more of the following reasons.

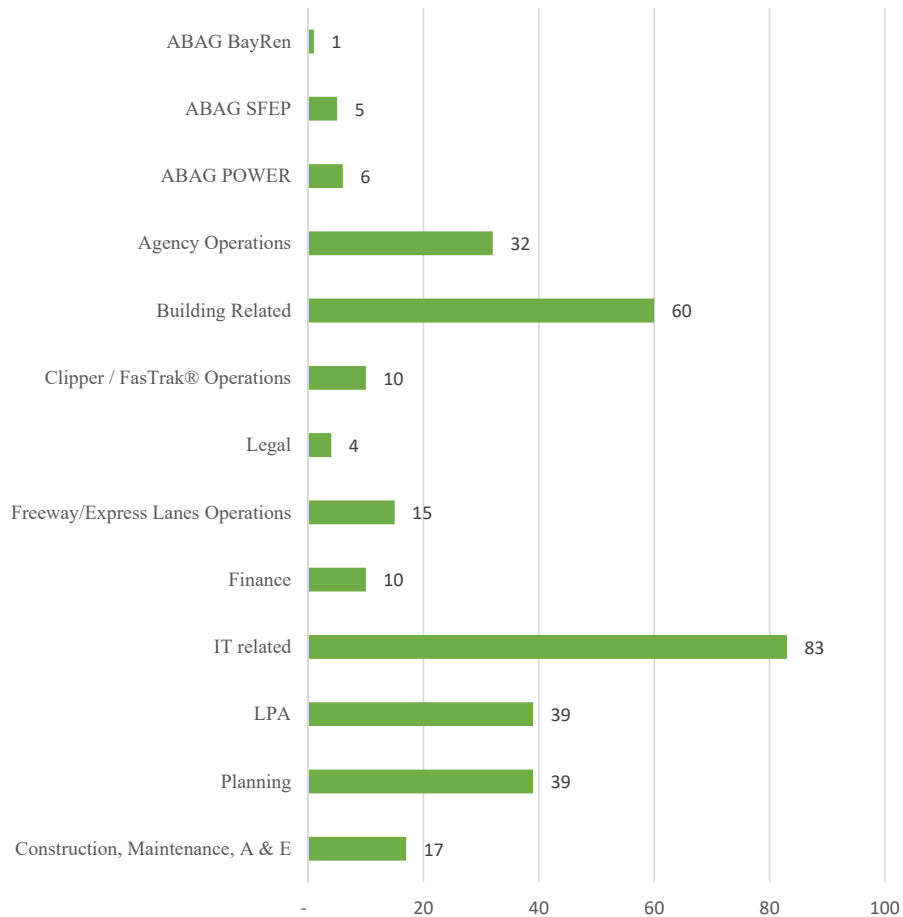
- Single source
 - Compelling urgency
 - Compelling business reason
- In collaboration with Executive Office and Office of General Counsel, Contracts Group intends to develop criteria to further define “Compelling Business Reasons”
 - Evaluating future changes to EDMM 352

Table 5: Sole Source Memoranda
(EDMM 352, Attachment D, Table 5 on page 18)

| Type | Office of General Counsel | Section Director | Deputy Executive Director⁽¹⁾ | Executive Director or Designee |
|--------------------------------|--------------------------------------|-------------------------|--|---|
| Single Source | Review for Legal Sufficiency | Concur | Approve up to \$100,00 | Final Approval >\$100,000 |
| Compelling Urgency | Review for Legal Sufficiency | Concur | Approve up to \$100,00 | Final Approval >\$100,000 |
| Compelling Business | No Review | Concur | Approve up to \$100,00 | Final Approval >\$100,000 |

(1) A Deputy Executive Director may not approve a sole source contract proposed by a Section Director under his/her supervision.


Sole Source Contracts/POs: By Type of Work
FY 15/16 thru FY 18/19 (3.31.19)



Sole Source Contracts & POs FY 15/16 through FY 18/19 (thru 3.31.19)

Volume By Type of Work

| | FY 15/16 | FY 16/17 | FY 17/18 | FY 18/19 | Total |
|-------------------------------------|----------|----------|----------|----------|-------|
| Construction, Maintenance, A & E | 3 | 6 | 2 | 6 | 17 |
| Planning | 10 | 5 | 11 | 13 | 39 |
| LPA | 9 | 8 | 11 | 11 | 39 |
| IT related | 20 | 14 | 21 | 28 | 83 |
| Finance | 0 | 1 | 6 | 3 | 10 |
| Freeway/Express Lane Operations | 0 | 1 | 4 | 10 | 15 |
| Legal | 3 | 0 | 1 | 0 | 4 |
| Clipper / FasTrak® Operations | 3 | 1 | 2 | 4 | 10 |
| Building Related | 22 | 15 | 16 | 7 | 60 |
| Agency Operations | 4 | 11 | 11 | 6 | 32 |
| ABAG POWER | 0 | 0 | 0 | 6 | 6 |
| ABAG SFEP | 0 | 0 | 4 | 1 | 5 |
| ABAG BayRen | 0 | 0 | 0 | 1 | 1 |
| Total Sole Source Contract & POs/FY | 74 | 62 | 89 | 96 | 321 |
| Total Contracts & POs/FY | 2,049 | 2,232 | 2,637 | 1,998 | 8,916 |
| Sole Sources as a % Total Volume | 3.61% | 2.78% | 3.38% | 4.80% | 3.60% |



| | FY 15-16 | FY 16-17 | FY 17-18 | FY 18-19 |
|--|-----------------|-----------------|-----------------|-----------------|
| Sole Source Contracts + POs (\$) | \$ 10,785,710 | \$ 5,128,878 | \$ 16,504,499 | \$ 5,494,463 |
| Total Contracts + POs (\$) | \$ 180,012,201 | \$ 173,086,593 | \$ 196,744,546 | \$ 631,659,676 |
| % Sole Source Contracts + POs / Total Contracts + POs | 6.0% | 3.0% | 8.4% | 0.9% |

Highlighted Cells show numbers that are skewed by 3 outliers: FY17-18 Lindsay Barrier Sole Source; FY 18-19 C2 System Integrator and FasTrak RCSC Extension



MULTI-YEAR CONTRACTS



PROCUREMENT/CONTRACT PLANNING PROCESS

- Project Teams, Contracts Group and OGC evaluate important aspects of all projects when determining the appropriate Period of Performance, including:
 - Scope of Work
 - Risk
 - Potential pool of qualified consultants/contractors
 - Procurement process/duration
 - Available resources (internal staff, professional consultant assistance, budget)
 - A typical procurement process, from drafting to award requires 4 – 5 months whereas the more complex, larger projects may require a year or more

WHY CONSIDER MULTI-YEAR AGREEMENTS

- Overall, need to balance potential benefits/risks of competition through re-bidding environment, compared to benefits/risks of a stable multi-year contract period.

For Example:

- Consultant/Contractor switch over can result in extended project delivery
- Continuity resulting from longer term contracts can improve pricing
- Consistency over time could result in missed opportunities for new perspectives or ideas on project delivery



AGENCY APPROACH

Standard Procurement Language – Period of Performance:

“B. Period of Performance

MTC expects the work to commence on or about _____, 201____, and to be completed no later than _____, 201____. At MTC’s sole option, the contract may be extended for (____) additional years for work contemplated by *Appendix A, Scope of Work*.”

MTC’s strategy is to structure a multi-year Contract period of performance into a base period with option years.

- Allows staff to manage performance and re-procure if Contractor/Consultant performance is lacking.
- Reduces the risk associated with poor Contractor/Consultant performance.

EXAMPLES

| Project: | Next Generation Clipper (C2) Regional Transit Fare Payment System Integrator | FasTrak® Regional Customer Service Center | Transit Passenger Surveying Services |
|-----------------------------------|---|--|---|
| RFP Period of Performance: | 10 Years | 6.5 Years | 3 Years |
| Options: | <ul style="list-style-type: none"> - 2 additional 5 year terms; and - up to an additional 5 years in annual increments, if necessary, in order to bridge a subsequent procurement or system implementation. | Annually renewable thereafter at BATA's discretion for up to 10 additional years | 2 additional years |



PRE-QUALIFIED BENCH STRATEGY



History and Strategy

- Primary use of benches initially focused on
 - Construction Management & Design Services
 - Transportation Engineering and Planning Services
 - Priority Development Area (PDA) Assistance
- Over past 5 – 6 years, use of benches expanded to other areas of the agency including:
 - Finance, Technology Services Section (TSS), Legislation and Public Affairs (LPA), Planning
- 18 active benches in use by Agency (see next slide)

| # | NAME | LEAD AGENCY | TERM | | | AWARD | |
|----|--|----------------------------|------------|---|---------------------|----------------|------------|
| | | | End | Options to Extend | Approx. Total Years | Authority | Date |
| 1 | 2018 Architectural and Engineering Services | BAHA | 6/30/2021 | up to two (2) additional years in increments of BAHA's choosing | 5 | BAHA | 7/25/2018 |
| 2 | 2018 Construction Management | BATA | 12/31/2020 | -- | 3 | BATA Oversight | 12/13/2017 |
| 3 | 2018 Design Services | BATA | 12/31/2020 | -- | 3 | BATA Oversight | 12/13/2017 |
| 4 | 2014 Priority Development Area Technical and Staffing Assistance | MTC | 12/31/2017 | One year increments for up to two total additional years | 5+ | Administration | 4/9/2014 |
| 5 | 2015 Electronic Payment Section Consultant Assistance | MTC | 6/30/2019 | up to 2 years in increments of MTC's choosing | 5 | Operations | 5/13/2016 |
| 6 | 2015 Future Mobility Research Program | MTC | 6/30/2019 | 2 years | 5 years | Administration | 1/6/2016 |
| 7 | 2016 Building Construction Review Services | BAHA | 2/20/2020 | up to three (3) additional years | 6 | BAHA | 3/22/2017 |
| 8 | 2016 Transportation Engineering and Planning | MTC | 6/30/2019 | one time for two (2) additional years | 5 | Operations | 6/10/2016 |
| 9 | 2016 Website Operations, Maintenance and Improvement | MTC | 6/30/2019 | up to two (2) additional years | 4 | Administration | 4/12/2017 |
| 10 | 2017 Climate Initiatives Technical Assistance | MTC | 4/30/2018 | up to two (2) additional years | 4 | ED | 5/9/2017 |
| 11 | 2017 Design Services (Print, Digital, Website Mapping, Wayfinding) | MTC | 6/30/2020 | three additional years | 6 | Administration | 6/14/2017 |
| 12 | 2017 Video Services | MTC | 9/1/2017 | 6/30/2020 | 2 years 10 months | ED | 9/26/2018 |
| 13 | 2018 Legal Services | MTC | 6/30/2022 | 1 year | 4 | Administration | 5/9/2018 |
| 14 | 2018 Public Engagement, Digital Engagement and Market Research Support | MTC | 6/30/2021 | -- | 4 | Administration | 2/14/2018 |
| 15 | 2018 Project and Program Management | MTC | 2/28/2023 | up to one additional year | 5 | Operations | 4/16/2019 |
| 16 | 2018 Toll Bridge Asset Management | BATA | 4/14/2020 | -- | 2 | BATA Oversight | 4/11/2018 |
| 17 | 2013 Transportation Management System (TMS) Technical Advisor | MTC, BATA, MTC SAFE, BAIFA | 6/30/2016 | to 06/30/2020 | 7 | Operations | 10/11/2013 |
| 18 | 2017 Transit Passenger Surveying Services | MTC | 6/30/2020 | 2 years | 5 Years | Administration | 5/10/2017 |



FY 19-20 Efforts

- Contracts Group is exploring ways to improve and expand bench strategy including:
 - Research of best practices at peer agencies
 - Agency wide benches versus department specific approach
 - Using a bench strategy to expand opportunities for Disadvantaged Business Enterprises (DBEs) and Small Business Enterprises (SBEs)



ED SIGNATURE AUTHORITY

Delegated Signature Authority Resolutions

EDMM No. 352

- The Executive Director or a designated Deputy Executive Director is hereby authorized to sign contracts and/or amendments to contracts totaling \$200,000, without referral to a standing Committee of the Commission with contract approval authority.
- The Executive Director may authorize MTC Section Directors to sign contracts and/or amendments to such contracts with a total contract value up to \$25,000 cumulatively.
- The Executive Director or a designated Deputy Executive Director is authorized to sign change orders and contract amendments that in total do not exceed the approved contract allotment (contract amount + contingency), without further referral to the appropriate authorizing Committee.

**Agenda Item 2c
Attachment A**

Purchase Orders and Contract actions executed under Executive Director Authority are reported as part of the Financial Statements presented monthly to each Committee

**PURCHASE ORDERS EXECUTED BY EXECUTIVE DIRECTOR
\$2,500-\$200,000**

| | | March, 2019 |
|--------------------------|---|-------------|
| VDW Government Inc. | Computer Equipment | \$19,390 |
| Granicus | Software License Renewal | \$15,899 |
| Insight Global LLC | PC Technical Consultant | \$3,648 |
| Everbridge Inc. | Software License Renewal | \$50,000 |
| Milliman | FY2018-19 Actuarial Services | \$25,000 |
| Govinvest Inc. | Software License Renewal - for OPEB and Pension | \$57,500 |
| Altec Products Inc. | 2019 Bay Nature Advertising | \$14,000 |
| Interstate Fence Company | Repair and Maintenance | \$3,000 |
| Auriga Corporation | Temporary Staff | \$100,000 |
| Extra Space Storage | FY 2018-19 Extra Space for Storage | \$10,500 |

Attachment B

EDMM 352 – Third Party Contracting

EXECUTIVE DIRECTOR'S MANAGEMENT MEMORANDUM NO. 352

EDMM NO.: 352
(This EDMM combines and supersedes MTC EDMMs 310, Purchasing and 352, Contract Procedures)

SUBJECT: **THIRD-PARTY CONTRACTING POLICIES AND PROCEDURES**

PURPOSE: This memorandum establishes the Agency's policy and procedures for entering into and administering contracts with vendors, contractors and consultants (sometimes referred to generically in this EDMM as "contractors").

APPLICABILITY: This memorandum applies to all purchases of goods, services, equipment, professional services agreements and other third-party contracts of any type entered into by MTC, BATA, MTC SAFE, BAHA, and BAIFA (each, an "Agency").

The competitive procurement requirements in this EDMM do not apply to the following types of purchases:

1. Agency business travel
2. Agency sponsored training and professional development
3. Professional organization memberships
4. Utilities, postage, transit tickets, and other goods and services that cannot be procured competitively
5. Temporary agency personnel services
6. Employee computer purchase program
7. Agency sponsored business meetings or events (including tickets, food, rentals, etc.)
8. Agreements with other public entities
9. Utilization of financial services authorized through an approved board resolution pursuant to the issuance and administration of approved debt issuance
10. Software, hardware, and equipment included in the approved IT Standards and Sole Source Purchasing Memorandum
11. Specialized legal services of an urgent nature, such as litigation, after properly disclosing the nature of the legal services and estimated costs to the Authorizing Board (as defined on page 6)

The preceding types of purchases must comply with contract approval requirements and thresholds.

POLICY:**A. Authority to Contract**

MTC's power to contract stems from its enabling statute, Section 66500 *et seq.* of the California Government Code. More specifically, MTC may "[c]ontract for or employ any professional services required by the commission or for the performance of work and services which in its opinion cannot satisfactorily be performed by its officers and employees or by other federal, state, or local government agencies." California Government Code Section 66506(c).

BATA's power to contract stems from its enabling statute, Section 30910 *et seq.* of the California Streets and Highways Code. More specifically, BATA may "make and enter into contracts" and "acquire, construct, manage, maintain, lease, or operate any public facility or improvements." California Streets and Highways Code Sections 30951(a) and 30951(c).

MTC SAFE's power to contract stems from its enabling statute, Section 2550 *et seq.* of the California Streets and Highways Code. More specifically, MTC SAFE may "contract and may undertake any act convenient or necessary to carry out this chapter and any other law relating to the authority." California Streets and Highways Code Section 2554.

BAIFA's and BAHA's power to contract stems from the Joint Exercise of Powers Act, Section 6500 *et seq.* of the California Government Code, and MTC and BATA's powers as summarized above. More specifically, "two or more public agencies by agreement may jointly exercise any power common to the contracting parties." California Government Code Section 6502.

B. Full and Open Competition

It is the policy of the Agency that goods and services be procured in a manner that provides full and open competition, consistent with applicable federal and state statutes and regulations. (See 49 *Code of Federal Regulations (CFR)* § 18.36(c) and 2 *CFR* § 200.319; and *Federal Transit Administration (FTA) Circular No. 4220.1F* or its successor publication).

C. Standard for Award in Competitively Negotiated Contracts

It is the Agency's policy to award professional service and other contracts, not suitable for selection, based on low bid to the responsible individual or firm whose services are the most advantageous and of the best value to the Agency. Factors such as the quality of professional personnel, technical design, approach to performance, soundness of the management plan, financials, and cost are relevant to determining the most advantageous and highest value offer.

D. Conflict of Interest

1. No employee, officer, advisor, or agent of the Agency shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise if any of the following has a financial or other interest in the prospective consultant or contractor (or any subcontractors) considered for award:

- a) The employee, officer, advisor, or agent;
- b) Any member of his or her immediate family;
- c) His or her domestic or business partner; or
- d) An organization that employs any of the above, or with which any of them have an arrangement concerning prospective employment. (See 49 CFR § 18.36(b)(3).)

2. No employee, officer, advisor, or agent of the Agency may have a financial interest in any contract made by them in their official capacity, or in the case of Authorizing Board members, by the Authorizing Board when they are members. Government Code §§1090 and 87100. (See MTC Resolution No.1198, Revised, Agency Conflict of Interest Code, which has been adopted by all the other Agencies).

3. No employee, officer, advisor, or agent of the Agency shall solicit or accept gratuities, favors, or anything of monetary value from consultants, vendors, contractors or potential consultants, vendors, contractors or parties to sub-agreements where the gift is an unsolicited item of \$50 or more in value (Government Code §87207), or multiple items aggregating \$470 or more in value (as that amount is adjusted by the Fair Political Practices Commission) within twelve months prior to the time the decision is made (Government Code §87103(e)).

4. It is the Agency's policy not to award contracts to consultants when there is an organizational conflict of interest. An organizational conflict of interest exists when a consultant or contractor, because of other activities, relationships, or contracts, is unable or potentially unable to render impartial assistance or advice to the Agency, and the consultant's objectivity in performing the contract work is or might be otherwise impaired or a consultant has an unfair competitive advantage. Whenever the Agency is awarding a contract that involves the rendering of advice, it will consider whether there exists the potential for bias, because of other activities, relationships or contracts of the consultant. (See FTA Circular 4220.1F(VI.2.a(4)(h)).

5. Agency conflict of interest policies apply to both personal and organizational conflicts of interest (1 and 4 above) and apply to both real and apparent conflicts. An apparent conflict of interest exists when a reasonable person with all of the material facts believes that there appears to be a conflict.

6. Violators of these conflict of interest standards are subject to penalties, sanctions or other disciplinary actions, up to and including termination (see MTC Resolution No. 1198, Revised; Government Code §§1090 and 87100 *et seq.*).

7. Any questions regarding a potential conflict of interest should be referred to the Office of the General Counsel for advice and consultation.

E. Nondiscrimination in the Procurement Process

No employee, officer, advisor, or agent of the Agency shall, on the grounds of race, color, sex, sexual orientation, religion, national origin, ancestry, age, physical or mental disability, medical condition, or pregnancy, childbirth or related medical conditions, permit discrimination against any person or group of persons in connection with the procurement of professional services (*California Civil Code § 51; California Government Code § 11135; Title VI of the Civil Rights Act, as amended (42 U.S.C. § 2000d); Section 303 of the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6102); Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132); and 49 U.S.C. § 5332*).

F. Disadvantaged Business Enterprise (DBE)

It is the policy of the Agency to ensure nondiscrimination in the award and administration of U.S. DOT-assisted contracts and to create a level playing field on which disadvantaged business enterprises, as defined in 49 Code of Federal Regulations Part 26, can compete fairly for contracts and subcontracts relating to Agency's procurement and professional services activities. In connection with the performance of applicable agreements with the Agency, Agency consultants carrying out projects that receive federal funds are required to cooperate with the Agency in meeting these commitments and objectives. (MTC Resolution No. 3196 and annual MTC resolutions authorizing the DBE program; MTC SAFE Resolution No. 34, revised; 2 *CFR* § 200.321 and 49 *CFR* § 18.36(e); and 49 *CFR* Part 26.)

G. Intergovernment and Interagency Procurements

Where it benefits the Agency to do so, the Agency may satisfy its procurement requirements through:

- collaborative intergovernmental procurements such as, but not limited to, the California Multiple Award Schedule (CMAS) administered by the State of California through the Department of General Services, or those administered by the General Services Administration. (see *FTA Circular 4220.1F (V.4)*);
- joint procurements with other government agencies, provided that all applicable federal, state, grant and other funding source requirements are properly followed and documented (see *FTA Circular 4220.1F (V.3)*); or

- following a documented public procurement process conducted by another government agency where the governing board approves the recommended contractor or the recommended contractor has been placed on a valid eligibility list.

H. Recycled Paper Products

It is the policy of MTC to use recycled paper products containing post-consumer and secondary waste materials whenever feasible (See EDMM 350, Resources Conservation Policy).

I. Environmentally Preferable Purchasing

The Agency encourages staff to conserve and reduce the use of paper, and other consumable office products such as file folders, toner, etc. whenever feasible.

RESPONSIBILITIES:

- A. The Authorizing Board is the appropriate governing board or committee with responsibility for authorizing the Agency to enter into purchase orders, contracts, and their related amendments. All purchase orders and contracts not subject to the Executive Director's (or designee's) signature authority are approved by the appropriate Authorizing Board.
- B. The Executive Director is responsible for promulgating these procedures and overseeing their implementation. In addition, the Executive Director, Deputy Executive Director(s) or other designee approves covered procurements and contracts within the delegated signature authority.
- C. Finance is responsible for certifying the availability of funds, issuing purchase orders, processing of invoice payments, auditing purchases, financial reporting, and for assuring that all contracts are included in the appropriate authorized budget, including MTC's Overall Work Program where applicable, and that the required funds are included in the adopted annual budget.
- D. The Office of the General Counsel (OGC) is responsible for interpreting the legal and regulatory requirements of this EDMM and for the legal reviews and approvals specified in the attachments to this EDMM. The Office of General Counsel shall also be the project manager of all legal services contracts.
- E. The Disadvantaged Business Enterprise Liaison is responsible for ensuring compliance with the U.S. Department of Transportation DBE requirements, for U.S. Department of Transportation funded procurements.
- F. The Section Director is responsible for ensuring purchases are in compliance with the adopted budget, reviewing and approving properly completed paperwork, authorizing purchases and contracts within the delegated signature authority, and authorizing vendor payment once goods and services have been rendered.
- G. The Contract Administrator is responsible for ensuring all procurements, purchase orders and contracts are in compliance with these contract procedures and applicable federal agency requirements for federally funded procurements.

PROCEDURES:

The procedures for soliciting and awarding purchase orders, professional services agreements and other third party contracts of any type entered into by an Agency are set forth in the attachments to this EDMM. Refer to the Project Manager's Guide for specific guidance on implementation. In the event that this EDMM and the Project Manager's Guide are not consistent, this EDMM prevails.

REFERENCES:

Delegation to Agency Committees:
MTC Resolution No. 1058, Revised

BATA Resolution No. 20, Revised
MTC SAFE Resolution No. 36, Revised

Delegated Signature Authority:
MTC Resolution No. 3619, Revised
MTC SAFE Resolution No. 44, Revised
BATA Resolution No. 46, Revised
BAHA Resolution No. 1, Revised
BAIFA Resolution No. 1, Revised

Project Manager's Guide (*Located in J: Contracts\Proj Mgr Guide*)

EFFECTIVE DATE: June 1, 2017
(*Supersedes EDMM 352, dated July 1, 2010, as revised May 15, 2015*)

DocuSigned by:
Steve Heminger
021DA2847D43405...
Steve Heminger, Executive Director

Attachment A: General Contracting Guidelines
Attachment B: Procurement Guidelines for Low Bid/Price Contracts
Attachment C: Competitive Negotiation Procedures for Professional Services Contracts
Attachment D: Review and Approval Guidelines
Attachment E: Bench Contracts: Ranking and Selection Procedures

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EDMM 352
Procurement and Contracting Procedures and Guidelines
(June 1, 2017)

Procurement and Contract Guidelines

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ATTACHMENT A, GENERAL CONTRACTING GUIDELINES

1. General Guidelines

Goods and services shall be acquired through a procurement process that provides full and open competition consistent with all federal, state and agency regulations. The purchase of goods and services shall not be fragmented to circumvent the competitive procurement requirements.

2. Types of Procurements and Solicitations

Table 1 summarizes the various levels of competitive procurements and solicitations. Within those levels, Attachments B and C describe in general different types of procurement vehicles, such as low bid procurement, competitive proposals (requests for proposal, two-step procurements, and requests for qualification). More detailed descriptions of the types of procurements appear in the Project Managers' Guide.

| Table 1 - Types of Procurements and Solicitations | |
|--|--|
| Type | Description Summary |
| Micro-Purchases ≤ \$3000 <i>Cumulative</i> | <ul style="list-style-type: none"> Project Manager makes a reasonable selection based on his/her experience or knowledge of the available resources and provided the price is fair and reasonable. Type of Agreement: Direct Order or Purchase Order; competitive procurement documentation is not required. |
| Informal Procurements \$3,000 - \$25,000 <i>Cumulative</i> | <ul style="list-style-type: none"> Minimum of 3 bids solicited by telephone, internet, email and/or fax. May issue a written Solicitations of Quotations or Proposals (SOQ or SOP). Type of Agreement: Direct order or Purchase Order accompanied by documentation supporting the competitive bid process. If bids exceed \$25,000, Executive Office must approve the purchase. The Executive Office must approve amendments to purchase orders procured informally that cause the total contract value to exceed \$25,000. |
| Formal Procurements > \$25,000 <i>Cumulative</i> | <ul style="list-style-type: none"> The Project Manager prepares a formal, written solicitation: Solicitations of Quotations or Proposals (SOQ and SOP), Invitations for Bid (IFB), Requests for Proposal (RFP), Requests for Qualifications (RFQ) or two-step procurements (RFQ/RFP). Type of Agreement: Purchase Order (SOQ or IFB) or Contract (Letter or Standard). |
| Combined or bundled purchases or similar Intergovernment Procurement Agreements <i>Any value</i> | <ul style="list-style-type: none"> The competitive solicitation requirement is satisfied if the firm is selected through a competitive bid process formally conducted by another government agency and the award specifically permits other government agencies to piggyback on the agreement. Type of Agreement: Purchase Order or Contract (Letter or Standard) accompanied by documentation of intergovernmental agreement. |
| Architectural and Engineering (A/E) Procurements - Any value | <ul style="list-style-type: none"> The Project Manager prepares a formal, written qualifications-based Request for Qualifications (RFQ). Type of Agreement: Purchase Order or Contract (Letter or Standard). |
| Pre-qualified Pool (Multiple Consultants/ Bench) RFPs or RFQs <i>Any value</i> | <ul style="list-style-type: none"> When MTC plans to accomplish multiple projects relying upon the same or similar expertise and background, the Project Manager may elect to generate a panel of qualified firms from which to select particular consultants. Type of Agreement: Contract (Standard). If the total budget for the bench procurement exceeds the Executive Director's signature authority, the selection of the bench must be approved by an Authorizing Board when the bench is selected. |

3. Procurement Document Review and Approval Process

In general, procurements do not require Authorizing Board approval before issuance. Written procurement documents are reviewed by the Section Director, Contract Administrator, Finance, Executive Office and the Office of General Counsel for adherence to this EDMM.

Procurement of all commercially available IT software, hardware, supplies and services that will be used within or connected to an Agency's computer systems and network (including Agency-hosted web sites) must be reviewed and approved by the Director, Technology Services or designee for adherence to IT technology standards, security policies and industry best practices. For procurement of IT software, hardware, supplies and services that will be used entirely outside of Agency computer systems and network, such as technology projects that are outsourced to contractors or hosted off-site, IT review may be requested to provide advice on industry best practices.

There is also a separate BATA network with standards for software, hardware, supplies and services that are to be approved by the BATA IT representative. IT review for other Agency purchases will be coordinated and approved by the appropriate IT representative for the Agency.

See Attachment D: Tables 4a and 4b for the review and approval process for written procurements and solicitations.

4. Notification to Potential Bidders/Proposers, and List of Proposers

All written solicitations must be posted on the MTC website, with notices (i.e. mail, email or fax) sent to firms in the MTC Vendor/Consultant database, the statewide DBE database and the Project Manager's vendor list. Other sources (i.e. websites, newspapers) may be used to ensure a diverse pool of potential bidders including local, woman-owned, minority-owned, and small businesses. Documentation of the vendor notification list must be maintained in the contract file.

After bids/proposals are due, the Contracts section must create a bid list that includes a list of actual bidders/proposers and that contains the following information:

1. Name and address of Firm,
2. DBE & non-DBE status (check http://www.dot.ca.gov/hq/bep/find_certified.htm),
3. SBE status (check <http://www.bidsync.com/DPXBisCASB>),
4. Age of Firm, and
5. Annual gross receipts.

5. Bidders' or Proposers' Conference

Solicitations may include a provision for a bidders' or proposers' conference to explain or clarify project requirements and to answer questions regarding the solicitation. It is Agency policy to hold a bidders' or proposers' conference in connection with all federally-funded procurements. Documentation of those who attend the conference must be maintained in the contract file.

Any changes to the provisions in the solicitation document must be issued as an Addendum to the solicitation and posted on the website for bidder reference. Responses to requests for clarifications in the solicitation materials shall be posted on the website for bidder reference.

6. Federally-funded Procurements

Federal funds have specific regulations that apply to procurements, particularly in the area of DBE. Therefore, the project manager should review current DBE regulations, requirements, and

compliance with the Agency DBE Liaison. RFPs for federally-funded projects must include the federal requirements included in the boilerplate Request for Proposal saved at J:\Contract/Procurement/Standard Forms/DOT Requirements (or a successor location). The DBE provisions to be included in federally-funded procurements appears in J:\CONTRACT\Procurements\Formats\RFP Template_final.dotx (or a successor location). Additional provisions may be required if the RFP involves research and development, procurement of materials and supplies, or construction.

A complete description of the procurement requirements for federally-funded contracts is set forth in 2 CFR Parts 200 and 1201 and 49 CFR Part 18.36. The Federal Transit Administration (FTA) has provided procurement guidance by means of FTA Circular 4220.1, most recently issued as 4220.1F on March 18, 2013. This circular, as it is revised from time to time by FTA, should be consulted any time a FTA-funded contract over \$3,000 is entered into. No specific procedures for selecting consultants using CMAQ or STP funds have been issued by FHWA; State or Federal-aid highway-funded contracts are governed by the Caltrans Local Assistance Procedures Manual.

FTA does not permit contracts that were originally procured as non-federal to be “federalized.” In other words, federal funds cannot be added to a non-federally funded contract simply by adding or amending the agreement with federal clauses. In these instances, it is necessary to rebid the scope of work under federal guidelines.

Notwithstanding any other provision of this EDMM, the Office of General Counsel (OGC) must approve all federally-funded purchases exceeding \$3,000. Approval by the OGC means that, in the professional judgment of the reviewing attorney, federal requirements were followed.

7. Insurance Requirements

Detailed descriptions of the types of insurance coverage required of our contractors have been developed by the Agency’s insurance broker and may be obtained from the Contract Administrator. The standard insurance coverage levels (as listed in Agency contract boilerplates), at a minimum, should always be required when the type of work suggests more than nominal risk to the Agency (e.g., the contractor will interact with the public; use an automobile; or provide professional services such as architectural, engineering, legal, construction, or physical work such as equipment maintenance or installation).

Solicitations and resultant contracts must include language which requires that contractors obtain insurance at specified levels and to add the appropriate Agency (or Agencies), and its commissioners, officers, employees, and agents as additional insureds with respect to the activities under the project. In addition, for contracts resulting from informal purchase procedures or sole source selection, the applicable insurance requirements should be faxed or emailed to the prospective vendor/contractor with the procurement information.

The contractor is required to provide the Contract Administrator with certificates of insurance as evidence of coverage. Upon approval of the award and before payment can be authorized,

insurance compliance must be verified by the Agencies' insurance/risk manager vendor, as designated by the Administrative Services Section.

Requests for modification or waiver of insurance requirements must be cleared through the Contract Administrator.

8. Protests

I. All formal solicitations must notify prospective bidders/proposers that they may protest as follows:

- a) Any provision of a solicitation on the grounds that it is inconsistent with Agency procedures, including EDMM 352, or in violation of applicable federal, state or local law or regulation; or
- b) An Agency finding that the bidder's/proposer's bid/proposal is nonresponsive or that the bidder/proposer fails to meet minimum qualifications or that the bidder/proposer is nonresponsive; or
- c) The selection of a particular contractor on the grounds that Agency procedures, the provisions of the solicitation or applicable provisions of federal, state or local law have been violated or inaccurately or inappropriately applied.

II. The written protest must be submitted to the Project Manager with an explanation of the basis for the protest no later than the deadline specified in the solicitation as follows:

- a) Typically three (3) business days prior to the due date for proposals, for objections to the solicitations provisions;
- b) Typically three (3) business days after notification for determinations of non-responsiveness, failure to meet minimum qualifications, or other findings of nonresponsibility; or
- c) No later than a specified number of working days (at least three (3)), after the date on which the contract is awarded or the date the proposer is notified that it was not selected, whichever is later, for objections to contractor selection. Unless otherwise specified in the written solicitation, where there are multiple Authorizing Boards (i.e. where a standing committee refers a contract action to the full Commission for approval) the protest period shall begin upon the action of the first Authorizing Board.

Protests of recommended awards must clearly and specifically describe the basis for the protest in sufficient detail for the Agency review officer appointed by the Executive Director to recommend a resolution to the Executive Director or Section Director, as applicable.

Except with regard to the limited disclosures required for protests of initial determinations of nonresponsiveness, nonresponsibility, or failure to meet minimum qualifications, the evaluation record shall remain confidential until the first action (i.e. referral or approval) by an Authorizing Board or as otherwise specified in the written solicitation or, for contract approvals delegated to

the Executive Director (as of the date of this EDMM, contracts not exceeding \$200,000), the Executive Director authorizes award.

For contracts approved by an Authorizing Board, the Executive Director will respond to the protest in writing, based on the recommendation of a staff review officer appointed by the Executive Director. For contracts approved by the Executive Director, the Section Director will respond to the protest in writing, based on the recommendation of the staff review officer appointed by the Section Director.

Should the protesting proposer/bidder wish to appeal the decision it may file a written appeal as follows:

For contracts approved by an Authorizing Board: The protesting proposer/bidder may file a written appeal of a decision of the Executive Director with the Authorizing Board specified in the procurement no later than the period specified in the procurement (usually three (3) business days after receipt of the written response from the Executive Director). The Authorizing Board's decision will be the final agency decision.

For contracts approved by the Executive Director: The protesting proposer/bidder may file a written appeal of a decision of the Section Director with the Executive Director no later than the period specified in the procurement (usually three (3) business days after receipt of the written response from the Section Director). The Executive Director's decision will be the final agency decision.

For protests of award, authorization to award a contract to a particular firm shall be deemed conditional until the expiration of the protest period or, if a protest is filed, the issuance of a written response to the protest, or if the decision is appealed, the issuance of the Authorizing Board or Executive Director's decision, as applicable.

A protest procedure for contracts approved by the Executive Director, or his designee, consistent with the above procedures, shall be set forth in procurements for such contracts. (See J:Contracts\Contract Formats\Formats or successor location.)

9. Sole Source Contracts

Competitive procedures are not required for one-time purchases of \$3,000 or less. Otherwise, sole source (noncompetitive) contracts may not be entered into by the Agency, except in the following situations in which the award of contract is infeasible under a competitive process:

- a) the goods or services are available only from a single source;
- b) the timeframe for conducting a competitive procurement will result in a public exigency or compelling urgency; or
- c) there is a compelling business reason to award to a particular contractor; cannot be a justification for federally funded purchases.

To receive Agency approval for a sole source contract, the Project Manager must prepare a sole source justification memorandum detailing the reasons why a competitive procurement is not feasible and citing one or more of the above reasons.

The sole source justification memorandum must be signed by the Section Director. In addition, the Office of General Counsel must review all “single source” and “compelling urgency” sole source justification memoranda (a and b above) for legal sufficiency. Finally, the Executive Director or Deputy Executive Director must approve and sign all sole source memoranda, regardless of the amount of the contract. A Deputy Executive Director may not approve sole source contracts proposed by a Section Director under his/her supervision.

After the sole source purchase is authorized by the Executive Office, the Project Manager may proceed with the contract award. Approval of the contract by the designated Authorizing Board is also required if the contract award is over the Executive Director’s delegated authority.

Upon approval of the sole source memorandum, the Project Manager shall forward the original signed document to the Contracts Section for retention with the original executed contract. A copy of the approved sole source justification memorandum should be attached to the purchase requisition or contract as it circulates for internal approval.

Subsequent purchases, for goods or services previously approved under a sole source memorandum, will not require legal review if the Contract Administrator determines the existing sole source applies.

See Attachment D: Table 5 for the review and approval process for sole source memorandums.

10. Emergency Actions

The Executive Director is authorized (*MTC Resolution No. 3619, Revised; MTC SAFE Resolution No. 44, Revised; BATA Resolution No. 46, Revised; BAIFA Resolution No. 1; BAHA Resolution No. 1* or their successor resolutions) to waive competitive procurement requirements for emergency contracts, with the approval of the Authorizing Board Chair, or in his/her absence, the Vice Chair, provided that funds for the contract are available in the adopted agency budget, and that each emergency contract may not exceed \$1,000,000.

An “emergency” contract is defined as necessary to deal with “Acts of God” or other threats to public safety or well-being when the delay caused by waiting for the next meeting of the Authorizing Board would increase that threat.

11. Budget Approval

Funding for all purchases and contracts must be included in the adopted Agency budget.

12. Approval of Awards

The Commission has delegated contract approval authority for MTC and MTC SAFE to the Administration and Operations Committees in MTC Resolution No. 1058 revised, and BATA has delegated contract approval authority for BATA to the BATA Oversight Committee in BATA Resolution No. 20, as those resolutions may be amended from time to time. Notwithstanding any delegation, the Commission and BATA may also approve contracts.

Pursuant to MTC Resolution No. 3619, BATA Resolution No. 46, MTC SAFE Resolution No. 44, BAIFA Resolution No. 1, and BAHA Resolution No. 1, as those resolutions may be amended from time to time or replaced, some covered contracts may be signed by the Executive Director, Deputy Executive Director, or a designee of the Executive Director without prior approval by the applicable Authorizing Board. As of the effective date of this EDMM, the delegation of signature authority for Agency contracts is as follows:

- a) Contracts or amendments up to \$200,000 cumulatively (or as amended by Agency resolution);
- b) Contract amendments or change orders up to the amount of a committee-approved contract allotment.
- c) Emergency purchases or contracts.

Regarding (a) above, “cumulatively” means that the person(s) with signature authority may sign a contract and one or more amendments without requesting Authorizing Board approval as long as the total of such contract and amendments does not exceed \$200,000. Once a contract or amendment has been approved by the Authorizing Board, the Executive Director’s delegated signature authority is replenished, and amendments up to \$200,000 may be signed without Authorizing Board approval.

In addition to the above delegation, BATA has authorized the Executive Director or his designee to authorize contract changes in excess of these thresholds under specified conditions, in BATA Resolution No. 21.

Contracts or amendments in excess of \$200,000 or otherwise not included in the delegation of contracting authority established by Agency resolution must receive approval from the Authorizing Board before a contract is executed. A copy of the signed Authorizing Board approval must be attached to the contract document that circulates for review and approval.

Micro-purchases (\$3,000 or less), selected without competitive procurement, may only be amended after documentation of an informal procurement process, and may not exceed the total cumulative contract amount of \$25,000. In addition, amendments to purchase orders, selected through an informal procurement process, may only be amended above \$25,000 with approval by the Executive Office.

13. Contract Review and Approval

Contracts are reviewed by the Section Director, Contract Administrator, Finance, Executive Office and the Office of General Counsel for adherence to this EDMM. The routing and approval process varies, depending on the type of contract.

License agreements for software that is developed or modified for MTC by consultants must follow the regular review process. In general, software license agreements for commercially available software (e.g. Microsoft Office) generally contain boilerplate language that cannot be amended by MTC as the licensee. This includes agreements for software service, technical support, warranty and maintenance. The Director of Technology Services or designee is authorized to sign these documents and accept the Terms and Conditions without legal review. The BATA, BAIFA, BAHA, and MTC SAFE IT representatives are also authorized to accept the terms of conditions, without legal review, for software license agreements for BATA, BAIFA, BAHA, and MTC SAFE. All other license agreements must be reviewed by OGC.

OGC will also review third-party agreements, such as those for licensing and rental of equipment and facilities for indemnification, insurance and other obligating clauses. Once the agreement is approved by OGC, it follows the review and approval process for any other contract.

For purchases requiring a Purchase Order and a Letter Agreement, both the requisition and Letter Agreement should be circulated concurrently for approval.

See Attachment D: Table 6 for the review and approval process for purchase orders (requisitions and amendments) and Table 7 for contracts and agreements (new and amendments).

14. Payment Provisions

Typical payment mechanisms are discussed in the Project Manager's Guide. Consult with OGC for payment restrictions in federally-funded contracts.

15. Invoice Approval

Contractors are required to mail invoices directly to Accounts Payable for processing. Upon review and approval by the Project Manager and Section Director, the invoice shall be returned to Finance for payment. The Project Manager is responsible for resolving any invoice disputes with the vendor.

16. Record Retention

All associated records, including but not limited to, purchase orders, contracts, agreements and supporting documents, audit reports and work papers, if appropriate, shall be retained in accordance to EDMM 322, Records Management and Retention Policy and/or applicable federal, state or grant requirements. (*See 2 CFR Section 200.333, 49 CFR Section 18.42, and pertinent federal retention requirements.*)

The required documentation for federally funded contracts is set forth in Attachment C, Section 6.

17. Public Disclosure

A. Proposals received in response to an agency solicitation are public records, as defined in the California Public Records Act (PRA) Government Code § 6250 *et seq.* and as such are subject to disclosure, unless exempt according to Gov. Code § 6254 or other statutes regarding exemptions. Solicitations must always notify prospective proposers of this requirement. This disclosure also includes lists of vendors who attended a bidders/proposers conference and planholders who obtain solicitation documents.

Unless otherwise specified in the written solicitation, the vendor recommendation shall remain confidential until approval by the Executive Director or once an Authorizing Board's agenda packet is officially posted for public review. The evaluation record shall remain confidential until approval by the Executive Director or the first action (i.e. referral or approval) by an Authorizing Board, or as otherwise specified in the written solicitation; the evaluation record is then subject to public disclosure. However, bids received in response to an IFB will be kept sealed until the bid opening date and time, at which time a public bid opening will be held.

B. Contract actions requesting Authorizing Board approval to enter into or amend a legal services contract with litigation counsel during the pendency of the litigation will not include the amount of the contract or contract amendment, provided that funds are available in the current Agency budget and that the scope and amount of the contract have been reviewed by the Authorizing Board in a duly authorized closed session; provided that all information regarding any such contract and its costs will be subject to public review upon the conclusion of the litigation.

18. Architectural and Engineering (A&E) Services

Under state and federal law, a qualifications-based (Request for Qualifications (RFQ)) selection is required for services performed by members of the architectural and engineering professions, including architectural, landscape architectural, engineering, environmental, surveying, comprehensive planning, design, feasibility study, mapping, construction engineering, or project management services with respect to a construction project or other development, construction, alteration or repair of real property. Price or budget may not be considered as an evaluation criterion in the ranking process. See Attachment E, Bench Contracts: Ranking and Selection Procedures, for procedures relevant to bench contracts.

Attachment B, Procurement Guidelines for Low Bid/Price Contracts

1. Types of Written Low Bid Solicitations

The following table summarizes the various types of written low bid solicitations that generally result in the award of a Purchase Order. *Refer to Attachment C if the resultant award is a contract or agreement. For more detailed information, refer to the Project Manager's Guide.*

Purchases shall not be split up to avoid solicitation thresholds.

| Table 2: Types of Low Bid/Price Solicitations | |
|--|---|
| Type | Description Summary |
| Solicitation of Quotations (SOQ) >\$3,000 - \$25,000 | <ul style="list-style-type: none"> ▪ The specifications can be described succinctly and precisely and the bidder does not require background information in order to submit a responsive bid, and a lump sum bid is solicited. ▪ The determining factor is the lowest price. ▪ Most often used for small one-time purchases of equipment, maintenance and repairs, printing and other services/items. |
| Invitation for Bid (IFB) >\$25,000 | <ul style="list-style-type: none"> ▪ Most often used in equipment purchases and construction contracts. Building contracts that qualify under California law as “public works¹” projects must be awarded on the basis of low bid (IFB). ▪ Once the threshold qualifications in the IFB are met, the determining factor is price. ▪ Award is to the lowest responsive, responsible bidder. ▪ Bids received in response to an IFB will be kept sealed until the bid opening date and time. |

2. Direct Orders

Purchase orders are not required for purchases of \$25,000 or less but they may be issued if requested by the vendor or Agency. Upon written authorization of the purchase by the Section Director, the Project Manager may place the order for the goods and services directly with the vendor. Payment shall be made by direct order or upon receipt of an invoice by Finance.

¹The definition of “public works” for the purposes of low bid procurements is found in California Public Contract Code Section 22002. It generally includes such work as construction, reconstruction, erection, alteration, renovation, improvement, and repair including painting and repainting of publicly-owned property. It does not include maintenance work such as routine or recurring work for protection or preservation, minor painting, or landscape maintenance. Note that this definition of “public works” is different than the definition of “public works” applicable to prevailing wage requirements, which is found in California Labor Code Section 1720 and the California Code of Regulations, and which does include some maintenance work. Questions as to whether a project is a “public work” subject to low bid requirements should be referred to the OGC.

3. Purchase Orders

The Agency may issue a Purchase Order (PO) as evidence of a contractual agreement with a supplier of goods or services that specifies items, quantities, delivery dates, shipping and freight terms and all other obligations and conditions (e.g., insurance requirements).

For purchases of \$25,000 or less, a PO is not required to be issued.

For purchases over \$25,000, a PO is required.

If a PO is requested or required, the Project Manager is responsible for submitting a purchase requisition for approval by the appropriate parties. Once approved, a PO will be issued by Finance. The vendor will be paid upon submission of an invoice(s) and verification by the Project Manager that the goods and services were received and that all terms and conditions of the PO have been met.

4. Purchase Order Amendments

Changes to the original PO (type of goods, pricing, etc.) must be made by an amendment. The Project Manager cannot request additional work or goods without prior approval of the proposed amendment(s). An amendment to the purchase order will also be required if there are insufficient funds to pay the outstanding invoices or the total charges exceed the original purchase order by \$100 or more.

5. Expiring Purchase Orders

Purchase orders for operating expenses funded with operating budget monies are issued for the fiscal year and expire on June 30, the last day of the fiscal year if operating funds are utilized. Unspent or available monies do not automatically carry over into the next fiscal year. Therefore, it is the Project Manager's responsibility to work with the vendor to ensure goods and services are delivered in the fiscal year in which the purchase order is issued, and the related invoices are received by the deadline established by Finance for fiscal year closing. Purchase orders that have expired at the end of the fiscal year cannot be amended.

Attachment C, Competitive Negotiation Procedures for Professional Services Contracts

1. Type of Competitively Negotiated Written Solicitations

The following table summarizes the various types of competitive/negotiated written solicitations that generally result in the execution of a contract or agreement. *Refer to Attachment B if the resultant award is a Purchase Order. For more detailed information, refer to the Project Manager's Guide.*

| Table 3 – Competitive / Negotiated Solicitations | |
|---|---|
| Type | Description Summary |
| Solicitation of Proposals (SOP) | <ul style="list-style-type: none"> ▪ A vendor can be selected based on (in no particular order) price, references, experience, and/or samples and without an evaluation of their approach to providing the goods/services; ▪ The proposer does not require detailed information on the project or the Agency in order to submit a responsive proposal; ▪ There is no need for a proposers' conference or interview; ▪ A lump sum or time and materials payments are contemplated; and ▪ There is not a DBE goal (federally funded project). |
| Letter RFP (short form) | <ul style="list-style-type: none"> ▪ Firm fixed-price (deliverables-based) contract or labor-hour contract (not cost reimbursement type) is contemplated. ▪ Work scope focuses on results, rather than approach, and desired results can be described succinctly and precisely. ▪ Reasonableness of price or cost effectiveness can be evaluated based on hourly rates or a detailed task budget. ▪ Scope of services, procurement procedure, complexity, and size of the procurement lends itself to a simple procurement approach. |
| Standard RFP (long form) | <ul style="list-style-type: none"> ▪ For all other procurements that do not meet the criteria for SOPs or Letter RFPs or for which a letter RFP is not appropriate because of the complexity or size of the procurement. ▪ Must be used for federally funded procurements. |
| Request for Qualifications (RFQ) | <ul style="list-style-type: none"> ▪ Primary focus of the evaluation is qualifications and experience. ▪ The proposer is not requested to propose an approach to performance of a particular project or to provide a work plan. ▪ Under state and federal law, a qualifications-based (Request for Qualifications (RFQ)) selection is required for services performed by members of the architectural and engineering professions, including architectural, landscape architectural, engineering, environmental, surveying, comprehensive planning, design, feasibility study, mapping, construction engineering, or project management services with respect to a construction project or other development, construction, alteration or repair of real property. |
| RFQ/RFP | <ul style="list-style-type: none"> ▪ Initial solicitation to identify qualified firms or teams. ▪ Proposals requested from pre-qualified firms or teams. |

| Table 3 – Competitive / Negotiated Solicitations | |
|--|---|
| Type | Description Summary |
| Pre-qualified Pool (Multiple Consultants/ Bench) RFPs or RFQs | <ul style="list-style-type: none"> ▪ When an Agency plans to enter into multiple projects relying upon the same or similar expertise and background, the Project Manager may elect to generate a panel of qualified firms from which to select particular consultants. ▪ If a bench is selected, a direct selection can be made, if permitted by the original procurement, after a memo to the project file from the Project Manager documenting that the selected firm is the most advantageous based on the evaluation criteria. In the alternative, a Mini-Procurement (RFQ or RFP) may be issued. If the Mini-Procurement is issued to less than all firms on the bench, a memo to the file must be written explaining why the Mini-Procurement went solely to the targeted firms. After the Mini-Procurement is evaluated the contract/Task Order must be issued to the most advantageous firm based on the evaluation factors. Special rules apply to Mini-Procurements for A&E services. See Attachment E, Bench Contract: Ranking and Selection Procedures. |

2. Content of Solicitations

The level of detail required in an RFP will vary depending upon the size and scope of the project. However, all competitively negotiated procurements must include:

- a) A clear and accurate description of the technical and other requirements for the services to be performed under the agreement and the deliverables to be produced. Such description must not unduly restrict competition.
- b) All requirements that proposers must fulfill and all other factors to be used in evaluating bids or proposals.
- c) A summary of the key terms and conditions to be included in the Agency's contract with the selected consultant with particular attention drawn to the insurance requirements. The Agency's standard provisions for professional service agreements should be attached to standard RFPs described in Table 3 above.
- d) A statement assuring compliance with the California Levine Act (Cal. Gov. Code § 84308).
- e) Procedures for protesting award.
- f) References with descriptions of similar projects and a contact person per project.

In addition to (a) – (f) above, all RFQs must include:

- g) A clear and comprehensive description of the professional background, technical experience, education and other qualifications necessary to perform work required under the project. If threshold minimum qualifications are included, they must be quantifiable and not subject to subjective interpretation.

3. Evaluation Criteria

Evaluation criteria must be stated and listed in the written solicitation in order of relative importance and weight, if not equal. The Project Manager shall establish a scoring method before proposals are reviewed. Evaluation procedures should be developed for procurements of \$200,000 or more (see 4 below). Unless otherwise provided in the procurement document, the evaluation record remains confidential until the Executive Director authorizes award or the first action is taken by an Authorizing Board to either refer or approve the award.

4. Evaluation Procedures

For procurements of \$200,000 or more staff must develop evaluation procedures (a) describing how the evaluation panel will apply the evaluation criteria and arrive at a recommendation and (b) setting forth any conflict of interest provision applicable to the procurement.

5. Cost or Price Analysis

A cost or price analysis must be conducted for all federally-funded contracts (except RFQs where selection is qualifications-based). Additionally, a cost analysis must be performed:

- For cost-reimbursement type contracts;
- In fixed price contracts when adequate price competition is lacking; and
- For sole source procurements, including contract amendments (change orders) and task orders, unless price reasonableness can be established on the basis of catalog or market price.

Where there is adequate competition, relative prices may establish cost reasonableness. A summary of the cost or price analysis performed, including acceptance of special or unusual costs and determination of reasonableness of profit or fee, should be part of the project documentation.

6. Project Documentation

Permanent evaluation documentation must be retained for all procurements for the period specified in the Agency's retention policy.

Documentation should include the following, which must be retained for the full retention period:

- a) the solicitation document;
- b) the proposal of the selected contractor;
- c) the final evaluation records;
- d) any committee memoranda or selection summaries supporting the selection decision;
- e) the rationale for procurement method and contract type (i.e. informal solicitation, formal advertising, or competitive negotiation; and cost plus fixed fee, firm fixed price, or time and materials); and
- f) the basis for contract price.

7. Contract Boilerplates

The Agency has adopted boilerplate documents for contracts, contract amendments and funding agreements including required clauses such as payment terms, insurance, indemnification, ownership of

work products, records/audits and termination. Any requests for changes, modifications or waivers of legal requirements must be cleared through the General Counsel's office.

Instructions for the use of certain provisions, and for federally funded contracts, are included in the contract boilerplate itself and in the Project Manager's Guide.

8. Contract Amendments

All contract modifications are effected by written amendments or change orders signed by all parties to the original contract. The Project Manager may not request or approve new work after the contract term has ended until a written amendment or change order has been executed.

Contracts that are closed cannot be amended. A completed deliverables-based contract may not be amended to add new work in a subsequent fiscal year following the fiscal year of its completion.

9. Pre-award and Interim Audits

Federally funded projects have requirements for pre-award and final audits, which are set forth in EDMM No. 347. It is the responsibility of the Project Manager to alert the Finance Section of the need to perform a pre-award audit, when it is required by EDMM No. 347 or federal funding sources, or is advisable based on the circumstances.

Contracts funded by Caltrans using federal or state highway funds may require certification of a pre-award audit and/or Caltrans review prior to execution. Project Managers should consult the Caltrans Local Assistance Procedures Manual and/or the Caltrans District 4 office to identify applicable pre-award review or audit requirements.

Attachment D, Review and Approval Guidelines

In accordance with the delegated authority of MTC Resolution No. 3619, Revised (and its other Agency counterparts), the review and approval process and the Executive Director delegations of signature authority for all written procurements, purchase order, contracts and amendments is set forth in Tables 4-7 below. ¹

| Table 4a: Written Procurements and Solicitations | | | | | | | |
|---|---|----------------|------------------|------------------------------------|---|--|---|
| Cumulative Total | Section Director | Finance | Contracts | Technology Services Section | Office of General Counsel | Deputy Executive Director | Executive Director or Designee |
| >\$3,000 - \$25,000 | Review | Review | Review | As needed | As needed, including all federally-funded purchases | Final Approval & Execute Final Document | |
| >\$25,000-\$200,000 | Review | Review | Review | As needed | Review | Final Approval & Execute Final Document | |
| >\$200,000 | Review | Review | Review | As needed | Review | Review | Approve & Execute Final Document |
| Table 4b: Mini-Procurement | | | | | | | |
| Cumulative Total | Section Director | Finance | Contracts | Technology Services Section | Office of General Counsel | Deputy Executive Director | Executive Director or Designee |
| \$1 - \$1,000,000 | Review, Approval & Execution of Final Document | Review | Review | As needed | As needed | | |
| >\$1,000,000 | Review, Approval & Execution of Final Document | Review | Review | As needed | As needed | Review | |

¹ Any delegation of approval authority to a Section Director may also be approved by the Deputy Executive Director or Executive Director; any delegation of approval authority to a Deputy Executive Director may also be approved by the Executive Director.

Table 5: Sole Source Memoranda

| Type | Office of General Counsel | Section Director | Deputy Executive Director ¹ | Executive Director or Designee |
|----------------------------|------------------------------|------------------|--|-------------------------------------|
| Single Source | Review for Legal Sufficiency | Concur | Approve, up to \$100,000 | Final Approval >\$100,000 |
| Compelling Urgency | Review for Legal Sufficiency | Concur | Approve, up to \$100,000 | Final Approval >\$100,000 |
| Compelling Business | No review | Concur | Approve, up to \$100,000 | Final Approval >\$100,000 |

¹ A Deputy Executive Director may not approve a sole source contract proposed by a Section Director under his/her supervision.

Table 6: Purchase Requisitions and Amendments

| Cumulative Total | Section Director | Technology Services Section | Contracts | Finance | Office of General Counsel ¹ | Deputy Executive Director | Executive Director |
|-------------------------------|--------------------------------|-----------------------------|-----------|---------|--|---------------------------|--|
| ≤\$25,000 | Review & Final Approval | As needed | Review | Review | As needed | | |
| >\$25,000-\$200,000 | Review | As needed | Review | Review | As needed | Final Approval | |
| >\$200,000 | Review | As needed | Review | Review | As needed | Review | Final Approval after Committee approval |

¹ The Office of General Counsel will also review third party agreements or other documents as needed.

| Table 7: Contracts and Agreements (New and Amendments) | | | | | | | |
|---|--|--|------------------|------------------------------------|--|----------------------------------|--|
| Cumulative Total | Section Director | Finance | Contracts | Technology Services Section | Office of General Counsel | Deputy Executive Director | Executive Director or Designee |
| ≤\$25,000 | Review, Approve and Execute Final Document (except sole source) | Review for Fund type; Budget encumbrance | Review | As needed | If federal funds are involved and as needed. | | |
| >\$25,000-\$200,000 | Review | Review for Fund type; Budget encumbrance | Review | As needed | Review | Final Approval | |
| >\$200,000 | Review | Review for Fund type; Budget encumbrance | Review | As needed | Review | Review | Final Approval after Committee approval |

Attachment E,
Bench Contracts: Ranking and Selection Procedures

Federally Funded Architectural and Engineering (A&E)* Projects:

- Where a bench has been established but no ranking of firms was made at the time of selection for the specific type of project being procured, a mini-Request for Qualifications (RFQ) must be issued. A mini-RFQ is an RFQ that is sent to firms that have been “pre-qualified” by a previously issued RFQ for a specific service, for the purposes of ranking the “pre-qualified” firms for the specific project being procured. The mini-RFQ must be issued to all firms on the bench that were qualified for the type of work being awarded.
- Ranking must occur first, without consideration of price or budget, and then price may be considered for reasonableness. If a reasonable price cannot be agreed upon with the highest-ranking firm, the Project Manager may attempt to negotiate a reasonable price with the next highest-ranked firm, continuing negotiations with successively lower-ranked firms until a reasonable price and contract terms are agreed upon. The Project Manager must prepare a memorandum documenting the selection (including at a minimum, the internal governmental estimate for the work, evaluation factors and scores given to the firms, rankings of firms, and a record of any and all negotiations related to cost, staffing, scheduling, and other terms) prior to notice of award.
- If a ranking was established as part of the procurement for the original bench, that ranking applies to all contracts/task orders issued under the procurement and price negotiations must commence with the highest-ranked available firm. The Project Manager must prepare a memorandum documenting the selection which includes applicable documentation requirements as set out in the previous bullet.

Non-Federally Funded A&E* Projects:

- Where a bench has been established but no ranking of firms was made at the time of selection for the specific type of project being procured, a mini-RFQ may be issued to any or all firms on the bench. Any mini-RFQ sent to less than every firm on the bench must be supported by a memo to the project file, approved by Contracts staff, showing that the firms receiving the mini-RFQ were the most qualified of the firms on the bench for the work being awarded.
- In the alternative, a direct selection can be made, if permitted by the original procurement, after a memo to the project file from the Project Manager documenting that the selected firm is the most qualified has been reviewed and approved by Contracts staff.
- If a mini RFQ has been issued, the second bullet above under Federally Funded Architectural and Engineering (A&E) Projects applies.

- If a ranking was established as part of the procurement for the original bench, that ranking applies to all contracts/task orders issued under the procurement and price negotiations must commence with the highest ranked available firm. Applicable documentation requirements set out in the third bullet under Federally Funded Architectural and Engineering (A&E) Projects apply.

All Other Non A&E Bench Contracts Regardless of Funding:

- A mini-RFQ or RFP may be issued to any or all firms on the bench. Any mini-procurement sent to less than every firm on the bench must be supported by a memo to the project file, approved by Contracts staff, showing that the firms receiving the mini-procurement were the most qualified of the firms on the bench for the work being awarded.
- In the alternative, a direct selection can be made, if permitted by the original procurement, after a memo to the project file from the Project Manager documenting that the selected firm is the most advantageous based on the evaluation criteria has been reviewed and approved by Contracts staff. If referenced in the solicitation for the original procurement, most advantageous may include a consideration of whether all firms on the bench have received work.

General Notes:

- If the total budget for a bench procurement exceeds the Executive Director's signature authority, the bench procurement shall require the bench selection to be approved by an Authorizing Board at the conclusion of the bench selection.
- Contracts staff must review all mini-procurements (RFQs and RFPs) and any addenda prior to issuance.
- Contracts staff must review all selection documentation, regardless of fund type, prior to award.
- Deputy Executive Director review is required for all mini-procurements with budgets exceeding \$1M.
- If a contract and/or task order is issued based on a SOW that does not include a design or construction management component, that contract and/or task order cannot be amended to add those types of services, and the above procedures apply.
- Questions regarding whether or not a SOW constitutes A&E* should be reviewed with Legal staff.

**Regardless of fund source A&E includes services performed by members of the architectural and engineering professions, including architectural, landscape architectural, engineering, environmental, surveying, comprehensive planning, design, feasibility study, mapping, construction engineering, and project management services with respect to a construction project or other development, construction, alteration or repair of real property.*