

**ONTARIO INTERNATIONAL AIRPORT
AUTHORITY
COMMISSION AGENDA
SPECIAL MEETING**

**February 2, 2018 AT 3:00 P.M.
Ontario International Airport Administration Offices
1923 E. Avion Street, Room 100, Ontario, CA 91761**

Alan D. Wapner
President

Ronald O. Loveridge
Vice President

Jim W. Bowman
Secretary

Curt Hagman
Commissioner

Julia Gouw
Commissioner



Mark A. Thorpe
Chief Executive Officer

Lori D. Ballance
General Counsel

Jeff P. Reynolds
Treasurer

Welcome to the Regular Meeting of the Ontario International Airport Authority.

- All documents for public review are on file at the Ontario International Airport Administration Offices located at 1923 E. Avion Street, Ontario, CA 91761.
- Anyone wishing to speak during public comment or on a item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Secretary/Assistant Secretary will not accept blue slips after that time.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1-minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with State Law, remarks during public comment are to be limited to subjects within the Authority's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak, including Commissioners and Staff, need to be recognized by the Authority President before speaking.

ORDER OF BUSINESS The Authority meeting begins with Public Comment at 3:00 p.m.

(EQUIPMENT FOR THE HEARING IMPAIRED IS AVAILABLE UPON REQUEST AT THE REGULAR MEETING.)

CALL TO ORDER (OPEN SESSION)

3:00 p.m.

ROLL CALL

Loveridge, Bowman, Hagman, Gouw, President Wapner

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

3:00 p.m.

The Public Comment portion of the Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, the Commission is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Commission, fill out one of the blue slips at the rear of the chambers and give it to the Secretary/Assistant Secretary.

AGENDA REVIEW/ANNOUNCEMENTS The Chief Executive Officer will go over all updated materials and correspondence received after the Agenda was distributed to ensure Commissioners have received them.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Commission votes on them, unless a member of the Commission requests a specific item be removed from the Consent Calendar for a separate vote.

Each member of the public wishing to address the Authority on items listed on the Consent Calendar will be given a total of 3 minutes.

1. RESOLUTION TO APPROVE AND AUTHORIZE FUNDS FOR IMPROVEMENTS TO THE EXISTING FEDERAL INSPECTION SERVICES FACILITY

That the Ontario International Airport Authority Commission adopt a resolution to approve improvements at the Federal Inspection Services Facility at Ontario International Airport to include the addition of Automated Passport Control (APC) kiosks, Cabling, Office Equipment, Security and Information Technology Infrastructure to meet U.S. Customs and Border Protection's request. Staff is requesting \$512,000 for the addition and installation of APC kiosks, \$250,000 for cabling, \$207,000 for security and information technology, \$51,000 for Office Equipment. Funds will be appropriated from the General Fund pursuant to either Majority In Interest approval from the Airlines or Use and Lease Agreement Section 6.03 (b) (3) under which the OIAA can undertake and fund "Projects or improvements that ensure compliance with a rule, regulation, or order of any federal, state or other governmental body".

2. APPROVAL TO AMEND CONTRACT (#DA-3737D) CUBIC TRANSPORTATION SYSTEMS, INC. FOR MAINTENANCE FOR THE COMPUTERIZED PARKING CONTROL SYSTEM AT ONTARIO INTERNATIONAL AIRPORT

That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer to execute a month-month contract extension with Cubic Transportation Systems, Inc. for maintenance for the computerized parking control system in Lot 5, for a not-to-exceed monthly amount of (up to) \$17,422 until OIAA staff is in position to procure similar services.

STAFF MATTERS

Chief Executive Officer Thorpe

COMMISSION MATTERS

President Wapner
Vice President Loveridge
Secretary Bowman
Commissioner Hagman
Commissioner Gouw

ADJOURNMENT

**ONTARIO INTERNATIONAL
AIRPORT AUTHORITY**
Agenda Report
February 2, 2018

**SECTION:
CONSENT CALENDAR**

SUBJECT: RESOLUTION TO APPROVE AND AUTHORIZE FUNDS FOR IMPROVEMENTS TO THE EXISTING FEDERAL INSPECTION SERVICES FACILITY

RELEVANT STRATEGIC OBJECTIVE: Expand Air Service. Provide Customer-Friendly Facilities and Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority Commission adopt a resolution to approve improvements at the Federal Inspection Services Facility at Ontario International Airport to include the addition of Automated Passport Control (APC) kiosks, Cabling, Office Equipment, Security and Information Technology Infrastructure to meet U.S. Customs and Border Protection's request.

FISCAL IMPACT: As required by U.S. Customs and Border Protection, if approved, staff will use \$512,000 for the addition and installation of APC kiosks, \$250,000 for cabling, \$207,000 for security and information technology, and \$51,000 for Office Equipment. Funds will be appropriated from the General Fund pursuant to either Majority In Interest approval from the Airlines or Use and Lease Agreement Section 6.03 (b) (3) under which the OIAA can undertake and fund "Projects or improvements that ensure compliance with a rule, regulation, or order of any federal, state or other governmental body".

BACKGROUND: On January 25, 2018 the OIAA conducted its first test flight for flights to and from Taiwan. The test flight was successful and helpful as staff, along with partnering agencies, were able to detect needs for the future success of the current FIS facility.

As it stands, the current IT/FIS facility design is not equipped to handle incoming international flights scheduled to start March 2018. U.S. Custom Border Protection has informed staff that the following updates must be made to ensure future international flights can be received by the current FIS facility.

STAFF MEMBER PRESENTING: Mark A. Thorpe, Chief Executive Officer

| | | | |
|-------------------|-----------------------|--------------------|-------------------------|
| Prepared by: | <u>Mark A. Thorpe</u> | Submitted to OIAA: | <u>February 2, 2018</u> |
| Department: | | General Counsel | |
| | <u>OIAA</u> | Review: | <u>February 2, 2018</u> |
| Chief Executive | | Approved: | _____ |
| Officer Approval: | <u>Mark A. Thorpe</u> | Continued to: | _____ |
| | | Denied: | _____ |

Item No. 1

- APC Kiosks
- Cabling
- Security/I.T. Infrastructure
- Office Equipment

Automated Passport Control Kiosks (APC)

On September 28, 2017 The OIAA approved OIAA’s Fiscal year 2017-18 Budget, included in this budget was \$300,000 for ten (10) Automated Passport Control Kiosks. On January 26, 2018 the OIAA received a total of 3 responses for a Request for Proposals for Automated Passport Control Kiosks manufacturing as required by U.S. Customs. A panel of reviewers determined that the RFP be awarded to S.I.T.A. for the manufacturing and installation of ten (20) self-service airport kiosks. These kiosks will assist with booking, changing a reservation, and check-in. These kiosks can be dedicated to one airline or shared as common use by multiple airlines. The investment made in these kiosks will benefit ONT well into the future as they will be moved to the FIS replacement facility once it is complete.

Cabling

The existing FIS facility was built in 1994, nearly 25 years ago. The cabling technology in this building is outdated or non-existent in some areas. This requires that cables be pulled to the units so that a number of systems including, CBP networking for their devices used in passenger processing, networking equipment, internet, electricity, and telephone systems are secure and reliable.

Security/I.T. Infrastructure

To meet current Department of Homeland Security / U.S. Customs and Border Protection (CBP) requirements and other key regulatory guidelines defined in the U.S. CBP Airport Technical Design Standard, the current FIS facility requires an updated security system to ensure proper security, safety, and video surveillance capability of the facility and travelling public. Since the terrorist events of September 11th, 2001 – over 16 years ago – many regulatory changes have occurred in the US domestic aviation industry resulting in new passenger security screening, checked baggage screening, as well as customs and immigrations systems, technologies and protocols.

Office Equipment

The 23-year old FIS facility at ONT does not provide up-to-date office equipment and amenities required by the U.S. CBP for their personnel to use in their official duties. This will allow better passenger flow and processing. The OIAA’s stated mission includes operating ONT as one of the most efficient and passenger-friendly airports in the U.S.

STAFFING IMPACT (# OF POSITIONS): The proposed action will not create an impact on positions at ONT.

IMPACT ON OPERATIONS: Staff will make improvements in a way that will ensure airport operations and airport projects, and tenant improvement projects continue uninterrupted.

SCHEDULE: N/A

CEQA COMPLIANCE: The proposed purchase decision is not a "project" under CEQA and does not require environmental review. To the extent the purchase decision could be deemed a "project" for purposes of CEQA, it would be Categorical Exempt from the provisions of CEQA pursuant to CEQA Guidelines section 15301 for the operations, repair, maintenance, permitting, or minor alteration of existing structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

EXHIBITS AND ATTACHMENTS

Attachment A – Resolution to approve FIS facility improvements.

This Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday.

This Agenda Report has been reviewed by General Counsel. |

RESOLUTION NO. _____

A RESOLUTION OF THE ONTARIO INTERNATIONAL AIRPORT
AUTHORITY TO AUTHORIZE FUNDS FOR IMPROVEMENTS TO THE
EXISTING FEDERAL INSPECTION SERVICES FACILITY

WHEREAS, the Ontario International Airport Authority (the "OIAA" or "Authority") was established under a Joint Exercise of Powers Agreement between the City of Ontario and the County of San Bernardino (the "Joint Powers Agreement") pursuant to the Joint Exercise of Powers Act of the State of California (the "Joint Powers Act"), for the purpose of operating, maintaining, managing, developing, and marketing the Ontario International Airport (the "Airport") and related Airport facilities; and

WHEREAS, to ensure continued safe and secure processing of international flights at the Ontario International Airport, the U.S. Customs and Border Protection has requested the OIAA purchase twenty (20) Automated Passport Control (APC) kiosks to be placed at the Federal Inspection Services (FIS) facility at the Airport; and

WHEREAS, on January 25, 2018, the OIAA conducted a test flight before regularly scheduled flights start in March 2018 to and from Taiwan. The test flight was successful, but it was also helpful to staff, along with partnering agencies, in determining needs to be filled and to ensure successful operation of the FIS facility in processing international flights; and

WHEREAS, the U.S. Custom Border Protection informed staff that updates are needed for safety and security reasons and to process international passengers at the current FIS facility. The needed components are: (1) twenty (20) APC kiosks; (2) cabling; (3) security and information technology infrastructure; and (4) office equipment. These updated components are intended to meet current Department of Homeland Security / U.S. Customs and Border Protection requirements and other key regulatory guidelines defined in the U.S. CBP Airport Technical Design Standards, to ensure proper security, safety, and video surveillance capability of the facility and traveling public; and

WHEREAS, through a Request for Proposal process, staff determined the response from SITA Information Networking Computing USA, Inc. (SITA) addressed the OIAA needs, and staff recommends that a contract be awarded to SITA to acquire and install the required components at the FIS facility;

NOW, THEREFORE, BE IT RESOLVED by the Ontario International Airport Authority as follows:

SECTION 1: To meet current Department of Homeland Security / U.S. Customs and Border Protection requirements and other key regulatory guidelines, the Ontario International Airport Authority Commission approves the recommended upgrades to the FIS facility to ensure proper security and safety of the Airport and passengers.

SECTION 2: The Ontario International Airport Authority Commission further authorizes the Chief Executive Officer to negotiate and enter into a contract with SITA for the acquisition and installation of the necessary components to upgrade the FIS facility.

PASSED, APPROVED, AND ADOPTED this 2nd day of February 2018.

ALAN D. WAPNER, OIAA PRESIDENT

ATTEST:

CLAUDIA Y. ISBELL, CLERK TO THE BOARD/
ASSISTANT SECRETARY

APPROVED AS TO LEGAL FORM:

LORI D. BALLANCE
GENERAL COUNSEL

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Claudia Y. Isbell, Commission Clerk of the Ontario International Airport Authority, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Commission of the Ontario International Airport Authority at their special meeting held February 2, 2018 by the following roll call vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

CLAUDIA Y. ISBELL, CLERK TO THE BOARD/
ASSISTANT SECRETARY

(SEAL)

The foregoing is the original of Resolution No. ____ duly passed and adopted by the Commission of the Ontario International Airport Authority at their special meeting held February 2, 2018.

CLAUDIA Y. ISBELL, CLERK TO THE BOARD/
ASSISTANT SECRETARY

(SEAL)

**ONTARIO INTERNATIONAL
AIRPORT AUTHORITY**
Agenda Report
February 2, 2018

**SECTION:
CONSENT CALENDAR**

SUBJECT: APPROVAL TO AMEND CONTRACT (#DA-3737D) CUBIC TRANSPORTATION SYSTEMS, INC. FOR MAINTENANCE FOR THE COMPUTERIZED PARKING CONTROL SYSTEM AT ONTARIO INTERNATIONAL

RELEVANT STRATEGIC OBJECTIVE: Expansion of Air Services.

RECOMMENDED ACTION(S): That the Ontario International Airport Authority (OIAA) authorize the Chief Executive Officer to execute a month-month contract extension with Cubic Transportation Systems, Inc. for maintenance for the computerized parking control system in Lot 5, for a not-to-exceed monthly amount of (up to) \$17,422 until OIAA staff is in position to procure similar services.

FISCAL IMPACT SUMMARY: If approved, Cubic Transportation Systems, Inc. would be retained on a month-month basis for an additional 6-months not-to-exceed amount of (up to) \$17,422 per month.

BACKGROUND: The OIAA was formed in August 2012, under a Joint Powers Agreement (JPA) between the City of Ontario and the County of San Bernardino, to provide overall direction for the management, operations, development, and marketing of Ontario International Airport (ONT). As part of the preparation for transfer of ownership, the OIAA identified a need for computerized parking control systems.

On January 2, 2013 LAWA entered into its Fourth Amendment contract Cubic Transportation Systems, Inc, prior to the transfer of airport ownership, so that maintenance of the computerized system in Lot 5 could be performed until MAG USA takes over maintenance of the parking lot.

SCOPE OF WORK: If this Agreement is approved, Cubic will maintain the computerized parking control system at the Ontario International Airport until the MAG is ready to manage parking Lot 5.

STAFF MEMBER PRESENTING: Bruce Atlas, Chief Operating Officer

| | | | |
|-----------------------------------|----------------------|--------------------|-------------------------|
| Prepared by: | <u>Bruce Atlas</u> | Submitted to OIAA: | <u>February 2, 2018</u> |
| Department: | | General Counsel | |
| | | Review: | <u>February 2, 2018</u> |
| | <u>OIAA</u> | Approved: | _____ |
| | | Continued to: | _____ |
| Chief Executive Officer Approval: | <u>Mark A. Trope</u> | Denied: | _____ |

Item No. 2

CEQA COMPLIANCE: The proposed staffing services decision is not a "project" under CEQA and does not require environmental review. To the extent the staffing services decision could be deemed a "project" for purposes of CEQA, it would be Categorical Exempt from the provisions of CEQA pursuant to (1) CEQA Guidelines section 15309 for project inspection services, (2) CEQA Guidelines section 15301 for the operations, repair, maintenance, permitting, or minor alteration of existing structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, and (3) CEQA Guidelines section 15303 for new construction, installation or conversion of a limited number of small structures, facilities or equipment.

STAFFING IMPACT (# OF POSITIONS): None.

IMPACT ON OPERATIONS: None.

SCHEDULE: N/A

EXHIBITS AND ATTACHMENTS

Attachment A – Fifth Amendment - Agreement

This Agenda Report references the terms and conditions of the recommended actions and request for approval. Any document(s) referred to herein and that are not attached or posted online may be reviewed prior to or following scheduled Commission meetings in the Office of the Clerk of the Commission. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday.

This Agenda Report has been reviewed by General Counsel.

FIFTH AMENDMENT TO CONTRACT (#DA-3737D) BETWEEN
THE ONTARIO INTERNATIONAL AIRPORT AUTHORITY
AND CUBIC TRANSPORTATION SYSTEMS, INC.
FOR MAINTENANCE FOR THE COMPUTERIZED PARKING CONTROL SYSTEM
AT ONTARIO INTERNATIONAL AIRPORT

THIS FIFTH AMENDMENT (“Fifth Amendment”) to Contract (#DA-3737D), made and entered into this 1st day of February, 2018, by and between the ONTARIO INTERNATIONAL AIRPORT AUTHORITY, a joint powers authority created by the City of Ontario and San Bernardino County (“OIAA”), and CUBIC TRANSPORTATION SYSTEMS, INC. (“Contractor”) for Maintenance of the Computerized Parking Control Systems (CPCS). The OIAA and Contractor are sometimes individually referred to as “Party” and collectively as “Parties” in this Fifth Amendment.

RECITALS

WHEREAS, the City of Los Angeles (“City”), by and through Los Angeles World Airports (“LAWA”), and Contractor entered into a contract for maintenance of a computerized parking control system at Ontario International Airport on February 1, 2003 (“Contract”); and

WHEREAS, City and Contractor amended the Contract by executing a First Amendment on February 1, 2008, wherein the Contract term was extended by two years and other provisions were modified; and

WHEREAS, City and Contractor amended the Contract by executing a Second Amendment on February 1, 2010, wherein the Contract term was further extended by one year in addition to modification of other provisions; and

WHEREAS, City and Contractor amended the Contract by executing a Third Amendment effective February 1, 2011, wherein the Contract term was further extended by two years in addition to modification of other provisions; and

WHEREAS, City and Contractor amended the Contract by executing a Fourth Amendment effective January 1, 2013, wherein the Contract term was further extended by three years, with two, one-year options, and modified the service and compensation provisions; and

WHEREAS, on October 20, 2016, LAWA, the OIAA, and Contractor entered a Full Assignment and Novation Agreement (“Full Assignment”), wherein LAWA assigned all rights, interests, duties, and obligations arising from the Agreement to the OIAA, and the OIAA assumed such rights, interest, duties, and obligations. The Contractor consented to such assignment, effective November 1, 2016; and

WHEREAS, the OIAA and Contractor desire to extend the term of the Contract on a month-to-month basis, not to exceed six (6) months.

NOW, THEREFORE, for and in consideration of the terms, covenants, and conditions hereinafter the Parties mutually agree that the Contract BE AMENDED AS FOLLOWS:

1. Section 5, entitled "Term of Contract" is hereby amended to add a new subsection (f) as follows:

“(f) Fifth Extended Term.

(1) Upon expiration of the current extended term (January 31, 2018), the term of this Contract shall be extended on a month-to-month basis, and for up to maximum period of three (6) months, commencing on February 1, 2018 and terminating 11:59 p.m. July 31, 2018 (the "Fifth Extended Term"); subject, however, to such earlier termination as herein provided. OIAA shall have the sole option to extend the term of this Contract at the sole and absolute discretion of the Chief Executive Officer with advance written notice no later than thirty (30) days prior to the expiration of the term, subject, however, to such earlier termination as herein provided.

(2) During the Fifth Extended Term, and all other extended term(s), OIAA may terminate this Contract, or any portion of the Contract related to Ontario International Airport, with or without cause, at the sole and absolute discretion of the Chief Executive Officer upon thirty (30) days advance written notice, or as otherwise provided herein.”

2. Section 6, entitled "Services to be Performed" is hereby amended to add a new subsection (u) as follows:

“(t) During the Fifth Extended Term, Contractor shall ensure existing operations and maintenance currently being performed by Contractor at Ontario International Airport continue without disruption until expiration or earlier termination of this Contract.”

3. Section 11(a), entitled "Base Term" is hereby amended to add new subsections (8) and (9):

“(8) Fifth Extended Term.

- (i) ONT. During the Fifth Extended Term, OIAA agrees to pay Contractor the following monthly amount for services performed at Ontario International Airport:

| | Ontario International Airport |
|--------------------------------------|-------------------------------|
| February 1, 2018 – February 28, 2018 | \$17,422 |
| March 1, 2018 – March 31, 2018 | \$17,422 |
| April 1, 2018 – April 30, 2018 | \$17,422 |
| May 1, 2018 – May 31, 2018 | \$17,422 |
| June 1, 2018 – June 30, 2018 | \$17,422 |
| July 1, 2018 – July 31, 2018 | \$17,422 |

(9) Out of Scope Repairs during Fifth Extended Term. During the Fifth Extended Term, Contractor shall provide OIAA with any and all proposal(s) for any out-of-scope repairs at Ontario International Airport, as may be necessitated by occurrences beyond Contractor's control such as acts of vandalism or other occurrences, and only make such repairs only upon the Chief Executive Officer's, or his/her designee's, written approval and direction.”

4. Section 11(b), as amended, is hereby amended to add a new subsection 11(b)(8):

“(8) Fifth Extended Term.

(i) ONT. Contractor will submit monthly invoices to OIAA for each month of during the Fifth Extended Term for services provided by Contractor at Ontario International Airport. This amount shall be due and payable thirty (30) days net of the date the invoice is received by OIAA. Any additional or outside work performed by Contractor that is approved by the OIAA in writing shall be will be invoiced upon completion of such work. Any additional or outside work not approved by the OIAA in writing will not be paid.”

5. It is understood and agreed by and between the Parties hereto that, except as specifically provided herein, this Fifth Amendment shall not, in any manner alter, change, modify, or affect any of the rights, privileges, duties or obligations of either of the Parties hereto under or by reason of said Contract, and, except as expressly amended herein, all of the terms, covenants, and conditions of the Contract and all amendments thereto, shall remain in full force and effect.

[SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, this Fifth Amendment is duly executed on the day and year first above written, by the parties hereto, intending themselves to be legally bound hereby.

Contractor:

CUBIC TRANSPORTATION SYSTEMS,
INC.

BY: _____
Signature

Print Name

Title

ONTARIO INTERNATIONAL AIRPORT
AUTHORITY

BY: _____
Mark A. Thorpe
Chief Executive Officer

ATTEST

BY: _____