



BOARD OF DIRECTORS 2022

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CHARLES STONE, VICE CHAIR
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DEVORA "DEV" DAVIS
JEFF GEE
GLENN HENDRICKS
DAVE PINE
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MONIQUE ZMUDA

MICHELLE BOUCHARD
ACTING EXECUTIVE DIRECTOR

Agenda

Peninsula Corridor Joint Powers Board

August 04, 2022, 9:00 am

Due to COVID-19, this meeting will be conducted as a hybrid teleconference and in-person meeting pursuant to [Assembly Bill 361](#) (Government Code Section 54953). **Members of the public are encouraged to participate remotely but may participate in-person provided that they satisfy the safety protocols listed below.**

Directors, staff, and the public may participate remotely via Zoom at <https://zoom.us/j/91412776292?pwd=cVdKa01PK2FKdm1CSUwwZXR3RmlkUT09> or by entering Webinar ID: **914 1277 6292**, Passcode: **909765** in the Zoom app for audio/visual capability or by calling 1-669-900-6833 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at <https://www.caltrain.com/video-board-directors>

Directors, staff and the public also may participate in person at: San Mateo County Transit District, Bacciocco Auditorium - Second Floor, 1250 San Carlos Ave., San Carlos, CA, provided they comply with the following safety protocols:

Please Note the Following COVID-19 Protocols for In-person Attendance:

1. Visitors experiencing the following symptoms of COVID-19 may not enter the building:
 - Cough
 - Shortness of breath
 - Muscle Pain
 - Sore Throat
 - Fever
 - Chills
 - Loss of taste or smell
2. Visitors must use the hands-free temperature scanners upon entry. An alert will occur and entrance will be prohibited if a temperature is measured at 100.4 or above.
3. Visitors must show proof of Covid-19 vaccination or a negative COVID-19 test (with results obtained within last 7 days). Masks will be required for visitors who do not show proof of full vaccination (defined as two weeks after the second dose in a two-dose series, such as for the Pfizer-BioNTech and Moderna vaccines, or two weeks after a single dose of the J&J/Janssen vaccine).

Public Comments: Public comments may be submitted to publiccomment@caltrain.com prior to the meeting's call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board's weekly

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Agenda Packet Amended 8/1 (p45)

correspondence and posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

Verbal public comments will also be accepted during the meeting in person and through Zoom* or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Participants using Zoom over the Internet should use the Raise Hand feature to request to speak. For participants calling in, dial *67 if you do not want your telephone number to appear on the live broadcast. Callers may dial *9 to use the Raise Hand feature for public comment. Each commenter will be recognized to speak, and callers should dial *6 to unmute themselves when recognized to speak.

Each public comment is limited to two minutes. The Board Chair has the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

All items to which [Government Code section 84308](#) applies have been marked with an asterisk

August 04, 2022 - Thursday

9:00 am

- 1. Call to Order / Pledge of Allegiance
- 2. Roll Call
- 3. Adopt Findings to Authorize Holding Meetings via Teleconference for 30 Days Pursuant to Assembly Bill (AB) 361 Resolution
- 4. Public Comment for Items Not on the Agenda
Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff reply.
- 5. Consent Calendar
Members of the Board may request that an item under the Consent Calendar be considered separately.
 - 5.a. Approve Regular Meeting Minutes of June 2, 2022 and Special Meeting Minutes of June 23, 2022 Motion
 - 5.b. Caltrain Key Performance Statistics - June 2022 Informational
 - 5.c. COVID-19 Policy Status Update Informational
 - 5.d. APPROVED BY JUNE FINANCE COMMITTEE
 - 5.d.i. Regional All Agency Pass Pilot Program Participation. Resolution
(resolution replaced 8/1)
 - 5.d.ii. Approve and Ratify Fiscal Year 2023 Insurance Program Resolution
 - 5.d.iii. Award of Contract for On-Call Communications and Signal Services* Resolution

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| 5.d.iv. Authorize Rejection of Bids for Right-of-Way Fencing Project and Re-Advertisement of the Solicitation | Resolution |
| 5.d.v. Report of the Chief Financial Officer (CFO) | Informational |
| 5.d.vi. Accept Statement of Revenues and Expenses for the Period Ending May 31, 2022 | Resolution |
| 5.d.vii. Accept On-Call Transportation Planning and Consultant Support Services Update | Informational |
| 5.d.viii. Broadband Wireless Communication Project Update | Informational |
| 5.e. APPROVED BY JULY FINANCE COMMITTEE | |
| 5.e.i. Reaffirm the Peninsula Corridor Joint Powers Board Investment Policy & Reauthorize Investment of Monies with the Local Agency Investment Fund (LAIF) | Resolutions |
| 5.e.ii. Authorize Execution of Change Order to Wabtec Railway Electronics for a Traction Power SCADA System Under Contract No. 17-J-S-061 and Completion of Traction Power Supervisory Control and Data Acquisition System as Part of Peninsula Corridor Electrification Program* | Resolution |
| 5.e.iii. Authorize Amendment to B&G Transportation Group, LLC for On-Call Safety and Security Advisory Services Contract 18-J-P-072 for the Caltrain Modernization Program* | Resolution |
| 5.e.iv. Authorize Amendment to On-Call Program Management Support Services Contract 14-PCJPB-P-005 for the Caltrain Modernization Program* | Resolution |
| 5.e.v. Award Contract for Armored Car Cash Collection Services* | Resolution |
| 5.e.vi. Information on Statement of Revenues and Expenses for the Period Ended June 30, 2022 | Informational |
| 5.f. APPROVED BY JUNE WPLP COMMITTEE | |
| 5.f.i. State and Federal Legislative Update | Informational |
| 5.f.ii. Broadband Wireless Communication Project Update | Informational |
| 5.g. APPROVED BY JULY WPLP COMMITTEE | |

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| 5.g.i. Redwood City Planning and Real Estate Update and Resolution
Authorizing the Acting Executive Director to Enter into a
Participation Agreement with the City of Redwood City to Assist in
Funding Plan Amendments to Facilitate Future Transit-Oriented
Development on JPB-Owned Property | Resolution |
| 5.g.ii. State and Federal Legislative Update | Informational |
| 5.h. Accept Report on First Year of Outreach Ambassador Services with
External Consultant JBR Partners, Inc. (JBR) of San Francisco | Informational |
| 6. Authorize Use of Construction Manager General Contractor (CMGC)
Project Delivery Method Pursuant to Public Contract Code Section 103393
et seq. for the Mountain View Transit Center Grade Separation and Access
Project | Resolution |
| 7. Authorize the Executive Director to Execute a Letter of Agreement (LOA)
with the Transbay Joint Powers Authority (TJPA) | Resolution |
| 8. Metropolitan Transportation Commission (MTC)/Regional Update | Informational |
| 9. Reports | |
| 9-i-9.a. Report of the Citizens Advisory Committee | Informational |
| 9-j-9.b. Report of the Chair | Informational |
| 9-k-9.c. Report of the Transbay Joint Powers Authority (TJPA) | Informational |
| 9-l-9.d. Report of the Executive Director | Informational |
| 10. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report
Informational | |
| 11. Correspondence | |
| 12. Board Member Requests | |
| 13. Date/Time of Next Regular Meeting: Thursday, September 1, 2022 at 9:00
am . The meeting will be accessible via Zoom teleconference and/or in
person at the San Mateo County Transit District, Bacciocco Auditorium,
2nd Floor, 1250 San Carlos Avenue, San Carlos, CA. Please see the future
meeting agenda for more information. | |
| 14. Adjourn | |

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Information for the Public

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board. If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at www.caltrain.com. Communications to the Board of Directors can be e-mailed to board@caltrain.com. *Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电1.800.660.4287*

Date and Time of Board and Committee Meetings

JPB Board: First Thursday of the month, 9:00 am; JPB WPLP Committee: Two Wednesdays before the Board meeting, 3:00 pm. The date, time, and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting

Due to COVID-19, the meeting will only be via teleconference as per the information provided at the top of the agenda. The Public may not attend this meeting in person. *Should Zoom not be operational, please check online at <https://www.caltrain.com/about-caltrain/meetings> for any updates or further instruction.

Public Comment*

Members of the public are encouraged to participate remotely. Public comments may be submitted to publiccomment@caltrain.com prior to the meeting's call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at <https://www.caltrain.com/about-caltrain/meetings>.

Oral public comments will also be accepted during the meeting through Zoom or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Each commenter will be automatically notified when they are unmuted to speak for three minutes or less. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

Accessible Public Meetings/Translation

Upon request, the JPB will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least 72 hours in advance of the meeting or hearing. Please direct requests for disability-related modification and/or interpreter services to the Title VI Administrator at San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or email titlevi@samtrans.com; or request by phone at 650-622-7864 or TTY 650-508-6448.

Availability of Public Records

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that is distributed to a majority of the legislative body, will be available for public inspection at 1250 San Carlos Avenue, San Carlos, CA 94070-1306, at the same time that the public records are distributed or made available to the legislative body.

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: James C. Harrison
General Counsel

SUBJECT: Adopt Findings to Authorize Holding Meetings via Teleconference for 30 Days Pursuant to AB 361

Finance Committee
Recommendation

Work Program-
Legislative-Planning

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

ACTION

Staff recommends that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”):

1. Adopt findings that: 1) there is a proclaimed state of emergency in California; and 2) local public health officials have recommended measures for social distancing; and 3) meeting in person would pose imminent risk to the health and safety of attendees; and
2. Approve meeting remotely via teleconference for the next 30 days, pursuant to AB 361 (Government Code section 54953) with the option for members of the Board and members of the public to attend Board meetings in-person if they provide proof of vaccination or a negative COVID-19 test taken within the seven days preceding the meeting.

SIGNIFICANCE

On March 4, 2020, Governor Gavin Newsom declared a state of emergency, and issued subsequent executive orders suspending certain provisions of the Ralph M. Brown Act (the Brown Act) to allow local government agencies to meet remotely during the COVID-19 pandemic. His most recent executive order suspending provisions of the Act expired at the end of September; before its expiration, Governor Newsom signed Assembly Bill 361 (AB 361) into law on September 16, 2021, amending the Brown Act to permit local agencies to continue to use teleconferencing under certain conditions during a state of emergency.

AB 361 allows local agencies to make an initial determination to hold open meetings via teleconferencing when there is a proclaimed state of emergency and one of the following criteria described in section 54953(e)(1) of the Brown Act, as amended, is met:

1. State or local officials have imposed or recommended social distancing.
2. The local agency holds a meeting for the purposes of determining by majority vote if meeting in person would pose imminent health and safety risks to attendees.
3. The local agency holds a meeting after having determined by majority vote, as a result of the emergency, meeting in person would pose imminent risks to the health or safety of attendees.

Following the initial determination, a local agency must make the following findings by a majority vote every 30 days to renew the resolution and to continue to meet remotely: (1) the local agency has reconsidered the circumstances of the emergency; *and* (2) the state of emergency continues to directly impact the ability of the members to safely meet in person, *or* state or local officials continue to impose or recommend social distancing. Gov't Code § 54953(e)(3).

In February 2022, Governor Gavin Newsom issued Executive Orders ending certain emergency measures no longer required to address the pandemic, however, the Governor's declared state of emergency is still in place. Transmission in all three JPB member counties is currently high according to CDC metrics. Though some COVID-19 restrictions have been rolled back at the state and local level, the California Department of Public Health continues to recommend that people who are at higher risk of severe illness from COVID-19 continue to protect themselves by staying at least six feet apart from people outside their households. And while masks are no longer required in all indoor spaces, the San Mateo County Health Department still recommends indoor masking for gatherings that include the elderly, immunocompromised individuals, or people who are not vaccinated.

Given the current and evolving conditions, staff recommends that the Board adopt the requisite findings and authorize Advisory, Committee, Regular and Special meetings to be conducted via teleconference for the next 30 days following this August 4, 2022, meeting. Specifically, staff recommends that while the remote meeting resolution is in effect, individual members of the Board and members of the public may opt to participate in-person at Board meetings if they adhere to all policies for attendance.

Board meetings will be held at the offices of the San Mateo County Transit District ("SamTrans") in the auditorium. Consistent with SamTrans workplace safety policy, Board members and members of the public will be required to show proof of vaccination (as defined by the California Department of Public Health) or proof of a negative COVID-19 test taken within the seven days preceding the meeting before entry into the building will be granted.

Board members and members of the public who do not wish to participate in-person or do not provide proof of vaccination or of a negative COVID-19 test from within the previous seven days may participate remotely. Committee and Advisory Committee meetings will continue to be conducted remotely.

If the Board does not renew the resolution, the Board, Committees, and Advisory Committees must meet in person and any member who participates via teleconference must notice the location from which the member participates, as required by the Brown Act (pending any amendments to the Act, as described in more detail below).

BUDGET IMPACT

There is no budget impact associated with receiving this report.

BACKGROUND

A. Pending Legislation

Assemblymember Alex Lee and Assemblymember Cristina Garcia introduced Assembly Bill 1944 (AB 1944) on February 10, 2022. The bill would require local governments to livestream public meetings and to allow virtual public participation. The bill would also allow local governmental bodies meeting remotely to waive the requirement that agencies identify the address of the location from which members participate via teleconference as long as at least a quorum of members of the legislative body participates from a single physical location that is clearly identified on the agenda, open to the public, and situated within the boundaries of the territory over which the local agency has jurisdiction. On May 26, the Assembly passed AB 1944, and on June 22, 2022, the Senate Committee on Rules referred the bill to the Committees on Government and Finance and Judiciary.

However, the Committee pulled AB 1944 from the Committee's agenda without voting on it, and the measure will not be moving forward this year. The Committee did advance Assembly Bill 2449 (AB 2449), introduced by Assembly Member Blanca Rubio, which also would amend the teleconferencing provisions of the Brown Act. According to the committee analysis for AB 1944, "AB 2449 provides more limited flexibility but greater transparency compared to AB 1944. The Committee may wish to consider which approach strikes a better balance between flexibility for members of legislative bodies and transparency for the public."

AB 2449 would extend some of the teleconferencing provisions of AB 361, currently set to end January 1, 2024, until January 1, 2026. Specifically, AB 2449 would authorize local agencies to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception,

members would be permitted to participate remotely if the member had just cause or there were emergency circumstances, and the legislative body had approved the request. Members would only be able to appear via teleconference for just cause or because of emergency circumstances at two meetings during the calendar year. The Senate Governance and Finance Committee passed AB 2449 by a 5-0 vote on June 22, 2022 and the Senate Judiciary Committee passed the bill by a 9-1 vote on June 30, 2022. The Senate Judiciary Committee referred the bill to the Senate Appropriations Committee on June 30, 2022, where it is pending. It is the only active bill pending that addresses the teleconference provisions of the Brown Act.

B. Public Health Guidance in Member Counties

The California Department of Public Health continues to refer California residents to guidance from the Centers for Disease Control and Prevention (CDC) on how to prevent the spread of COVID-19 and its variants, and the CDC continues to recommend social distancing as a measure for individuals and specifically vulnerable individuals to protect themselves and others from infection with COVID-19.

Similarly, the San Mateo County Health Officer has advised that San Mateo County residents should continue to follow the recommendations of the CDC. According to the City and County of San Francisco public health guidance, its guidelines will align with those of the CDC (except when local conditions require more restrictive measures). On September 21, 2021, the County of Santa Clara Public Health Officer issued a Recommendation Regarding Continued Remote Public Meetings of Governmental Entities and advised that public bodies continue to meet remotely to the extent possible. This recommendation has not changed since that time.

Prepared by: James C. Harrison and Anna Myles-Primakoff, Olson Remcho LLP

**Board Of Directors, Peninsula Corridor Joint Powers Board
State Of California**

* * *

**Adopting Findings That There is a Proclaimed State of Emergency and That Meeting In Person
Poses Imminent Health and Safety Risks to Attendees and Authorizing Remote
Teleconference Meetings for the Board and Committees For the Period of August 5, 2022
Through September 4, 2022**

Whereas, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency in the State of California; and

Whereas, the Ralph M. Brown Act (the Brown Act), Government Code section 54953(e), was amended on September 16, 2021, to make provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

Whereas, the Board of Directors adopted Resolution 2021-52, on October 7, 2021, finding that the requisite conditions were met for the Peninsula Corridor Joint Powers Board to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; renewed this finding at the November and December 2021 meetings of the JPB; adopted the requisite findings again at the January 2022 meeting; and renewed the resolution at the February, March, April, May, and June meetings; and

Whereas, on June 2, 2022, the Board adopted Resolution No. 2022-24, which includes findings that there is a proclaimed state of emergency and that the criteria described in section 54953(e)(1) of the Brown Act have been met, including that state or local officials have imposed or recommended social distancing; and

Whereas, San Mateo County, Santa Clara County, and San Francisco County public health officials continue to recommend measures to promote social distancing including following the guidance of the Center for Disease Control which recommends social distancing; and

Whereas, the rates of transmission of COVID-19 and variants continue to pose risks for health of attendees at indoor gatherings involving individuals from different households with unknown vaccination status; and

Whereas, staff recommends that the Board adopt findings that that there is a proclaimed state of emergency and that the criteria described in Government Code section 54953(e)(1) have been met, including that state or local officials have imposed or recommended social distancing, and authorizing the Advisory, Committee, and Regular and Special meetings of the Board to be conducted via teleconference for the next 30 days following this August 4, 2022 resolution, and that while the remote meeting resolution is in effect, individual members of the Board and members of the public may opt to participate in-person at Board meetings; and

Whereas, Board meetings will be held at the offices of the San Mateo County Transit District (“SamTrans”) in the board room, and SamTrans’ workplace safety policy requires all individuals to show proof of vaccination (as defined by the California Department of Public Health) or proof of a negative COVID-19 test taken within the seven days preceding the meeting before entry into the building will be granted; and

Whereas, to help protect against the spread of COVID-19 and variants, and to protect the health and safety of the public, the Board of Directors wishes to take the actions necessary to comply with the Brown Act, as amended, to continue to hold its Board, Committee, and Advisory

Committee meetings remotely via teleconference pursuant to AB-361 with an option for in-person attendance at Board meetings for members of the Board and the public; and

Whereas, the Board of Directors will continue to give notice of the meeting and post agendas as otherwise required by the Brown Act and allow members of the public to access the meeting and give ample opportunity for public comment; and

Now, therefore, be it resolved that the Board of Directors adopts findings that the state of emergency continues to directly impact the ability of the members to safely meet in person and state or local officials continue to impose or recommend social distancing and that the conditions of Government Code section 54953 for meeting remotely have been met; and

Be it further resolved that the Board approves meeting via teleconference for all Regular and Special Board, Committee, and Advisory Committee Meetings of the JPB for the 30 days following this resolution, in accordance with Government Code section 54953 and other applicable provisions of the Brown Act.

Regularly passed and adopted this 4th day of August 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Board of Directors Meeting
1250 San Carlos Avenue, San Carlos CA**

Draft Minutes of June 2, 2022

MEMBERS PRESENT: C. Chavez , D. Davis, J. Gee, S. Heminger (Chair), G. Hendricks, C. Stone (Vice Chair), S. Walton, M. Zmuda

MEMBERS ABSENT: D. Pine

STAFF PRESENT: M. Bouchard, G. Martinez, S. Petty, J. Harrison, A. Myles-Primakoff, P. Shrestha, B. Shaw, C. Fromson, R. Barnard, M. Kumar, K. Yin, R. Casumbal, B. Fitzpatrick, N. Fogarty, J. Wasilco, T. Bartholomew, L. Millard-Olmeda, C. Valbuena, B. Thompson, S. Bullock, D. Seamans, S. Wong, K. Scribner

1. Call to Order / Pledge of Allegiance

Chair Steve Heminger called the meeting to order at 9:00 am and led the pledge of allegiance.

2. Roll Call

District Secretary Dora Seamans called the roll and a quorum of the Board was present.

3. General Counsel Report – Closed Session: Public Employee Performance Evaluation Pursuant to Government Code Section 54957(b)(1). Title: Executive Director

*The Board convened into closed session at 9:05 am.
The Board reconvened back into regular session at 9:37 am*

4. General Counsel Report – Report Out from Above Closed Session

Ms. Seamans noted that a quorum of the Board was present.

Chair Heminger stated that there was no reportable action from the closed session.

5. Public Comments for Items Not on the Agenda

Aleta Dupree, Oakland, commented on electrification, Clipper, and vending machines.

Adrian Brandt, commented on revisiting Caltrain engineering standards, one percent maximum grade, and reviewing the environmental impact report (EIR).

6. Consent Calendar

a. Approve Regular Meeting Minutes of May 5, 2022

b. Renew Findings to Hold Meetings via Teleconference for 30 Days Pursuant to Assembly Bill

(AB) 361

- c. **Receive Caltrain Key Performance Statistics – April 2022**
- d. **Accept Quarterly Fuel Hedge Update**
- e. **Authorize Execution of Agreement to Accept Funding and Act as Project Lead for the South Linden Avenue and Scott Street Grade Separation Project**
- f. **Authorize Execution of Change Order to Wabtec Railway Electronics for Crossing Optimization Work Under Contract No 18-J-T-49 and Completion of Crossing Optimization Project**
- g. **Execute Contracts for Technology-Related Products and Services through Piggybacking Contracts and Cooperative Purchasing Programs**
- h. **Execute Contracts for Information Technology Licenses, Maintenance Services, and Professional Services**
- i. **Report of the Acting Chief Financial Officer (CFO)**
- j. **Accept Statement of Revenues and Expenses for the Period Ending April 30, 2022**
- k. **50 Percent Off Promotional Campaign Update**
- l. **State and Federal Legislative Update**
- m. **Declare Cahill Extension Property as Exempt Surplus Land and Approve of Rail Corridor Use Policy Variance**
- n. **Capital Projects Quarterly Status Report - 3rd Quarter Fiscal Year 2022**
- o. **Update on Regional Fare Coordination and Integration Study**
- p. **Metropolitan Transportation Commission (MTC)/Regional Update**
- q. **COVID-19 Policy Status Update**

Public Comment

Adrian Brandt, San Mateo, commented on wireless grade crossing activation, preventing excessive gate downtime, two speed check system, and high-speed rail authority.

Aleta Dupree, Oakland, commented on fare integration.

Motion/Second: Stone/Zmuda

Ayes: Chavez, Davis, Gee, Hendricks, Walton, Zmuda, Stone, Heminger

Noes: None

Absent: Pine

Recused: Chavez on Items 6g and 6h

7. Award of Contract to HNTB Corporation for Mountain View Transit Center Grade Separation and Access Project, and Adoption of a California Environmental Quality Act (CEQA) Determination and Addendum to the Mitigated Negative Declaration * (Gov. Code § 84308 applies)

Rob Barnard, Deputy Chief Rail Development, provided the presentation, which included the following:

- Project location, scope, ramp, undercrossing and entrances
- Schedule, contract delivery analysis, and budget summary

- Environmental review process, and staff recommendations

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding the estimated cost and full funding.

Public Comment

Adrian Brandt, San Mateo County, commented on the project, asked about the deletion of bicycle tracks in the scope of work, and spoke in support of improving bike and pedestrian infrastructure.

Jeff Carter, Millbrae, commented on this project, safety and collision prevention, having a Palo Alto grade separation, and having enough space for additional tracks.

Aleta Dupree, Oakland, expressed support for passing this item.

Motion/Second: Hendricks/Gee

Ayes: Davis, Gee, Hendricks, Walton, Zmuda, Stone, Heminger

Noes: None

Absent: Pine

Recused: Chavez

8. Adopt Fiscal Year (FY) 2023 Proposed Operating and Capital Budgets

Director Zmuda noted that the Finance Committee has looked at potential revenue sources, expenses, and made some changes to further balance the operating budget over the last two committee meetings. She stated there has been a lot of agreement with respect to the capital budgets with some ongoing negotiations with partner agencies on how much is available to continue to fund it, but it is less than the \$5 million provided by each of the partners in prior years that Caltrain has requested.

Director Hendricks clarified that “approved by finance committee” on the agenda moved this item forward for full Board review and discussion.

Michelle Bouchard, Acting Executive Director, said the finance team wanted to identify needs for 2023 that might be reduced or need to be deferred.

Grace Martinez, Acting Chief Financial Officer, provided a presentation which included the following:

- Overview, proposed budget outlook, proposed revenues, and proposed expenditures
- Proposed capital budget, contingency funds, and remaining funding needed to balance
- Previous member contributions, temporary versus long term funding gap recommendations
- Capital & Operating Budget (budget proposed heavily dependent of receipts of Measure RR, including \$27million in operating reserves
- Recommend approval of the operating and capital budgets for fiscal year 2023 as contribution commitments were secured from all member agencies

Michelle Bouchard, Acting Executive Director, said this recommendation seeks to balance a transitional year, with plans to address future electrification years and Fiscal Year 2024 budgets.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding the following:

- The member agency contribution agreed amount for capital projects
- Whether wages and benefits are up by 23 percent
- The importance of capital funding budget support and not putting off State of Good Repair (SOGR) items
- Considering doing a multi-year contribution commitment rather than annual contribution negotiations
- No further federal money and electrification increasing operating expenses
- Having a month-by-month projection for how \$30 million in fares track by September
- Expectations for other resources going forwarded
- Member agency understanding and expectations for a budget contribution policy

Public Comment

Adina Levin, Friends of Caltrain, commented on staff and board committee work on the budget, re-growing transit ridership following impacts of the pandemic, concerns with deferring state of good repair , and replacing project funding

Aleta Dupree, Oakland, commented on covering basics, not raising fares, have more people back on the trains, capital is essential, and SOGR does affect the public,

Vaughn commented on coordination between Caltrain, Capital Corridor, and ACE in the Bay Area.

Jeff Carter, Millbrae, commented on passing the budget, underfunding transit, keeping Caltrain in top condition, and cutting fares on all transit agencies in the Bay Area.

Adrian Brandt, San Mateo County, commented on labor budget, reduced operating costs, and fare inspections.

Motion/Second: Hendricks/Gee moved to approve with a request to review funding policies and procedures with an exploration of additional funding sources.

Ayes: Chavez, Davis, Gee, Walton, Zmuda, Stone, Heminger

Noes: Hendricks

Absent: Pine

9. Options for Imposing Mask Mandate

James Harrison, Legal Counsel, provided the presentation, which included the following:

- No mask laws at the local, state, or federal levels
- Most transit agencies are strongly recommend but not requiring masks

- BART is the exception with a mask mandate until July 18th and with the authority to issue citations
- Caltrain requires conductors wear masks and 43.7 percent of passengers are wearing masks
- JPB's authority can issue safety protocols, but cannot enforce mandate
- Three options: [1] status quo, [2] impose mask mandate with recognition of no power to enforce/issue citations [3] work to expand statutory authority especially to enforce through citations
- Staff recommends status quo with no mask mandate and working with the legislature to obtain authority to issue health and safety protocol mandates in the future

Public Comment

Aleta Dupree, Oakland, spoke in support of option two and commented on conflict even without mandates.

Adina Levin, Seamless Bay Area, commented on seniors requesting mask mandates on public transportation, supported increased compliance, and increasing safety for those who are health vulnerable.

Adrian Brandt, San Mateo County, commented on a mask mandate with soft enforcement for more riders and increased public good will.

Paul Wendt, Belmont, spoke in support of a mask mandate support and increasing riders with increased public safety.

Director Walton left at 11:30 am

The Board had a discussion and staff provided further clarification in response to the Board members' comments and questions, which included the following:

- Mask wearing increasing with stating masks are required
- Support staff recommendation with legislative tools in the future
- Requiring masks to encourage staff and public safety
- Non-enforceable mandates and minimizing staff conflict with riders
- Conflict between members of the public when one asks another to put their mask on due to mask mandates and when rules are not clear
- Staff looking into BART conflict experiences

Motion/Second: Davis/Gee to approve the staff recommendation to continue to recommend mask wearing and for staff to work with legislature (and other transit agencies) to expand the authority of transit agencies to issue citations to include health and safety protocols issued by the transit agency.

Ayes: Chavez, Davis, Gee, Hendricks, Heminger

Noes: Zmuda, Stone

Absent: Pine, Walton

10. Recognize Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Pride Month and Reaffirm a Commitment to Diversity, Equity, Access and Inclusion

Tasha Bartholomew, Communications Manager, asked the Board to pass the resolution recognizing June as pride month. She stated that Caltrain cherishes the dignity and value of every person and expresses equality based on age, race, marital status, physical attributes, eradicating hate speech and standing in solidarity with LGBTQ+ people and all those who have been historically marginalized for any reason.

Public comment

Aleta Dupree, Oakland, commented on the importance of equity and setting examples for global inclusion.

Motion/Second: Heminger/Stone

Ayes: Chavez, Davis, Hendricks, Zmuda, Stone, Heminger, Zmuda

Noes: None

Absent: Pine, Walton

11. Reports

a. Report of the Citizens Advisory Committee (CAC)

Brian Shaw, CAC Chair, provided a report with updates on business intelligence, budget and costs, path to unconstrained budget, contract negotiations, transition to electrification operating budget, and past member agency contributions. He stated the public commented on keeping fares low, train staffing levels, and having zone fares to increase ridership.

Public Comment

Jeff Carter, Millbrae, commented on the business intelligence update, and data for public consumption.

Adrian Brandt, San Mateo County, commented on riders with mobility issues being caught unaware on single tracking and missing their train.

b. Report of the Chair

Chair Heminger provided a governance update that included information on an adopted term sheet, meeting with general counsel to improve the memorandum of understanding (MOU) and bringing it quickly to a close. He stated if the JPB approves it in June, they could get everything done by August and update older agreements.

Public comment

Vaughn commented keeping promises and not overselling.

c. Report of the Transbay Joint Powers Authority (TJPA)

Director Jeff Gee, commented on an aggressive downtown extension workplan to bring the train downtown, the ECS Executive Steering Committee and integrated project management team is working hard, working locally for matching the federal funding opportunity, and with more changes to come.

d. Report of the Executive Director

Michelle Bouchard, Acting Executive Director, reported the following:

- Positive meetings with Speaker Pelosi delegation members and staff and other White House official with recognition and support for the program
- Ongoing transportation deal discussions and recent State Senate and Assembly approved budget plan announcement, including transportation
- 50 percent off fare campaign in April resulted in 24 percent higher ticket sales than in March (which may be conflated a little with come companies returning to work and the Giants season)
- San Francisco yards preliminary business case work included engagement with stakeholders on layout and storage options, more outreach to be done, and future update to the Board
- 88 percent of the operations department staff have been vaccinated and overall the vaccination rate has gone up from 61 percent to 75 percent.

Public Comment

Jeff Carter, Millbrae, commented on rail development and having a future system that carries 100,000 to 200,000 per day with a downtown extension and the station at Fourth and Townsend.

12. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report

Pranaya Shrestha, CalMod Chief Officer, discussed the following:

- Project highlights - no changes in the schedule, completed 17 cutover grade crossings, completed the signal phase study for the PG&E substation in the San Jose area, and started static testing of electric trains
- Continuing safety and emergency preparedness work and staff trainings and it is National Construction Safety month
- Program Budget, upcoming Board actions, and future funding needed in June 2023

Casey Fromson, Chief Communications Officer, discussed funding updates on the Federal and State level with a \$10 billion transportation package on the table right now with outcomes on June 15.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding the following:

- Federal funds are needed in June 2023
- Have quarterly milestones/updates to track progress for critical path items
- Program evaluation, training, and making changes to increase productivity
- Checking the funding needed for activities by December 2022 rather waiting until June 2023

Public Comment

Aleta Dupree, Oakland, commented on building infrastructure, signaling, having trains run by wire by August, having a longer term vision for the Gilroy station, and running electric equipment.

Adrian Brandt, San Mateo County, commented on the January foundation completion press release, unmasking utilities issues, dual speed check, and appropriate track length for 110 miles per hour cars.

13. Correspondence

Correspondence was available online.

14. Board Member Requests

There were none.

15. Date/Time of Next Regular Meeting:

Thursday, August 4, 2022 at 9:00 am via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA (additional location, if any, to be determined).

16. Adjourn

The meeting adjourned at 12:34 pm

An audio/video recording of this meeting is available online at www.Caltrain.com. Questions may be referred to the Board Secretary's office by phone at 650.508.6242 or by email to Board@Caltrain.com.

**Peninsula Corridor Joint Powers Board
Board of Directors Meeting
1250 San Carlos Avenue, San Carlos CA**

Draft Special Meeting Minutes of June 23, 2022

Members Present: C. Chavez, D. Davis, J. Gee, S. Heminger (Chair), G. Hendricks, D. Pine, C. Stone (Vice Chair), S. Walton, M. Zmuda

Members Absent: None

Staff Present: M. Bouchard, G. Martinez, S. Petty, J. Harrison, G. Rogers, C. Fromson, D. Seamans, S. Wong, K. Scribner

1. Call to Order / Roll Call

Chair Steve Heminger called the meeting to order at 8:30 am and led the pledge of allegiance. District Secretary Dora Seamans called the roll and a quorum was confirmed.

2. Approve Memorandum of Understanding Relating to JPB Governance Among and Between the Peninsula Corridor Joint Powers Board, the Santa Clara Valley Transportation Authority, the San Mateo County Transportation District, and the City and County of San Francisco

Chair Heminger explained the purpose of the meeting for the Joint Powers partners to review and approve a Memorandum of Understanding (MOU) on governance.

Michelle Bouchard, Acting Executive Director, recognized Sebastian Petty, Deputy Chief Caltrain Planning, and General Counsel James Harrison for working with the Board, member agencies, and the general managers towards this point.

James Harrison, Legal Counsel, provided the presentation, which included the following:

- Background on SamTrans' investment, serving as the managing agency until repaid, and member agencies' payments to SamTrans to date
- Measure RR, Resolution 2020-42, and recent member agencies' agreements
- Differences and consistencies between the MOU and term sheet
- Once Metropolitan Transportation Commission (MTC) pays \$19.6 million, SamTrans relinquishes tenancy-in-common interest and other property interests to the JPB
- MOU Terms included establishment of a separate Caltrain Executive Director (ED) who reports to the JPB for hiring, review, and goal setting; established 5 new direct reports to the ED; provides for negotiation and execution of shared services agreement
- Payments by MTC, City and County of San Francisco (CCSF), and the VTA (Santa Clara County Valley Transportation Authority)
- Timeline for negotiation of amendments to the Real Property Ownership Agreement (RPOA)/Joint Powers Agreement (JPA), indemnification, and reversion

- Recommendation to approve the MOU and authorize ED to execute upon approval by Member Agencies and take actions necessary to implement the MOU once executed
- Next Steps included future Member Agencies Board action, payments to be made, and negotiations on amendments to the RPOA and then JPA amendments

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding the following:

- Amending Page 3 of the MOU about contract operator to *“TASI services or any other contract operator that JPB chooses”*
- Check above amendment with SamTrans and include in JPB resolution
- Having a regular report out to the Board/committee for updates
- Knowing who is accountable and how to have to them appear before Board

Public Comment

Don Cecil expressed support for moving this forward.

Adrian Brandt, San Mateo County, expressed support for moving this forward.

Adina Levin, Friends of Caltrain, commented on moving forward and refocusing on challenges and opportunities ahead.

The Board members had a discussion and staff provided further clarifications in response to the Board comments and questions, which included the following:

- Have a calendar or chart outlining what needs to be done in sequence and payments statuses
- Update the MOU language to refer to any contract operator contracted/selected by the JPB
- Have a regular report out for the full Board or a Board committee and knowing who are the staff lead(s) for each agency

Chair Heminger thanked the Metropolitan Transportation Commission (MTC) for their payment, Board members for their contributions to the governance process, and General Counsel.

Motion/Second: Chavez/Stone

Ayes: Chavez, Davis, Gee, Hendricks, Pine, Walton, Zmuda, Stone, Heminger

Noes: None

Absent: None

3. Adjourn

The meeting adjourned at 8:59am.

An audio/video recording of this meeting is available online at www.Caltrain.com. Questions may be referred to the Board Secretary's office by phone at 650.508.6242 or by email to Board@Caltrain.com.

DRAFT

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: David Santoro
Acting Chief Operating Officer (Rail)

SUBJECT: **Caltrain Key Performance Statistics – June 2022**

Finance Committee Recommendation Work Program-Legislative-Planning Staff Coordinating Council Reviewed Staff Coordinating Council Recommendation

Action

Staff Coordinating Council recommends that the Board receive the Performance Statistics Report for June 2022.

Significance

Staff will provide monthly updates to the Caltrain Key Performance Statistics, Caltrain Shuttle Ridership, Communications and Marketing Promotions, and Digital Communications. It should be noted that this report reflects impacts from the COVID-19 pandemic.

Budget Impact

There is no budget impact.

MONTHLY UPDATE

	June 2022					Pre-Pandemic to FY22 % Change
	Pre-Pandemic	Prior FY	Current FY	FY21 to FY22		
	Jun. 2019	Jun. 2021	Jun. 2022	% Change		
Total Ridership	1,590,653	201,872*	482,687	139.1%	-69.7%	
Average Weekday Ridership	72,370	7,143*	18,187	154.6%	-74.9%	
Total Farebox Revenue	\$ 10,430,319	\$ 2,638,894	\$ 3,940,630	49.3%	-62.2%	
On-time Performance	90.7%	91.5%	85.0%	-7.0%	-6.3%	
Average Weekday Caltrain Shuttle Ridership	8,828	190	380	100.0%	-95.7%	

	Fiscal Year to Date					Pre-Pandemic to FY22 % Change
	Pre-Pandemic	Prior FY	Current FY	FY21 to FY22		
	FY2019	FY2021	FY2022	% Change		
Total Ridership	13,853,573	1,296,876*	3,802,014	193.2%	-72.6%	
Average Weekday Ridership	50,377	4,104*	12,065	194.0%	-76.1%	
Total Farebox Revenue	\$ 76,094,433	\$ 32,439,915	\$ 33,588,506	3.5%	-55.9%	
On-time Performance	94.2%	93.5%	91.0%	-2.7%	-3.4%	
Average Weekday Caltrain Shuttle Ridership	6,391	1,014	276	-72.8%	-95.7%	

* Adjusted after thorough review of data from past Fiscal Years

RIDERSHIP

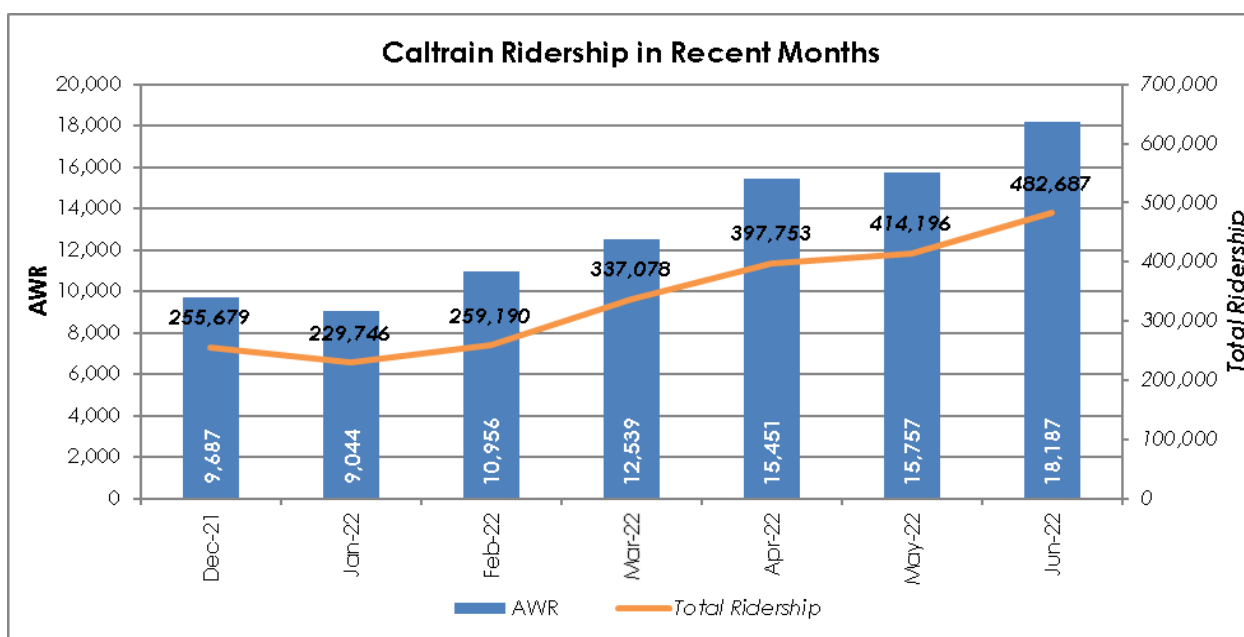
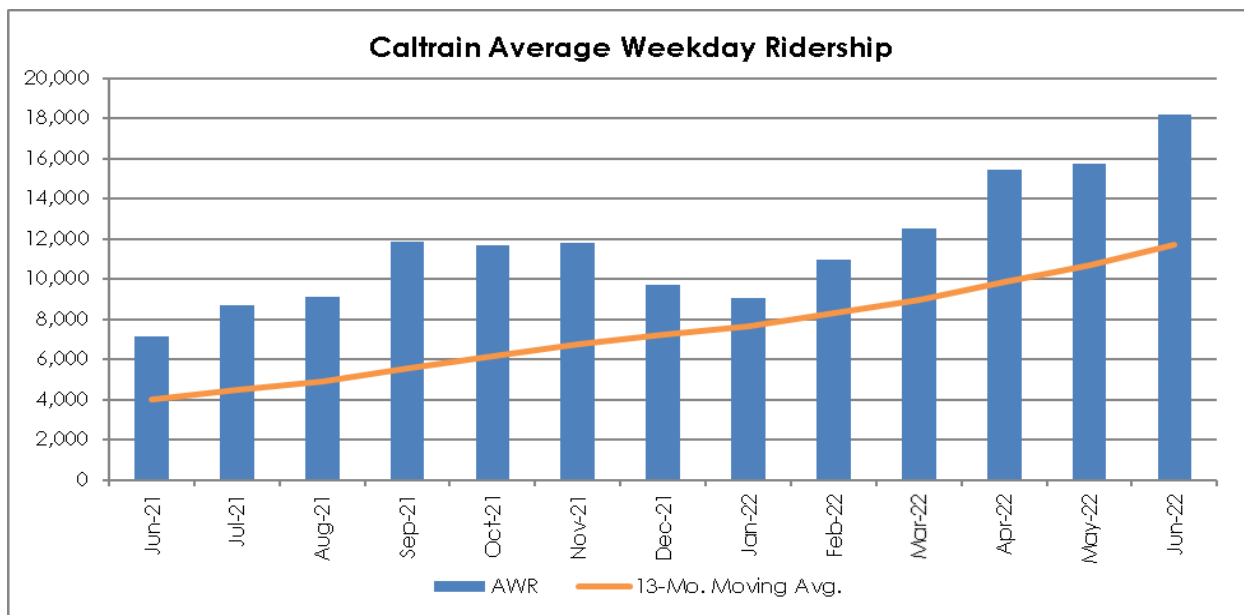
Since April 2020, ridership estimates have been developed using daily conductor counts at 14 key stations and Clipper tags at all stations due to significant impacts to ticket sales and usage patterns from the COVID-19 pandemic.

Both total and average weekday ridership (AWR) increased from the same month in the prior year as well as two prior months likely due to the receding impacts of the COVID-19 pandemic, including gradual introduction of return-to-office policies and increased leisure activities like SF Giants baseball games at Oracle Park. Two events in particular – the Golden State Warriors Victory parade on Monday, June 20, and Pride festivities the weekend of June 25 – led to significant event-related ridership gains.

Ridership recovery continues to be strong on weekends:

- Average Saturday ridership increased by 61 percent to 10,204 from 6,331 in June 2021.
- Average Sunday ridership increased by 115 percent to 10,438 from 4,852 in June 2021.

Observed trends in weekday and total ridership over the past 13 months are shown in the following graphs, exhibiting promising upward trends in overall ridership thus far in calendar year 2022.

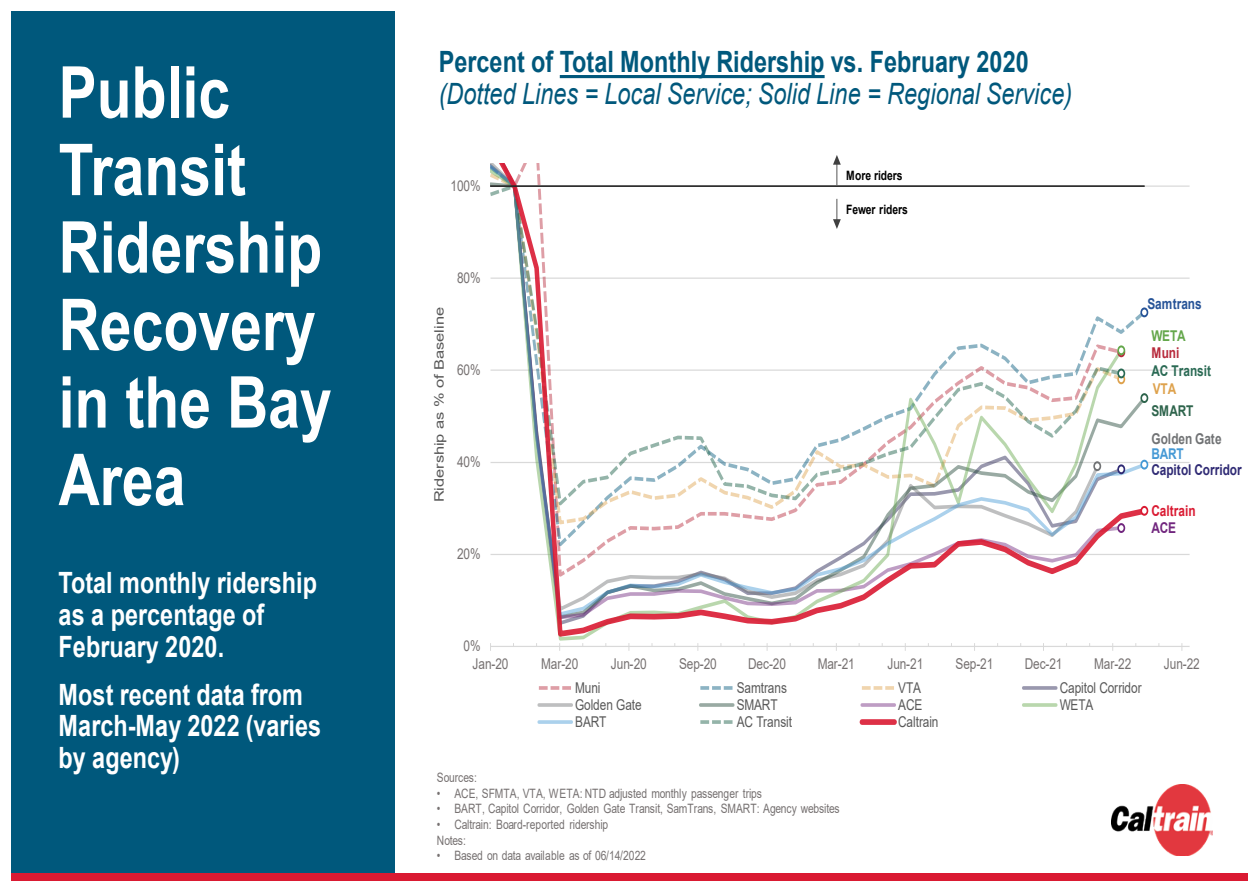


SHUTTLE AVERAGE RIDERSHIP

Shuttle AWR ridership for June 2022 was 380, an increase of 100 percent compared to 190 for June 2021. As of June 2022, eleven shuttle routes are operating.

REGIONAL RIDERSHIP RECOVERY

The following graph depicts pandemic-era ridership recovery for ten of the Bay Area transit agencies. It shows total monthly ridership as a percentage of baseline, which is defined here as the total monthly ridership reported by each agency in February of 2020.



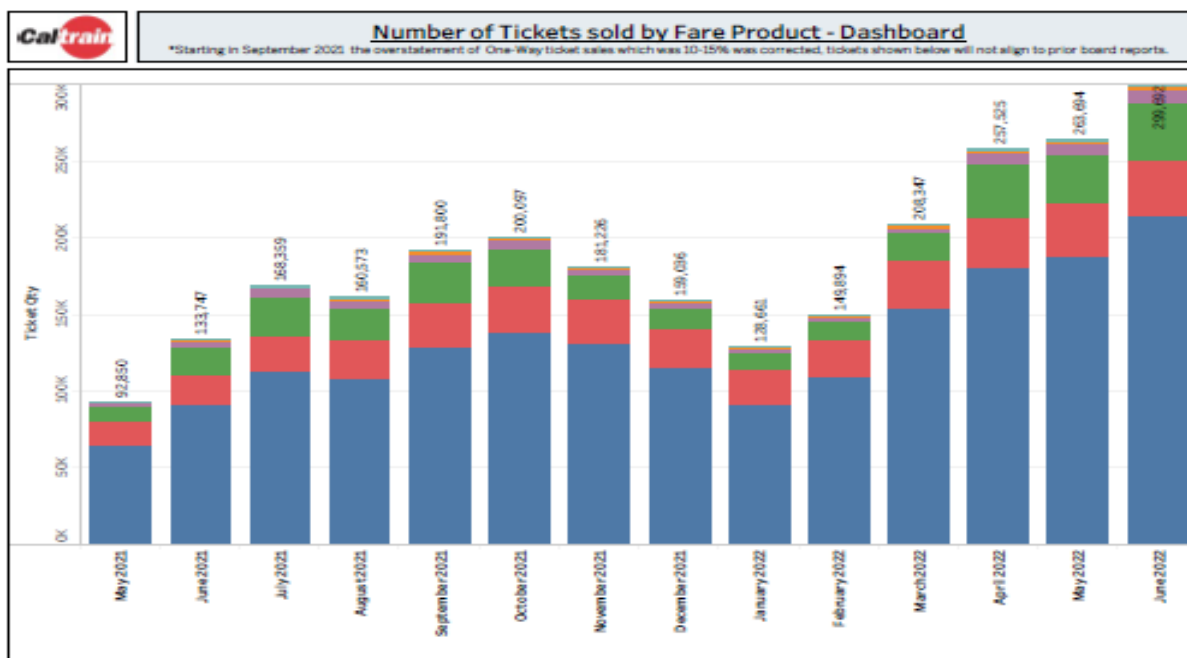
TICKET SALES

Other ticket sales and farebox revenue statistics trended as follows:

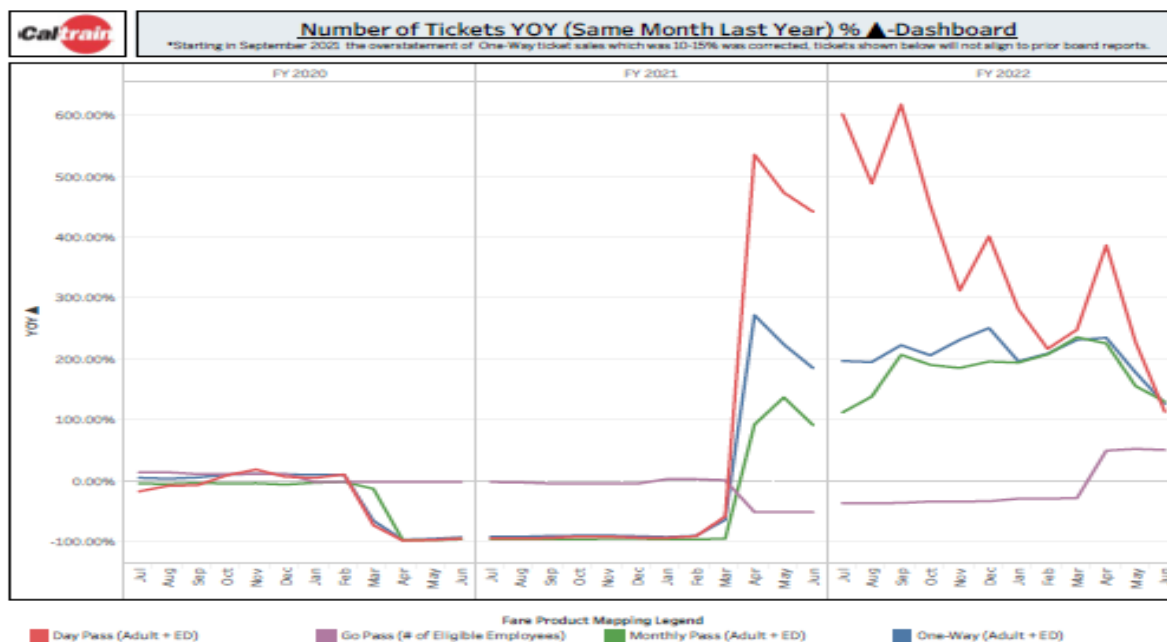
- Number of eligible Go Pass employees was 64,190 in June 2022 which was an increase from 45,416 in June 2021.
- Number of participating Go Pass companies was 47 in June 2022 which was an increase from 32 in June 2021.
- Total Farebox Revenue was \$3,940,630 in June 2022 which was an increase of 49.3% from \$2,638,894 in June 2021.

The significant increase in fare revenue was across all fare products, with Clipper, Gilroy, and Mobile seeing the biggest % increases. The return of Giants baseball has also helped to further drive ridership increases.

Additional details on ticket sales are shown in the following graphs.



Caltrain Fare Type
 Monthly Pass-Eligible Discount Day Pass-Eligible Discount One-Way-Eligible Discount
 Monthly Pass-Adult Day Pass-Adult One-Way-Adult

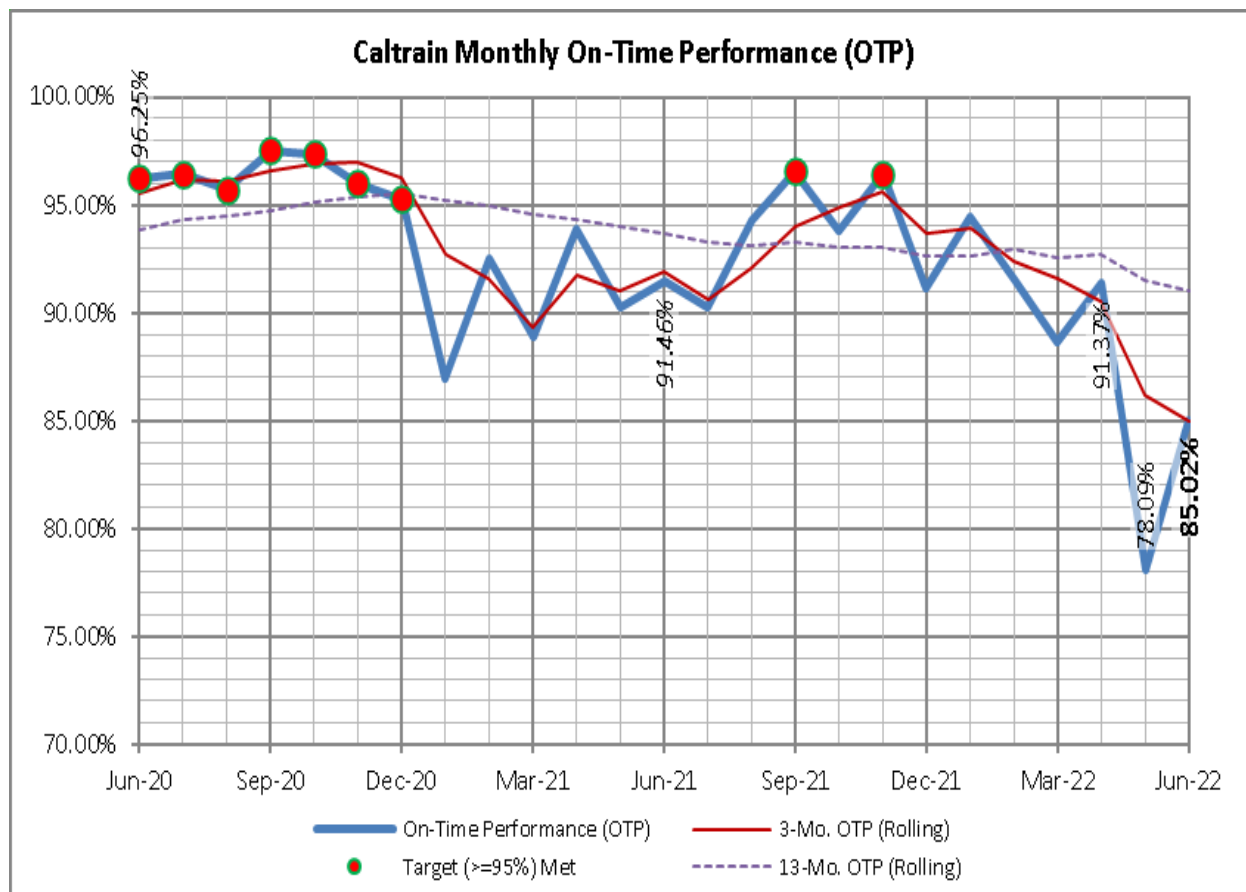


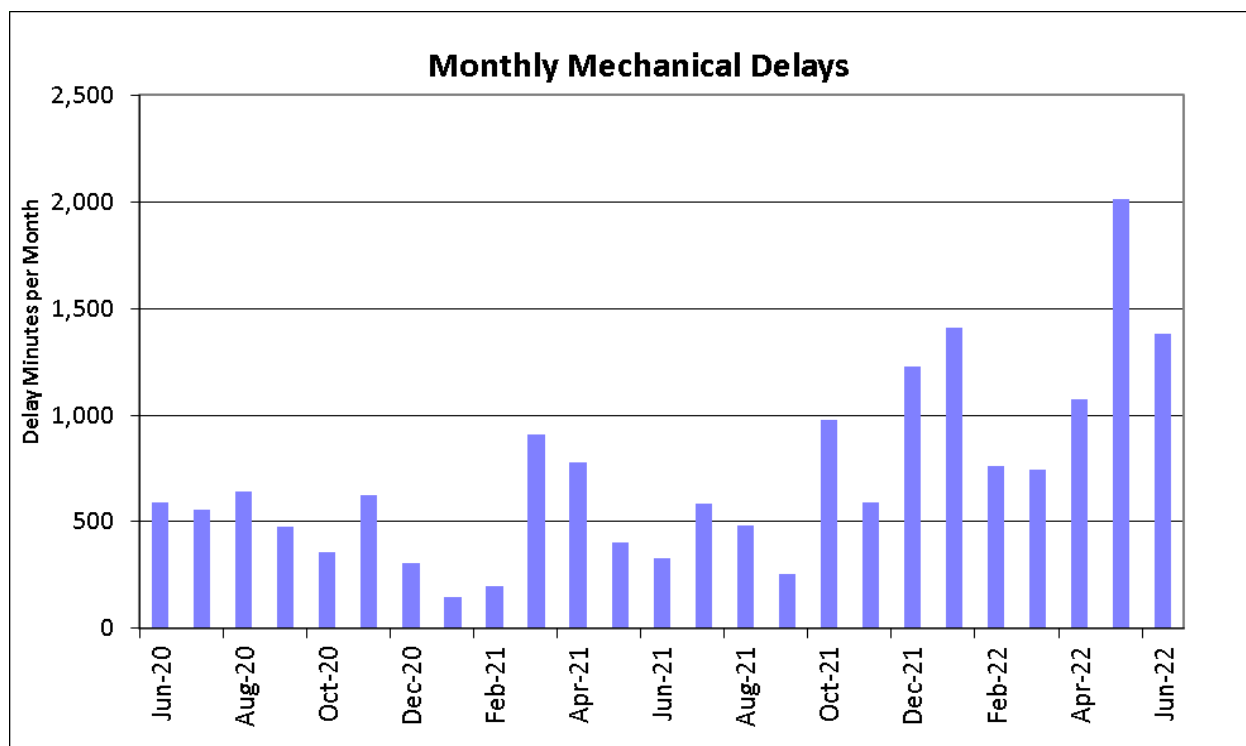
Fare Product Mapping Legend
 Day Pass (Adult + ED) Go Pass (# of Eligible Employees) Monthly Pass (Adult + ED) One-Way (Adult + ED)

ON-TIME PERFORMANCE (OTP)

In June 2022, OTP was 85 percent compared to 91.5 percent in June 2021. The total OTP includes all train delays, terminations, and annulments for the month.

Trends on the past two years of OTP and monthly mechanical delays are shown in the following graphs.





Caltrain Communication and Marketing Campaigns for June 2022:

- Press Release: "Caltrain to Offer Additional Service On Fourth of July"
- Press Release: "Caltrain to Deliver Giants Fans to Fireworks Night"
- Press Release: "Caltrain Governance Compromise Advances"
- Press Release: "Ride Caltrain to SF Pride Parade & Celebration"
- Press Release: "Take Caltrain to the Warriors Championship Parade"
- Press Release: "Caltrain Recognizes Lesbian, Gay, Bisexual, Transgender and Queer Pride Month"
- Press Release: "Take Caltrain to the San Mateo County Fair"
- Press Release: "Caltrain Board of Directors Approves Operating and Capital Budgets"
- Take Caltrain to the Game - SF Giants Baseball (ongoing)
- MTC All Aboard Campaign Phase 2
- Clipper Mobile (ongoing)
- 20% Off Caltrain Monthly Pass (ongoing)
- Clipper Start (ongoing)

Digital Communications Report:

In the month of June the Board of Directors recognized Pride month, reaffirming a commitment to Diversity, Equity, Access and Inclusion. Pride SF was our largest running campaign for the month, after a two year hiatus. Pride touched all facets of the company, from ops to marketing.

June Highlights:

- Pride Parade
- Giants service
- San Mateo County Fair

Prepared by:	Patrice Givens	Administrative Analyst II	650.508.6347
	Robert Casumbal	Director, Marketing & Research	650.508.7924
	Jeremy Lipps	Manager, Digital Communications	650.622.7845

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard, Acting Executive Director
From: Robert Sebez, Acting Director, System Safety and Security
Subject: **COVID-19 Policy Status Update**

Finance Committee
Recommendation

Work Program-
Legislative-Planning
Committee
Recommendation

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

Action

Staff recommends that the Board of Directors (Board) receive this informational update regarding the Peninsula Corridor Joint Powers Board's (JPB) COVID-19 policy for contractors.

Significance

Current Policy

On March 7, 2022, staff issued an administrative policy requiring all contractors to verify that employees who work onsite at Caltrain facilities, including stations and trains, have either received a COVID-19 vaccination or submit to weekly testing to reduce transmission in the workplace and protect riders' safety. This policy does not apply to the employees of contractors who work primarily outdoors, although Transit America Services, Inc. (TASI) has made the decision to exceed testing requirements by including employees that primarily work outdoors.

The JPB has been working closely with leadership to ensure a successful implementation of the testing program and to further encourage employees to get vaccinated and boosted. Staff has been successful thus far implementing the new policy without reducing service. As of July 28th, 2022, 73 percent of TASI employees working onsite for JPB are fully vaccinated; weekly COVID-19 testing for unvaccinated employees is ongoing.

Local COVID-19 Update

Due to the highly transmissible Omicron BA.5 subvariant San Mateo, San Francisco and Santa Clara counties have moved into the CDC's "red" or "high" tier. The "red" tier indicates substantial virus transmission, increased hospitalizations. The District aligns with local county recommendations by strongly recommending face masks for all in indoor settings.

Budget Impact

There is no budget impact associated with receiving this informational update.

Testing and Vaccination Update

The contract operator has seen a slight decline in vaccination rates seemingly due to a to the employment headcount. Since last reported, TASI has a net increase of 27 employees. The JPB will keep a close eye on the vaccination rates and work with TASI to ensure the overall trend in rates continues in an upward trajectory.

A. Vaccination Rates

Department	Headcount	Unvaccinated Employees	Vaccinated Employees	Vaccination Rate
Finance	9	3	6	67%
Maintenance of Way	140	56	84	60%
Maintenance of Equipment	106	26	80	75%
Operations	195	49	156	80%
Management	84	20	64	76%
Overall	534	144	390	73%

CY-22 Month	Overall Vaccination Rate
January	61%
February	60%
March	69%
April	74%
May	75%
June	75%
July	73%

While improvement has slowed in May, vaccination rates continue to increase for the 4th month in a row.

B. Compliance

Department	Employees Unvaccinated	Employees Tested	Compliance Rate
Finance	3	3	100%
Maintenance of Way	56	55	100%
Maintenance of Equipment	26	26	100%
Operations	49	49	100%
Management	20	20	100%
Overall	144	144	100%

Each month all unvaccinated employees are delivered their allotment of self-test kits. Employees that do not produce a negative result at least once every 7 days will not be allowed to report to work.

TASI has fully implemented the testing program for unvaccinated workers and has since experienced a 100% compliance rate for active employees.

**Peninsula Corridor Joint Powers Finance Committee
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Grace Martinez
Acting Chief Financial Officer

SUBJECT: **Regional All Agency Pass Pilot Program Participation**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff recommends that Caltrain participate in the Regional All Agency Pass Pilot Program and update the Fare Structure to reflect the fare changes and make other minor revisions. (Appendix A)

SIGNIFICANCE

The Regional Fare Coordination and Integration Study (FCIS) was launched by the Bay Area’s transit operators and the Metropolitan Transportation Commission (MTC) in 2020, with oversight from the Bay Area Fare Integration Task Force (FITF), to identify changes to the Bay Area’s transit fare policies as a way to improve the passenger experience and grow transit ridership. In November 2021, the FITF adopted a Policy Vision Statement for fare integration that stems from the recommendations of the FCIS and serves as a policy roadmap to improved fare integration in the Bay Area. The first action in the statement is the deployment of an all-transit agency institutional/employer pass demonstration pilot in 2022 with a focus on educational institutions, affordable housing properties, and employers of various sizes, pending available resources.

This action is to confirm the JPB’s intent to participate in the pilot which will allow for modification of the Fare Structure so that this new institutional pass fare product is accepted as valid fare media on the Caltrain system during the pilot period, which is slated to begin in August 2022 and is currently approved for six months. Caltrain currently has funding for the pilot to last 12-24 months, and Staff recommends that the pilot continue for the period approved by the FTA if funds are available, and approval from the FTA is received. Due to the scale and significance of this pilot, the project team is actively seeking a waiver from the Federal Transit Administration (FTA) to allow this fare pilot to last more than six months. If the pilot is considered successful, the Board will need to approve a Title VI analysis, based on data from the pilot before approving a permanent successor program.

BUDGET IMPACT

There is no budget impact associated with receiving this report. Caltrain's revenue statistics associated with the pilot program are presented in the Background section of this staff report.

BACKGROUND

The Clipper Executive Board established a Fare Integration Task Force (FITF) to oversee and manage all aspects of the Fare Coordination and Integration Study (FCIS). After an 18-month effort, the recommendations from the FCIS were finalized and compiled in a report, which was adopted in the form of a policy vision statement by the FITF in fall 2021. The first action identified in the policy vision statement is to advance the development of a pilot, all-agency, institutional pass.

The objective of the pilot is to evaluate the degree to which an institutional transit pass covering the fare of all operators may increase transit ridership and better meet the needs of users and institutions, as compared to their current passes. The pilot is therefore focused on institutions already participating in a transit pass program and is designed to evaluate the benefits of expanding access to all agencies and to collect data that could be used as the basis of a revenue model for a potential permanent program.

The pilot is proposed to be structured in two phases:

- Pilot Phase 1 (Target of 8/2022): Public educational institutions and affordable housing properties, including San Francisco State University, San Jose State University, UC Berkeley, Santa Rosa JC, and MidPen Housing (three San Mateo properties)
- Pilot Phase 2 (2023): Employers in transit-rich locations such as downtown San Francisco, Oakland, and San Jose

During phase 1 of the pilot, up to 50,000 all-agency passes would be layered on top of each participating institution's existing transit pass at no additional cost to the institution. The existing business relationship between each participating institution and the current transit agencies they hold passes for will remain unchanged. None of the proposed Pilot Phase 1 institutions are current Caltrain GoPass customers (Caltrain's institutional pass product) but several are located within the broader Caltrain service area.

The MTC has identified up to \$85M of regional funds for Transit Transformation Action Plan near-term priorities, including \$28M for fare integration activities. Of this amount, approximately \$6M is targeted toward this institutional/employer pilot project. This funding will be used to backfill any foregone revenue associated with newly generated trips taken on transit as a result of this pilot. Based on 2019 Clipper data from users of existing institutional fare projects at partner institutions, potential foregone revenue associated with the pilot is \$1.9M per year or \$3.8M over 2 years across all Bay Area transit agencies. To offset these potential impacts, \$4.5M is budgeted to make all transit operators whole for any adverse revenue impacts associated with phase 1. These funds would be distributed in two steps:

- MTC will distribute \$2.2M of funding among operators up-front based on their share of regional fare revenue in FY 2018-19 (minimum of \$5,000 to each transit operator)

- MTC will hold an additional \$2.2M in reserve as a “top up” to distribute in year 2 of the pilot based on actual year 1 results and estimated year 2 results

Caltrain is expected to receive \$230,000 in the first distribution of funds.

MTC will serve as lead agency for the Title VI process for the pilot program. The pilot project will operate as a “pilot” under Title VI, which requires that the Board of Directors approve Title VI analyses before any permanent successor program is launched. As noted earlier in the staff report, MTC and BART are working with FTA now to request permission for an initial pilot period lasting a minimum of 12 months for all participating agencies. Data from the pilot will inform Title VI analysis of any extension beyond 12 months and/or permanent program.

Prepared by: Bruce Thompson	Manager, Fare Program Operations	650-551-6106
Sebastian Petty	Director of Special Projects	650-790 8858

Appendix A

Adopted – May 6, 1992
Last Revised – July 7, 2022
Effective – July 7, 2022

**PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA**

* * *

CALTRAIN FARE STRUCTURE

This document establishes the fare structure for use of Caltrain passenger rail service, which operates between San Francisco and Gilroy, California. For pricing, refer to Section V, Fare Chart.

I. FARE CATEGORIES

A. Full Fare

Full Fares apply to all customers except those who qualify for an Eligible Discount Fare or the Means-Based Fare Pilot Program.

B. Eligible Discount Fare

Customers qualifying for the Eligible Discount Fare pay one-half of the Full Fare, rounded to increments of approximately \$0.25. A customer qualifies for the Eligible Discount Fare by meeting or possessing any one or more of the requirements below. Proof of age or appropriate identification may be necessary when ticket is requested by the conductor or fare inspector.

1. Aged 65 years or older.
2. Aged 18 years or younger.
3. Disabled Person Placard Identification Card issued by the California State Department of Motor Vehicles (DMV).
4. Medicare Card.
5. Regional Transit Connection (RTC) Discount Card for persons with disabilities, including Clipper® cards that are designated as RTC Discount Cards. A personal care attendant travelling with an RTC Discount Card holder can pay the Eligible Discount Fare if the RTC Discount Card is marked with an attendant symbol.
6. Valid transit discount card issued by another California transit agency, which is equivalent to the RTC Discount Card.

C. Means-Based Fare Pilot Program

The Regional Means-Based Fare Pilot Program (Pilot Program), administered by the Metropolitan Transportation Commission (MTC), will run for 18 months starting July 15, 2020. Pending MTC's approval in summer 2021, the Pilot Program may be extended an additional 18 months (for a total duration of 36 months) through June 30, 2023. For the duration of the Pilot Program approved by MTC, Caltrain will offer a 50 percent discount off of One-way Clipper Card Fares to adults enrolled in the Pilot Program.

The Means-Based Fare is available only to participants who apply, are accepted and enroll in the Pilot Program. Participation is limited to adults aged 19 through 64, who are current residents in one of the nine San Francisco Bay Area counties, and who have an annual household income level at or below 200 percent of the Federal Poverty Level.

NEW ADDITION

D. Regional All Agency Pass

Available to passengers who are selected to participate in Regional Fare Coordination and Integration Study administered by the Bay Area Integration Task Force, managed by Metropolitan Transportation commission and Bay Area Rapid Transit

E. Sworn Peace Officers

Uniformed and non-uniformed, sworn peace officers showing proper identification are allowed to ride Caltrain without paying a fare.

F. Children Four Years or Younger

One child aged four years or younger accompanied by a paying adult, including Go Pass users, may ride Caltrain without paying a fare. Additional children traveling with the same adult are required to pay a fare.

G. Special Promotional Fares

From time to time, the Executive Director may authorize the establishment of special or promotional fares.

H. Group Travel Discount

A 10 percent discount on regular cash fares is provided to fare-paying groups of 25 or more passengers that pre-purchase through the Caltrain Group Travel program.

II. FARE TYPES

A. One-Way Ticket

Valid for use within four hours of the date and time sold. One-way Tickets are honored for one-way passage away from the point of origin, including stopovers/transfers, within the zone(s) indicated on such tickets.

B. Day Pass

Valid for use on a single day, through the last train on the service day on which sold.
Day passes are honored for unlimited travel within the zone(s) indicated on the ticket.

C. Monthly Pass

Valid for use for the calendar month for which issued. Monthly Passes are honored for unlimited weekday trips between the zone(s) indicated on such passes. On Saturdays, Sundays and holidays, Monthly Passes are honored for unlimited trips between all zones. The Monthly Pass multiplier is 15 days per month (30 x One-way Ticket fare). Purchasers of Monthly Passes are eligible to purchase a Monthly Parking Pass. Temporary reduction of the multiplier to 12 days per month (24 x One-way Ticket fare) will be in effect through June 30, 2023.

D. Zone Upgrade Ticket

Valid for use within four hours of the date and time sold. Zone Upgrade Tickets are valid only when accompanying a Monthly Pass or a valid paper One-way Ticket or Day Pass, and cannot be used alone. The Zone Upgrade Ticket will be honored for one-way passage for additional zones purchased beyond the original ticket's zone limits. The Zone Upgrade Ticket's validity period does not supersede the original ticket's validity period.

E. Go Pass

Valid for use within the calendar year for which issued. The Go Pass is an annual transit pass sold to universities and other employers for all of their students and/or employees that work more than 20 hours per week, with an option to have employees that work 20 hours or less per week and interns participate. The Go Pass also is sold to residential complexes for all residents aged five years and older. Go Passes are subject to the terms of agreements between the JPB and each participating university/employer/residential complex.

The Go Pass is administered via a Clipper Card accompanied by a valid university, employer, or residential complex-issued photo identification card or a sticker affixed to the above mentioned identification cards. The Go Pass is honored for unlimited trips between all zones. Go Pass participants are eligible to purchase a Monthly Parking Permit.

The Go Pass is honored for unlimited trips between all zones. Go Pass participants are eligible to purchase a Monthly Parking Permit.

III. FARE PAYMENT

A. Ticket Vending Machines

Customers may purchase the following fare products at Caltrain stations via the ticket vending machines: (i) One-way Ticket; (ii) Day Pass; and (iii) Zone Upgrade. Cash, credit and debit cards are accepted.

B. Mobile Ticketing Application Pilot Program

Customers may purchase the following fare products via the Caltrain Mobile App: (i) One-way Ticket; (ii) Day Pass; and (iii) Zone Upgrade. Credit and debit cards, PayPal, Google Pay and Apple Pay are accepted.

C. Clipper

Customers may purchase the following fare products via the Clipper regional transit fare payment system: (i) One-way Ticket; (ii) Monthly Pass. Customers paying with Clipper for a One-way ride receive a 55-cent discount (Full Fare) or 15-cent discount (Eligible Discount Fare) compared to paper and mobile tickets.

The Clipper card, which is issued and administered by the Metropolitan Transportation Commission (MTC), is valid for use on public transit services throughout the San Francisco Bay Area. MTC may establish fees and a cash minimum associated with the use of a Clipper card.

JPB staff is empowered to distribute fare media through other means (e.g. a website) without amendment of this document.

IV. DESCRIPTION OF ZONES

The zone designations for Caltrain service are:

<p><u>Zone 1</u> San Francisco 22nd Street Bayshore South San Francisco San Bruno</p>	<p><u>Zone 2</u> Millbrae Broadway* Burlingame San Mateo Hayward Park Hillsdale Belmont San Carlos Redwood City</p>	<p><u>Zone 3</u> Menlo Park Palo Alto Stanford Stadium^ California Avenue San Antonio Mountain View Sunnyvale</p>
<p><u>Zone 4</u> Lawrence Santa Clara College Park# San Jose Diridon</p>	<p><u>Zone 5</u> Capitol# Blossom Hill#</p>	<p><u>Zone 6</u> Morgan Hill# San Martin# Gilroy#</p>

* Weekend service only

^ Football/Other Select Levy Stadium events only

Weekday service only

V. GENERAL CONDITIONS

A. Conditions of Use

Tickets and passes are non-transferable. Tickets mutilated, altered or changed in any way, or used in any manner other than in accordance with the provision of this Fare Structure shall be forfeited.

B. Enforcement

Passengers must have a valid ticket before boarding to ride Caltrain. Fares will be enforced by a Proof-of-Payment system as adopted and amended from time to time by the JPB. Proof of fare payment must be carried at all times while on Caltrain and must be presented for inspection upon request. Passengers without valid fare are subject to written warnings and citations with monetary penalties as authorized by California law.

C. Stopovers/Transfers

Stopovers and transfers are permitted within zones indicated on tickets provided travel is completed within the ticket's validity period. For One-way Tickets, travel can only continue and be completed in the original direction of travel. One-way Tickets cannot be used to reverse direction.

D. Delays

When a customer holding a valid ticket is delayed because of washout, wreck or other obstruction to tracks, public calamity, an act of God or of the public enemy so that the validity period of a passenger's ticket has expired, such ticket's validity may be extended by the conductor or fare inspector to the extent of such delay.

E. Refunds

1. One-way, Day Pass, and Zone Upgrade Tickets

One-Way, Day Pass and Zone Upgrade Tickets are not subject to refund.

2. Go Passes

Fees paid for Go Passes are subject to refund only in case of termination of a contract between the JPB and the Go Pass employer/university/residential complex. The JPB will refund the pro-rated portion of the Go Pass fee paid by the participating agency (equivalent to the number of unused months), less an administration fee, within 30 days of the

contract termination date, provided that within 10 working days of the effective termination date, all undistributed Go Passes issued to the participating agency are returned to the JPB and the participating agency verifies in writing that it has made every good faith effort to collect or destroy all Go Passes that it distributed.

3. Monthly Passes

Unused Monthly Passes may be returned for a full refund prior to the date the passes first become valid.

Monthly Passes returned for a refund during the validity period will be refunded for the difference between the fare paid and the value of the transportation furnished. The value of transportation furnished will be considered to be the value of two one-way fares per weekday up to the date the pass is returned.

VI. FARE PRICES

Zones Travelled	Fare Type	Payment Option	Category	Current	Eff 7/1/2023	Eff 7/1/2025	Eff 7/1/2027	Eff 7/1/2028
1	One-way	Ticket Machine, Mobile App	Adult	\$3.75	\$4.25	\$4.25	\$4.75	\$4.75
			Eligible Discount	\$1.75	\$2.00	\$2.00	\$2.25	\$2.25
		Clipper	Adult	\$3.20	\$3.70	\$3.70	\$4.20	\$4.50
			Adult Means-based [^]	\$1.60				
			Eligible Discount	\$1.60	\$1.85	\$1.85	\$2.10	\$2.10
	Day Pass	Ticket Machine, Mobile App	Adult	\$7.50	\$8.50	\$8.50	\$9.50	\$9.50
			Eligible Discount	\$3.75	\$4.00	\$4.00	\$4.50	\$4.50
	Monthly Pass	Clipper	Adult	\$76.80	\$111.00	\$111.00	\$126.00	\$135.00
			Eligible Discount	\$38.40	\$55.50	\$55.50	\$63.00	\$63.00
			Adult	\$6.00	\$6.50	\$6.75	\$7.25	\$7.25
2	One-way	Ticket Machine, Mobile App	Adult	\$2.75	\$3.00	\$3.25	\$3.50	\$3.50
			Eligible Discount	\$2.75	\$3.00	\$3.25	\$3.50	\$3.50
		Clipper	Adult	\$5.45	\$5.95	\$6.20	\$6.70	\$7.00
			Adult Means-based [^]	\$2.70				
			Eligible Discount	\$2.60	\$2.85	\$3.10	\$3.35	\$3.35
	Day Pass	Ticket Machine, Mobile App	Adult	\$12.00	\$13.00	\$13.50	\$14.50	\$14.50
			Eligible Discount	\$6.00	\$6.00	\$6.50	\$7.00	\$7.00
	Monthly Pass	Clipper	Adult	\$130.80	\$178.50	\$186.00	\$201.00	\$210.00
			Eligible Discount	\$62.40	\$85.50	\$93.00	\$100.50	\$100.50
			Adult	\$8.25	\$8.75	\$9.25	\$9.75	\$9.75
3	One-way	Ticket Machine, Mobile App	Adult	\$3.75	\$4.00	\$4.50	\$4.75	\$4.75
			Eligible Discount	\$3.75	\$4.00	\$4.50	\$4.75	\$4.75
		Clipper	Adult	\$7.70	\$8.20	\$8.70	\$9.20	\$9.50
			Adult Means-based [^]	\$3.85				
			Eligible Discount	\$3.60	\$3.85	\$4.35	\$4.60	\$4.60
	Day Pass	Ticket Machine, Mobile App	Adult	\$16.50	\$17.50	\$18.50	\$19.50	\$19.50
			Eligible Discount	\$8.25	\$8.00	\$9.00	\$9.50	\$9.50
	Monthly Pass	Clipper	Adult	\$184.80	\$246.00	\$261.00	\$276.00	\$285.00
			Eligible Discount	\$86.40	\$115.50	\$130.50	\$138.00	\$138.00
			Adult	\$10.50	\$11.00	\$11.75	\$12.25	\$12.25
4	One-way	Ticket Machine, Mobile App	Adult	\$4.75	\$5.00	\$5.75	\$6.00	\$6.00
			Eligible Discount	\$4.75	\$5.00	\$5.75	\$6.00	\$6.00
		Clipper	Adult	\$9.95	\$10.45	\$11.20	\$11.70	\$12.00
			Adult Means-based [^]	\$4.95				
			Eligible Discount	\$4.60	\$4.85	\$5.60	\$5.85	\$5.85
	Day Pass	Ticket Machine, Mobile App	Adult	\$21.00	\$22.00	\$23.50	\$24.50	\$24.50
			Eligible Discount	\$10.50	\$10.00	\$11.50	\$12.00	\$12.00
	Monthly Pass	Clipper	Adult	\$238.80	\$313.50	\$336.00	\$351.00	\$360.00
			Eligible Discount	\$110.40	\$145.50	\$168.00	\$175.50	\$175.50
			Adult	\$12.75	\$13.25	\$14.25	\$14.75	\$14.75
5	One-way	Ticket Machine, Mobile App	Adult	\$5.75	\$6.00	\$7.00	\$7.25	\$7.25
			Eligible Discount	\$5.75	\$6.00	\$7.00	\$7.25	\$7.25
		Clipper	Adult	\$12.20	\$12.70	\$13.70	\$14.20	\$14.50
			Adult Means-based [^]	\$6.10				
			Eligible Discount	\$5.60	\$5.85	\$6.85	\$7.10	\$7.10
	Day Pass	Ticket Machine, Mobile App	Adult	\$25.50	\$26.50	\$28.50	\$29.50	\$29.50
			Eligible Discount	\$12.75	\$12.00	\$14.00	\$14.50	\$14.50
	Monthly Pass	Clipper	Adult	\$292.80	\$381.00	\$411.00	\$426.00	\$435.00
			Eligible Discount	\$134.40	\$175.50	\$205.50	\$213.00	\$213.00
			Adult	\$15.00	\$15.50	\$16.75	\$17.25	\$17.25
6	One-way	Ticket Machine, Mobile App	Adult	\$6.75	\$7.00	\$8.25	\$8.50	\$8.50
			Eligible Discount	\$6.75	\$7.00	\$8.25	\$8.50	\$8.50
		Clipper	Adult	\$14.45	\$14.95	\$16.20	\$16.70	\$17.00
			Adult Means-based [^]	\$7.20				
			Eligible Discount	\$6.60	\$6.85	\$8.10	\$8.35	\$8.35
	Day Pass	Ticket Machine, Mobile App	Adult	\$30.00	\$31.00	\$33.50	\$34.50	\$34.50
			Eligible Discount	\$15.00	\$14.00	\$16.50	\$17.00	\$17.00
	Monthly Pass	Clipper	Adult	\$346.80	\$448.50	\$486.00	\$501.00	\$510.00
			Eligible Discount	\$158.40	\$205.50	\$243.00	\$250.50	\$250.50
			Adult	\$15.00	\$15.50	\$16.75	\$17.25	\$17.25

[^] Adult Means-base fare (Clipper START program) is a pilot program.

^{^ ^} Customers with a two-zone or greater Caltrain Monthly Pass get free local rides or free local ride credits on SamTrans and receive free transfers on Santa Clara Valley Transportation Authority (VTA) local, limited stop bus, bus rapid transit and light rail.

^ Adult Means-base fare (Clipper START program) is a pilot program.

^ ^ Customers with a two-zone or greater Caltrain Monthly Pass get free local rides or free local ride credits on SamTrans and receive free transfers on Santa Clara Valley Transportation Authority (VTA) local, limited stop bus, bus rapid transit and light rail.

Zone Upgrade			
Payment Option	Category	Current	Eff. 7/1/2025
Ticket Machine, Mobile App	Adult	\$2.25	\$2.50
	Eligible Discount	\$1.00	\$1.25

Go Pass			
	Current	Eff. 1/1/2024	Eff. 1/1/2026
Minimum Cost	\$28,728.00	\$30,156.00	\$31,584.00
Per Eligible Rider*	\$342.00	\$359.00	\$376.00
* In 2022 a 25% renewal discount was provided to customers participating as of July 1, 2021, in 2023 a 20% renewal discount was provided to customers participating as of July 1, 2022			

Resolution No. 2022-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Authorize Participation in Regional All Agency Pass Pilot Program

Whereas, the Regional Fare Coordination and Integration Study (FCIS) was launched by the Bay Area’s transit operators and the Metropolitan Transportation Commission (MTC) in 2020, with oversight from the Bay Area Fare Integration Task Force (FITF), to identify changes to the Bay Area’s transit fare policies as a way to improve the passenger experience and grow transit ridership; and

Whereas, in November 2021, the FITF adopted a Policy Vision Statement for fare integration that stems from the recommendations of the FCIS and serves as a policy roadmap to improved fare integration in the Bay Area. The Statement calls for the deployment of an all-transit agency institutional/employer pass demonstration pilot in 2022 with a focus on educational institutions, affordable housing properties, and employers of various sizes, pending available resources; and

Whereas, due to the scale and significance of this pilot, the project team is actively seeking a waiver from the Federal Transit Administration (FTA) to allow this fare pilot to last more than six months and the Peninsula Corridor Joint Powers Board (JPB) currently has funding to enable Caltrain to implement the pilot for a period of 12-24 months, if FTA approves the waiver. If the pilot is considered successful, the Board of Directors (Board) will additionally need to approve a Title VI analysis, based on data from the pilot before approving a permanent successor program; and

Whereas, Staff recommends that the Board confirm the JPB’s intent to participate in the pilot which will allow for modification of the Fare Structure so that this new institutional pass fare

product is accepted as valid fare media on the Caltrain system during the pilot period, which is slated to begin in August 2022 and is currently approved for six months, and that the pilot continue for the period approved by the FTA if funds are available and the FTA approves the waiver.

Now, Therefore, Be It Resolved the Board of Directors of the Peninsula Corridor Joint Power Board approves the confirmation of the intent to participate in the pilot which will allow for modification of the Fare Structure so that this new institutional pass fare product is accepted as valid fare media on the Caltrain system during the pilot period, which is slated to begin in August 2022 and is currently approved for six months; and

Be It Further Resolved that the pilot continue for the period approved by the FTA if funds are available and FTA approves the waiver; and

Be It Further Resolved that the Board authorizes the Acting Executive Director, or designee, to take such additional actions as may be necessary to give effect to this resolution.

Regularly passed and adopted this 4th day of August, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

~~Resolution No. 2022—~~

~~Board of Directors, Peninsula Corridor Joint Powers Board
State of California~~

~~* * *~~

~~Postponing Approved Fare Increases and Adopting 2023 Go Pass Pricing~~

~~Whereas, on May 6, 1992, by Resolution No. 1992-31, the Board of the Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”) adopted a Codified Tariff, setting forth the rate structure for the Caltrain service; and~~

~~Whereas, the JPB has previously amended the Codified Tariff to modify fares in order to implement policy and administrative changes in the Caltrain service; and~~

~~Whereas, the JPB is committed to the principles underlying its Caltrain Fare Policy, adopted on December 6, 2018, by Resolution 2018-49, including financial sustainability, equity, customer experience, and ridership; and~~

~~Whereas, the JPB revised the Fare Structure (which replaced the Codified Tariff) on September 5, 2019, by adopting Resolution No. 2019-32, in order to increase Go Pass prices every other year, reduce the Clipper® Discount, increase base and zone fares (alternating every other year), and participate in the regional means-based fare pilot program (Clipper START); and~~

~~Whereas, in light of the Covid-19 pandemic, on September 3, 2020, the JPB adopted Resolution 2020-47, postponing the previously approved fare increases, which were to take effect on April 1 and July 1, 2020, until after Fiscal Year 2020-2021; and~~

Removed 8/1/22 (1pm)

~~Whereas, on June 4, 2020, by Resolution No. 2020-21, the JPB extended the duration of the 2020 Go Pass participant agreements through March 2021 to compensate for their users' loss of use of Caltrain for the duration of state and local shelter in place orders; and~~

~~Whereas, on June 4, 2020, by adopting Resolution 2020-30, the JPB increased the Caltrain discount associated with Clipper START from 20 percent to 50 percent off single-ride, adult Clipper fares; and~~

~~Whereas, on January 7, 2021, the JPB adopted Resolution 2021-01 to reduce the 2021 Go Pass pricing to reflect the shortened program year and continued commute pattern changes caused by COVID-19; to give added flexibility to Go Pass program participants by permitting them to offer otherwise unused 2021 Go Passes to on-site contractors, part-time employees, and graduate and post-doctoral students and to donate unused passes to qualified not-for-profit organizations, and to decrease the 2022 Go Pass price for the Go Pass program participants purchasing passes for at least the last six months of 2021; and~~

~~Whereas, in April and May 2021, the JPB engaged in public outreach, including published notices and virtual community meetings to afford members of the public an opportunity to comment on fare change proposals and held a duly-noticed public hearing at the May 24, 2021 meeting of the Finance Committee on the extension of the Caltrain Monthly Pass discount and accepted comments on fare changes; and~~

~~Whereas, on June 3, 2021, by adopting Resolution 2021-33, the JPB, based on the public comment it had received, extended the temporary 20 percent discount on Monthly Pass products, postponed two scheduled 5 percent increases in the Go Pass price, postponed a~~

Removed 8/1/22 (1pm)

~~reduction of the Clipper discount, delayed scheduled increases to the full-price base fare and zone charge, and extended Clipper START; and~~

~~Whereas, Staff recommends that the Board adopt the following changes to the current schedule of fare increases:~~

- ~~A. Go Pass—Postpone two scheduled 5-percent price increases by one year from January 1, 2023, to January 1, 2024, and again from January 1, 2025, to January 1, 2026~~
- ~~B. Clipper Discount—Postpone the April 1, 2022 reduction of the Clipper discount from \$0.55 to \$0.25 per one-way adult fare and corresponding changes to all Clipper Products except the Eligible Discount one-way fare to July 1, 2028~~
- ~~C. Periodic Fare Increases—Delay scheduled increases to the full-price one-way base fare and zone charge (and corresponding increases to related products), as follows:~~
 - ~~• Base Fare increase of \$0.50: Postpone from July 1, 2022, to July 1, 2023~~
 - ~~• Zone Charge increase of \$0.25: Postpone from July 1, 2024, to July 1, 2025~~
 - ~~• Base Fare increase of \$0.50: Postpone from July 1, 2026, to July 1, 2027~~

~~Whereas, Staff recommends that the Board adopt new Go Pass pricing and terms for 2023 as follows:~~

- ~~A. Customers that are enrolled for the last 6 months of 2022 (i.e., an effective date no later than July 1, 2022) receive a 20-percent discount off the 2023 Go Pass price of \$342 per year (discounted to \$273.60)~~

~~B. Maintain the current adopted incentive structure that allows for distribution to on-site contracted staff, part-time employees, and graduate and post-doctoral students as well as donation of the Go Pass to qualified not-for-profit organizations; and~~

~~Whereas, under Title VI of the Civil Rights Act of 1964 and implementing regulations, including Federal Transit Administration Circular C 4702.1B, the JPB is required to perform a Title VI Equity Analysis in conjunction with most fare changes to assess whether they will result in disparate impacts or disproportionate burdens on minority or low-income populations, respectively, and on April 4, 2013, the Board adopted Resolution No. 2013-21, which established Disparate Impact and Disproportionate Burden Policies to set thresholds for when fare or major service changes are deemed to have disproportionate effects on minority or low-income populations; and~~

~~Whereas, Staff has previously prepared, and the Board has previously adopted Title VI equity analyses on September 5, 2019 (Resolution No. 2019-32) related to the postponement of the previously adopted fare changes that are the subject of this action; and~~

~~Whereas on May 24, 2021, the Finance Committee held a duly-noticed public hearing regarding changes to the Fare Structure.~~

~~Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby:~~

- ~~1. Finds pursuant to Title VI of the Civil Rights Act of 1964 that the fare changes enacted hereby will not have a disparate impact on minority populations or a disproportionate burden on low-income populations;~~
- ~~2. Approves the following fare changes:~~

Removed 8/1/22 (1pm)

- a. ~~Go Pass — Postpone a 5 percent price increase scheduled for January 1, 2023, to January 1, 2024, and postpone a second 5 percent price increase scheduled for January 1, 2025, to January 1, 2026~~
- b. ~~Clipper Discount — Postpone the April 1, 2022 reduction of the Clipper discount from \$0.55 to \$0.25 for a one-way adult fare and corresponding changes to all Clipper Products except the Eligible Discount one-way fare to July 1, 2028~~
- c. ~~Periodic Fare Increases — Delay scheduled increases to the full price one-way base fare and zone charge (and corresponding increases to related products), as follows:
 - i. ~~Base Fare increase of \$0.50: Postpone from July 1, 2022, to July 1, 2023~~
 - ii. ~~Zone Charge increase of \$0.25: Postpone from July 1, 2024, to July 1, 2025~~
 - iii. ~~Base Fare increase of \$0.50: Postpone from July 1, 2026, to July 1, 2027; and~~~~

~~3. Approves the Go Pass pricing and terms for 2023 as follows:~~

- a. ~~Customers that are enrolled for the last 6 months of 2022 (i.e., an effective date no later than July 1, 2022) receive a 20 percent discount off the 2023 Go Pass price of \$342 per year (discounted to \$287)~~
- b. ~~Maintain the current adopted incentive structure that allows for distribution to on-site contracted staff, part-time employees, and graduate and post-~~

Removed 8/1/22 (1pm)

~~doctoral students as well as donation of the Go Pass to qualified not-for-profit organizations; and~~

~~**Be It Further Resolved That** the Board of Directors directs the Acting Executive Director, or designee, to sign any agreements or other documents, or take any other actions required, to give effect to this resolution.~~

~~Regularly passed and adopted this 7th day of July 2022 by the following vote:~~

~~AYES:~~

~~NOES:~~

~~ABSENT:~~

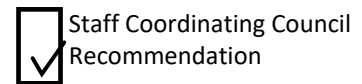
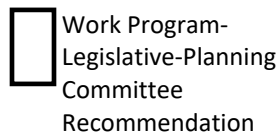
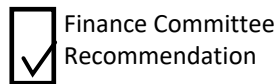
~~_____
Chair, Peninsula Corridor Joint Powers Board~~

~~ATTEST:~~

~~_____
JPB Secretary~~

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard
Acting Executive Director
From: Grace Martinez
Acting Chief Financial Officer
Subject: **Approve and Ratify Fiscal Year 2023 Insurance Program**



Action

Staff recommends the Board ratify the binding of commitments for the Peninsula Corridor Joint Powers Board's (JPB) insurance program for Fiscal Year (FY) 2023 including:

- Renew of \$198 million Railroad Liability, Commercial General Liability and Excess Automobile Liability coverage with a \$2 million self-insured retention. The total premium for \$200 million liability coverage, inclusive of terrorism coverage, is \$3,821,250; and
- Renew blanket Railroad Protective Liability coverage subject to a zero self-insured retention at an annual premium of \$44,941 for various coverage levels of \$2 million to \$10 million; and
- Satisfy the Department of Transportation's Rail Passenger Liability Cap adjustment notice of February 2021 to \$323 million by adding \$23 million in excess of the combined JPB/TASI \$300 million for a total of \$323 million railroad liability coverage. The premium for the additional \$23 million railroad liability coverage is \$120,175; and
- Renew \$400 million limits real and personal property insurance with a \$500,000 deductible for an annual premium of \$2,000,621. Coverage extends to Centralized Equipment Maintenance and Operations Facility (CEMOF) property, stations, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock. Coverage satisfies the State of California boiler and machinery inspection requirements against perils and provides for coverage against terrorism; and
- Renew the \$15 million Public Officials Liability policy with a deductible of \$75,000 at an annual premium of \$155,717; and
- Renew the 2-year pre-paid insurance program for Pollution Liability insurance for a pre-paid premium of \$78,697. The policy limit is \$10 million with a \$50,000 self-insured retention; and
- Renew Special Events and Emergency Drill Liability policy with a \$2 million limit and deductible of \$25,000 for a premium of \$27,967; and

- Renew Accidental Death & Dismemberment (AD&D) insurance with limits of \$100,000 and \$0 deductible at an annual premium of \$1,499.

Significance

Despite the hardening insurance market over the past few years and uncertainty surrounding Covid-19, the FY2023 insurance program provides the JPB with coverage levels similar to those in the FY2022 insurance program. Railroad Liability, Commercial General Liability and Excess Automobile Liability coverage remains the same at \$198 million with a \$2 million self-insured retention. TransitAmerica Services, Inc. (TASI) procures an additional \$100 million. The JPB added an additional \$23 million last year on top of TASI’s \$100 million to satisfy the federal government’s 2021 \$323 million liability cap. This measure taken by the JPB satisfies contractual obligations with certain vendors that require that the JPB maintain limits equal to or higher than the federal government’s liability cap.

Securing Rail Liability coverage remains a challenge. Available capacity in the insurance market has improved somewhat and the JPB’s long-term relationship with carriers and underwriters has helped ensure coverage levels are met. Liability premiums increased by about 6% compared to FY2022. Below is an overview of the JPB’s FY2022 premiums and updates on the FY2023 premiums we have as of the drafting of this report:

<u>Premium Element</u>	<u>FY2022</u>	<u>FY2023</u>
Liability: Railroad, Commercial General, Excess Automobile	\$3,713,900	\$3,941,425
Liability: Environmental (2-year premium for FY2023)	0	78,697
Property Insurance	1,689,789	2,000,621
Public Officials, AD&D, Special Events & Railroad Protective Liability	217,765	230,125
Totals	\$5,621,454	\$6,250,868

Budget Impact

Funding for the payment of premiums associated with the recommended program is included in the FY2023 Operating Budget adopted at the June 2, 2022 Board meeting.

Background

The JPB’s liability limits will remain at \$200 million with an additional \$100 million provided by TASI. In addition, the JPB will maintain the additional \$23M in limits given the inflationary increase of the Passenger Rail Cap for a total of \$323 million FY2023.

Limits on the JPB’s Public Officials Liability program remain the same with limits of \$15 million and a self-insured deductible of \$75,000. In anticipation that some level of normalcy will be returning to the JPB commuter rail service, the JPB was able to renew the annual Special Events and Emergency Drill Liability policy with a limit of \$2 million. This coverage includes a \$25,000 self-insured retention and protects the JPB during what are sometimes higher hazard

operations for its annual special train events and emergency training exercises. The JPB procures AD&D insurance for the volunteers working at these special events. The JPB will continue to carry the Railroad Protective Liability insurance program designed specifically for construction activities along the JPB right-of-way.

The property insurance market remains very challenging with insurers reducing capacity while at the same time increasing premiums and deductibles. Property catastrophes nationwide have been substantial in recent years, leading to this hardening of the market. Consequently, the JPB has had to seek out additional insurers to meet the \$400 million limit. The JPB increased its deductible from \$250,000 to \$500,000 for a meaningful premium difference.

Currently the JPB is working to add an additional line of coverage for Federal Employees Liability Act Insurance (FELA) to the Rail Liability program this year. FELA insurance is currently procured by TASI and has a different expiration date of October 11th. The JPB will be working to transition the FELA insurance into this program for a premium savings, and will bring a future staff report to the board for the proposed FELA changes.

Prepared By: Marshall Rush

Insurance and Claims
Administrator

650.508.7742

Resolution No. 2023-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

**Approving and Ratifying the Insurance Program for
Fiscal Year 2023**

WHEREAS, the Executive Director of the Peninsula Corridor Joint Powers Board (JPB) has approved an insurance program for Fiscal Year (FY) 2023 with premiums totaling \$6,250,868, which program was presented to the Staff Coordinating Council (SCC); and

WHEREAS, in conjunction with the expiration of the JPB's existing insurance program on June 30, 2022, JPB staff renewed its insurance program for FY2023 based on the plan approved by the Executive Director, with the following significant elements:

1. A self-insured retention in the amount of \$2 million.
2. Railroad Liability, Commercial General Liability and Excess Automobile Liability policies, including Terrorism (TRIA) coverage, with a total limit of \$198 million, in excess of the \$2 million self-insured retention, at an annual premium of \$3,821,250. JPB also procures \$23 million in excess of \$300 million additional policy limits so as to satisfy the federal government's new \$323 million Rail Passenger Liability Cap, as well as meet contractual requirements that the JPB maintain limits up to the rail liability cap, for an annual premium of \$120,175.
3. Property insurance, including Special Risk property policies, at an annual premium of \$2,000,621 with limits of \$400 million and a \$500,000 deductible to cover real and personal property, including stations, the Centralized Equipment Maintenance and Operations Facility, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock, as well as Boiler and Machinery insurance sufficient to meet the State of California inspection requirements;
4. Public Officials Liability coverage with \$15 million limits at an annual premium of

\$155,717.

5. Pollution Liability for a 2-year policy term with a \$10 million limit at a premium of \$78,697.
6. Annual Special Events and Emergency Drill liability with a \$2 million limit at a premium of \$27,967.
7. Railroad Protective Liability coverage with an annual premium of \$44,941.
8. Volunteers AD&D for a premium of \$1,499; and

WHEREAS, SCC recommends that the Board approve and ratify the renewal of the JPB's insurance program for FY2023, as delineated above.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board hereby approves and ratifies the renewal of the JPB's insurance program for FY2023, including the types of coverage, limits and premiums recited above.

Regularly passed and adopted this 7th day of July, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: Grace Martinez
Acting Chief Financial Officer

Subject: **Award of Contracts for On-Call Communication and Signal Services**

Finance Committee
Recommendation

Work Program-
Legislative-Planning
Committee
Recommendation

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB):

1. Award contracts for On-Call Communication and Signal Services for an aggregate not-to exceed amount of \$18 million for a five-year term to:
 - RSE Corporation of Belmont, CA
 - STV Incorporated of Oakland, CA
 - WSP USA, Inc. of San Francisco, CA
 - Xorail, Inc. of Ontario, CA

2. Authorize the Acting Executive Director or designee to execute contracts with the aforementioned firms in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreements, and in a form approved by legal counsel.

Significance

Approval of the above actions will benefit the JPB by providing a bench of dedicated, qualified firms to provide railroad communication and signal services on an on-call basis (Services) in support of ongoing JPB maintenance planning and oversight, engineering design, and construction activities on Caltrain-related projects.

Budget Impact

The funds for these contracts will come from a mix of Federal, State, regional and/or local revenues and grants from current and future capital and/or operating budgets.

Background

The JPB has an ongoing need for the Services to provide support for the planning, implementation, and execution of various Caltrain-related projects. The Services are currently provided to the JPB by Armand Consulting, Inc. and RSE Corporation (also known as Rail Surveyors Engineers, Inc.), under three-year term contracts with up to two additional one-year option terms with an aggregate shared total of \$14,500,000, including the option years. The current contracts with Armand Consulting and RSE Corporation will expire on September 30, 2022.

To meet the ongoing need for these Services, JPB staff decided to establish a “bench” of qualified and experienced firms, thus increasing efficiency and available resources to be assigned to various projects.

On January 18, 2022, the JPB issued a Request for Proposals (RFP), solicitation number 22-J-P-024, on the JPB procurement website to provide the Services. Staff held a pre-proposal conference and 19 potential proposers attended. The RFP allowed proposers to submit proposals for one or both of the signal and communication disciplines. The JPB received fourteen proposals from eight different firms, with seven proposing for each discipline.

A Selection Committee (Committee) composed of qualified staff from the JPB’s Rail Development Systems Engineering department reviewed and scored the proposals in accordance with the following weighted criteria:

- | | |
|----------------------------------------------------------------------------------------------------|-----------|
| • Approach to Providing Services: On-Call Team Organization and Financial Management | 15 points |
| • Approach to Providing Services: WD Management Plan and Procedures including Quality Control Plan | 20 points |
| • Qualifications and Experience of Key Personnel | 30 points |
| • Company Qualifications, Experience & References | 35 points |
| • Small Business Enterprise (SBE) Preference | 5 points |

In accordance with federal and state law governing the procurement of architecture and engineering services, the Committee evaluated, scored and ranked these proposals solely on qualifications, and then negotiated price only with the four highest-ranked firms.

After review, evaluation and ranking of proposals, the Committee determined that the four recommended firms possess the requisite depth of experience and are qualified for contract award. Negotiations were conducted successfully with these firms, and the Committee further determined that each is capable of providing the specified services at fair and reasonable prices. There is no guarantee of the amount of work that will be awarded to any of the selected firms. Work Directives (WDs) will be issued via a competitive process to assign work on an as-needed, project-by-project basis.

Prepared By: Alice Cho, Procurement Manager
Project Manager: Carlos Ortega, Deputy Director, Rail Systems
Engineering

650.508.6442
650.551.6191

Resolution No. 2022 –

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

**Awarding Contracts to RSE Corporation, STV Incorporated, WSP USA, Inc., and Xorail, Inc. for
On-Call Communication and Signal Services for an Aggregate Not-To-Exceed Amount of
\$18 Million for a Five-Year Term**

Whereas, on January 18, 2022, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP), solicitation number 22-J-P-024, for On-Call Communication and Signal Services (Services); and

Whereas, in response to the RFP, the JPB received fourteen proposals from eight different firms, with seven proposing for each discipline; and

Whereas, an Evaluation Committee (Committee) evaluated, scored, and ranked these proposals according to the evaluation criteria set forth in the RFP, and determined that the following four firms possess the necessary qualifications and requisite experience to successfully perform the scope of services defined in the solicitation documents: RSE Corporation (RSE) of Belmont, California; STV Incorporated of Oakland, California; WSP USA, Inc. of San Francisco, California; and Xorail, Inc. of Ontario, California; and

Whereas, after the Committee completed its evaluation process, the Committee opened price negotiations and determined that all four firms will perform the Services at fair and reasonable prices; and

Whereas, staff and legal counsel have reviewed the selected firms' proposals and have determined they comply with the requirements of the solicitation documents; and

Whereas, staff recommends that the Board of Directors award contracts for the Services to the aforementioned four firms for an aggregate not-to exceed amount of \$18 million for a five-year term.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards contracts for on-call communication and signal services to RSE Corporation, STV Incorporated, WSP USA, Inc., and Xorail, Inc. for a five-year term for an aggregate not-to-exceed amount of \$18 million; and

Be It Further Resolved that the Board authorizes the Acting Executive Director or designee to execute contracts with the aforementioned firms in full conformity with all of the terms and conditions of the RFP and negotiated agreements, in a form approved by legal counsel.

Regularly passed and adopted this 7th day of July, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: Grace Martinez
Acting Chief Financial Officer

Subject: **Authorize Rejection of Bids for Right-of-Way Fencing Project and Re-Advertisement of the Solicitation**

Finance Committee Recommendation

Work Program-Legislative-Planning Committee Recommendation

Staff Coordinating Council Reviewed

Staff Coordinating Council Recommendation

Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) adopt a motion:

1. Rejecting the bids from Crusader Fence Company, LLC of Rancho Cordova, California (Crusader) and Roebbelen Contracting, Inc. of El Dorado Hills, California (Roebbelen) received by the JPB in response to the solicitation for the Right-of-Way Fencing Project (Project) because both bids contained bid errors and the second bid received from Roebbelen significantly exceeds the engineer’s estimate.
2. Authorizing the Acting Executive Director or designee to re-advertise the Project and return to the Board with a recommendation for award of the contract upon completion of the re-solicitation process.

Significance

This Project is for continued and expanded implementation of fencing installation along the JPB Right of Way (ROW). The continuation of this critical work to install various types of fencing, including vandal-resistant fencing, at key locations along the JPB ROW will deter trespassing, illegal dumping, and homeless encampments. Staff recommends that the JPB re-solicit the Project and revise the period of performance from four years to two years to encourage more competition, especially from Small Business Enterprises (SBE) and Disadvantaged Business Enterprises (DBE), and allow for more accurate fixed unit bid prices during the entire contract term.

Budget Impact

Rejection of these bids will have no budget impact.

Background

The JPB issued Invitation for Bids (IFB) 22-J-C-031 on March 28, 2022; it was advertised in a newspaper of general circulation and on the JPB’s e-procurement website. The JPB established an SBE goal of eighteen and one-half percent (18.5%) for this contract. Bidders who meet or exceed this goal would be eligible for a 5% bid preference. Prior to releasing the IFB, staff performed extensive outreach for SBEs using the State of California’s Disadvantaged Business Enterprise database. Twenty-seven vendors downloaded the solicitation documents and two potential bidders attended the pre-bid meeting and site walk. The JPB received two bids as follows:

Company	Grand Total Bid Price	Corrected Bid Price
Engineer’s Estimate	\$4,313,358.00	
1. Crusader Fence Company, LLC	\$4,170,147.42	\$4,169,945.00
2. Roebbelen Contracting, Inc.	\$8,709,825.00	\$19,586,325.00

The lowest bid from Crusader and the next lowest bid from Roebbelen both contained calculation errors. Crusader’s Grand Total Bid Price was \$4,170,147.42, but the mathematically correct bid price is \$4,169,945.00. Roebbelen’s Grand Total Bid price was \$8,709,825, but the mathematically corrected bid price is approximately \$19,586,325. The engineer’s estimate was \$4,313,358. Staff notified Crusader and Roebbelen of these calculation errors, and informed the bidders that, in accordance with the IFB, the JPB corrected these calculation errors and would consider the mathematically corrected totals. Crusader responded by asking for relief, stating that it could not honor its bid at the mathematically corrected bid price. Roebbelen’s bid was determined by staff not to be fair and reasonable as it significantly exceeds the engineer’s estimate.

Staff contacted six other potential bidders after the solicitation closed to determine why they did not submit a bid. Staff received various reasons, including one response stating they lacked the required certifications to participate as a prime contractor, and another that stated they were unable to attend the site visit.

Under the JPB’s procurement rules, the JPB may reject all bids submitted in response to a formal IFB if it is in the best interest of the JPB to do so. For the reasons discussed above, staff has determined that it is in the JPB's best interest to reject all bids and to re-solicit the Project.

Prepared By:	Patrick Ng, Procurement Administrator II	650.622.8018
Project Manager:	Rick Peredia, Rail Operations and Maintenance	650.508.7941

**Peninsula Corridor Joint Powers Board
Staff Report**

DATE: June 13, 2022

TO: Finance Committee

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Grace Martinez
Acting Chief Financial Officer

SUBJECT: **July 7, 2022 Finance Committee Report of the Acting Chief Financial Officer**

HIGHLIGHTS

- The interim audit was completed with no comments/findings. Staff is working on the preparations for the year-end close to start the audit and ACFR season.
- The first audit for the receipts of Measure RR will be conducted for fiscal year 2023 shortly after the regular financial audit for Caltrain is completed.
- With the adoption of the fiscal 2023 operating and capital budgets, Budget staff is in the process of “loading in” the budgets so that expense control procedures are ready by July 1st.
- The Staff Report on the Statement of Revenues and Expenses for the Period Ending May 31, 2022 follows.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard
Acting Executive Director
From: Grace Martinez
Acting Chief Financial Officer
Subject: **Accept Statement of Revenues and Expenses for the Period Ending May 31, 2022**

Finance Committee Recommendation

Work Program-Legislative-Planning Committee Recommendation

Staff Coordinating Council Reviewed

Staff Coordinating Council Recommendation

Action

Staff proposes that the Finance Committee of the Peninsula Corridor Joint Powers Board (JPB) accept and enter into the record the Statement of Revenues and Expenses for the month of May 2022.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through May 31, 2022. The statement has been designed to follow the Agency-wide line item rollup as included in the approved budget. The columns have been designed to provide easy comparison of year-to-date current actuals to the budget including dollar and percentage variances.

Significance

Annual Forecast: The annual forecast was updated based on actual revenue and expense trends through May 2022. The forecast was derived by analyzing trends and reviewing details with cost center managers.

Forecast Revenues: Total revenue (page 1, line 19) is forecast \$84.1 million higher than budget. This is driven primarily by \$101.1 million more allocation from the American Rescue Plan Act (ARPA) than budgeted. Measure RR (page 1, line 13), is \$9.0 million higher than budget reflecting updated estimates that continue to show recovery from the pandemic. Operating Grants (page 1, line 11) is \$3.0 million higher than budget due to true up of STA funding. Other Income (page 1, line 5) is \$0.6 million higher than budget driven primarily by parking citation revenue. Rental Income (page 1, line 4) is \$0.1 million higher than budget due to back rent from calendar year 2021. The revenue increase is partially offset by Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) (page 1, line 14) which is \$27.1 million lower than budget as funding was previously received in FY21. Farebox Revenue (page 1, line 1) is \$2.0 million lower than budget as ridership recovery has been slower than anticipated, Parking revenue (page 1, line 2) is \$0.3 million lower than budget and Shuttles Revenue (page 1, line 3)

is \$0.3 million lower than budget due to lower shuttle service as routes have been reduced or suspended due to low ridership.

Forecast Expenses: Total Expense (page 2, line 54) is \$11.2 million lower than budget. The variance is primarily due to lower expense trends. Rail Operator Service (page 2, line 24) is \$4.6 million lower than budget due to resource constraints and vacancies. Shuttles Services (page 2, line 26) is \$0.7 million lower than budget due to reduction or suspended service as result of low ridership. Facilities & Equipment Maintenance (page 2, line 31) is lower than budget by \$1.7 million due to lower Clipper Operator Charges as a result of lower ridership and under-runs in other contract services. Wages & Benefits (page 2, line 38) is lower than budget by \$1.4 million due primarily to vacancies. Professional Services (page 2, line 41) is lower than budget by \$1.5 million as a result of under-runs in consultant and legal services. Other Office Expenses and Services (page 2, line 43) is lower than budget by \$1.5 million due to reduction in Bank Fees and other services. Measure RR ballot Costs (page 2, line 49) is lower than budget by \$1.6 million. Governance costs (page 2, line 50) is lower than budget by \$1.0 million. This is partially offset by Fuel and Lubricants (page 2, line 27) which is higher than budget by \$0.6 million reflecting the updated service to 104 weekday trains and rising fuel prices due to supply concerns arising from the conflict abroad, and Claims, Payments, and Reserves (page 2, line 30) which is higher than budget by \$2.5 million reflecting updates for recent claims.

The forecast also includes an \$80 million reserve of Measure RR funds to address significant capital requirements for the Electrification Program and to position the JPB to effectively compete for funds through a federal discretionary grant program that is intended to address the very kinds of revenue losses experienced by the JPB related to the COVID-19 pandemic. The reserve was approved at the November 2021 board meeting.

Year to Date Revenues: As of May year-to-date actual, the Grand Total Revenue (page 1, line 19) is \$62.6 million more than the approved budget. This is primarily driven by increases in Operating Grants (page 1, line 11), Measure RR (page 1, line 13) and ARPA fund (page 1, line 15) which are partially offset by CRRSAA fund (page 1, line 14). CRRSAA funding was received and reported as revenue in late FY21. However, it was not budgeted in FY21 as the amount of funding was unknown at the time of FY21 Budget adoption. Therefore the budget for CRRSAA funding was carried over and budgeted in FY22.

Year to Date Expenses: As of May year-to-date actual, the Grand Total Expense (page 2, line 54) is \$16.8 million lower than the approved budget. This is primarily due to decreases in Rail Operator Service (page 2, line 24), Fuel and Lubricants (page 2, line 27) which is partially offset by the fuel hedge program, Facilities and Equipment Maintenance (page 2, line 31), Wages and Benefits (page 2, line 38), Professional Services (page 2, line 41), Other Office Expenses and Services (page 2, line 43), and Measure RR Ballot Costs (page 2, line 49). The decreases are partially offset by an increase in Claims, Payments, and Reserves (page 2, line 30).

Other Information: The Agency accounts for revenue and expenditures on a modified cash

basis (only material revenues and expenses are accrued) on the monthly financial statement. As such, the variance between the current year actual and the budget may show noticeable variances due to the timing of expenditures.

Budget Impact

There are no budget amendments for the month of May 2022.

Prepared By: Danny Susantin, Accountant III	650.622.8073
Jennifer Ye, Director, Accounting	650.622.7890

PENINSULA CORRIDOR JOINT POWERS BOARD									
STATEMENT OF REVENUE AND EXPENSE									
Fiscal Year 2022									
May 2022									
% OF YEAR ELAPSED							91.7%		
	JULY TO MAY				ANNUAL				
	CURRENT ACTUAL	REVISED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE		
REVENUE									
OPERATIONS:									
1	Farebox Revenue	29,647,876	30,665,000	(1,017,124)	(3.3%)	34,639,000	32,639,000	(2,000,000)	1
2	Parking Revenue	1,159,402	1,408,000	(248,598)	(17.7%)	1,536,000	1,286,000	(250,000)	2
3	Shuttles	1,119,373	1,470,238	(350,865)	(23.9%)	1,603,900	1,269,373	(334,527)	3
4	Rental Income	1,416,507	1,093,092	323,415	29.6%	1,192,466	1,281,507	89,041	4
5	Other Income	2,056,984	1,452,550	604,434	41.6%	1,584,608	2,156,984	572,376	5
6									6
7	TOTAL OPERATING REVENUE	35,400,142	36,088,880	(688,738)	(1.9%)	40,555,974	38,632,864	(1,923,110)	7
8									8
9	CONTRIBUTIONS:								
10	AB434 Peninsula & TA Shuttle Funding	430,141	1,026,025	(595,884)	(58.1%)	1,119,300	1,119,300	-	10
11	Operating Grants	9,505,719	5,990,016	3,515,703	58.7%	6,525,471	9,505,719	2,980,248	11
12	JPB Member Agencies	-	-	-	.0%	-	-	-	12
13	Measure RR*	84,518,339	79,362,176	5,156,163	6.5%	86,576,919	95,621,811	9,044,892	13
14	CRRSAA**	-	27,115,922	(27,115,922)	(100.0%)	27,115,922	-	(27,115,922)	14
15	ARPA	97,164,334	14,849,883	82,314,451	554.3%	14,849,883	115,995,904	101,146,021	15
16									16
17	TOTAL CONTRIBUTED REVENUE	191,618,533	128,344,022	63,274,511	49.3%	136,187,495	222,242,734	86,055,239	17
18									18
19	GRAND TOTAL REVENUE	227,018,675	164,432,902	62,585,773	38.1%	176,743,469	260,875,598	84,132,129	19
20	*\$15,323,081 is not included in the Measure RR actual amount as it is allocated for FY22 capital expenses.								
20	**CRRSAA funding was received and reported as revenue in late FY21. However, it was not budgeted in FY21 as the amount of funding was unknown at the time of FY21 Budget adoption. Therefore the budget for CRRSAA funding was carried over and budgeted in FY22. A future FY22 budget action will be brought to the Board to clarify funding sources for the FY22 budget, including reserved funds from the FY21 actual results and/or additional funding made available from ARPA distributions.								

PENINSULA CORRIDOR JOINT POWERS BOARD									
STATEMENT OF REVENUE AND EXPENSE									
Fiscal Year 2022									
May 2022									
						% OF YEAR ELAPSED	91.7%		
JULY TO MAY				ANNUAL					
	CURRENT	REVISED	\$	%	APPROVED	FORECAST	\$		
	ACTUAL	BUDGET	VARIANCE	VARIANCE	BUDGET		VARIANCE		
21	EXPENSE							21	
22								22	
23	DIRECT EXPENSE:							23	
24	Rail Operator Service	82,561,406	88,012,646	(5,451,240)	(6.2%)	95,353,730	90,764,152	(4,589,578)	24
25	Security Services	6,412,573	5,857,765	554,808	9.5%	7,486,512	7,486,512	-	25
26	Shuttle Services	1,689,536	2,099,888	(410,352)	(19.5%)	2,723,200	2,067,849	(655,351)	26
27	Fuel and Lubricants*	8,278,209	9,565,281	(1,287,072)	(13.5%)	12,434,846	13,000,000	565,154	27
28	Timetables and Tickets	17,140	50,413	(33,274)	(66.0%)	55,000	55,000	-	28
29	Insurance	5,515,844	5,857,210	(341,366)	(5.8%)	5,857,210	5,515,844	(341,366)	29
30	Claims, Payments, and Reserves	3,210,933	751,674	2,459,259	327.2%	820,000	3,320,000	2,500,000	30
31	Facilities and Equipment Maintenance	4,455,953	7,095,716	(2,639,763)	(37.2%)	7,734,353	6,009,353	(1,725,000)	31
32	Utilities	2,097,368	2,339,887	(242,519)	(10.4%)	2,552,600	2,552,600	-	32
33	Maint & Services-Bldg & Other	1,039,447	1,536,620	(497,173)	(32.4%)	1,674,250	1,674,250	-	33
34								34	
35	TOTAL DIRECT EXPENSE	115,278,408	123,167,100	(7,888,692)	(6.4%)	136,691,701	132,445,560	(4,246,141)	35
36								36	
37	ADMINISTRATIVE EXPENSE							37	
38	Wages and Benefits	9,587,014	11,315,098	(1,728,084)	(15.3%)	12,161,799	10,801,799	(1,360,000)	38
39	Managing Agency Admin OH Cost	3,551,442	3,181,834	369,608	11.6%	3,470,871	3,470,871	-	39
40	Board of Directors	20,143	44,242	(24,099)	(54.5%)	48,275	48,275	-	40
41	Professional Services	4,922,517	8,118,744	(3,196,227)	(39.4%)	8,871,301	7,371,301	(1,500,000)	41
42	Communications and Marketing	364,780	296,576	68,204	23.0%	322,750	322,750	-	42
43	Other Office Expenses and Services	1,377,144	3,403,127	(2,025,983)	(59.5%)	3,795,020	2,305,020	(1,490,000)	43
44								44	
45	TOTAL ADMINISTRATIVE EXPENSE	19,823,041	26,359,621	(6,536,580)	(24.8%)	28,670,016	24,320,016	(4,350,000)	45
46								46	
47	TOTAL OPERATING EXPENSE	135,101,449	149,526,721	(14,425,272)	(9.6%)	165,361,717	156,765,576	(8,596,141)	47
48								48	
49	Measure RR Ballot Costs	5,357,846	7,000,000	(1,642,154)	(23.5%)	7,000,000	5,357,846	(1,642,154)	48
50	Governance	906,166	1,833,337	(927,171)	(50.6%)	2,000,000	1,000,000	(1,000,000)	49
51								51	
52	Debt Service Expense	2,338,449	2,183,269	155,180	7.1%	2,381,752	2,381,752	-	52
53								53	
54	GRAND TOTAL EXPENSE	143,703,911	160,543,327	(16,839,416)	(10.5%)	176,743,469	165,505,174	(11,238,295)	54
55								55	
56	NET SURPLUS / (DEFICIT)	83,314,765	3,889,575	79,425,190	2,042.0%	-	95,370,423	95,370,423	56
57								57	
58	Measure RR for Capital Reserve**					-	80,000,000		58
59	ADJUSTED NET SURPLUS / (DEFICIT)					-	15,370,423		59
60								60	

* Fuel and Lubricants costs were reduced by a realized gain of \$2,294,254 from the fuel hedge program.

** The \$80M capital reserve using Measure RR funds was used to address capital needs for the Electrification Program and approved at the November 2021 board



BOARD OF DIRECTORS 2022

STEVE HEMINGER, CHAIR
CHARLES STONE, VICE CHAIR
DEVORA "DEV" DAVIS
CINDY CHAVEZ
JEFF GEE
GLENN HENDRICKS
DAVE PINE
SHAMANN WALTON
MONIQUE ZMUDA

MICHELLE BOUCHARD
ACTING EXECUTIVE DIRECTOR

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF MAY 31, 2022

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	0.684%	88,261	88,261
County Pool (Unrestricted)		Liquid Cash	0.967%	561,643	561,643
Other (Unrestricted)		Liquid Cash	0.050%	172,456,811	172,456,811
Other (Restricted)	**	Liquid Cash	0.050%	89,283,864	89,283,864
				\$ 262,390,579	\$ 262,390,579

Interest Earnings for May 2022	\$ 7,630.86
Cumulative Earnings FY2022	\$ 49,172.93

* The market value of Local Agency Investment Fund (LAIF) is calculated annually and is derived from the fair value factor as reported by LAIF for quarter ending June 30th each year.

** Prepaid Grant funds for Homeland Security, PTMISEA and LCTOP projects, and funds reserved for debt repayment. The Portfolio and this Investment Report comply with the Investment Policy and the provisions of SB 564 (1995). The Joint Powers Board has the ability to meet its expenditure requirements for the next six months.

FY 2022

PENINSULA CORRIDOR JOINT POWERS BOARD												
Farebox Revenues by Ticket Type	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Total
REVENUE												
OPERATIONS:												
401400 (TVM)	609,407	694,301	297,963	634,662	514,945	503,829	402,001	425,090	518,694	426,130	886,933	5,913,954
401410 (Clipper)	466,207	507,976	320,066	628,888	773,248	690,398	418,215	564,410	811,782	451,071	1,021,234	6,653,494
401420 (Central)	545	-	5,108	19,817	-	-	(8)	2,475	303	535	5,523	34,298
401430 (Mobile App)	203,051	217,349	138,764	249,286	239,150	220,698	148,995	181,828	270,431	179,642	349,616	2,398,808
401500 (Gilroy)	28,850	21,257	28,301	20,933	43,585	46,782	35,746	31,111	32,723	49,067	29,202	367,557
401700 (Go-Pass)	1,110,030	1,247,311	1,176,248	1,199,282	1,434,953	1,280,454	1,332,357	1,337,351	1,364,606	1,406,171	1,390,999	14,279,763
total Farebox Revenue	2,418,089	2,688,193	1,966,449	2,752,867	3,005,881	2,742,162	2,337,305	2,542,265	2,998,539	2,512,617	3,683,506	29,647,874
Less: Go-Pass												
401700 (Go-Pass)	1,110,030	1,247,311	1,176,248	1,199,282	1,434,953	1,280,454	1,332,357	1,337,351	1,364,606	1,406,171	1,390,999	14,279,763
Revenues without Go-Pass	1,308,059	1,440,882	790,201	1,553,585	1,570,928	1,461,707	1,004,949	1,204,914	1,633,933	1,106,445	2,292,508	15,368,112
Tickets Sold	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Total
TVM	66,225	57,800	65,068	65,036	55,514	50,809	40,552	43,646	58,771	79,927	80,118	663,466
Clipper	75,041	77,163	94,859	99,959	96,607	83,449	68,589	82,124	115,540	132,301	141,557	1,067,189
Central	33	-	698	1,876	-	-	-	150	100	124	784	3,765
Mobile	27,060	25,610	31,175	33,226	29,105	24,778	19,520	23,974	33,935	45,168	41,229	334,780
# of tickets sold (without go-pass)	168,359	160,573	191,800	200,097	181,226	159,036	128,661	149,894	208,346	257,520	263,688	2,069,200
AVG Revenue Per Ticket	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Total
TVM	\$ 9.20	\$ 12.01	\$ 4.58	\$ 9.76	\$ 9.28	\$ 9.92	\$ 9.91	\$ 9.74	\$ 8.83	\$ 5.33	\$ 11.07	\$ 8.91
Clipper	\$ 6.21	\$ 6.58	\$ 3.37	\$ 6.29	\$ 8.00	\$ 8.27	\$ 6.10	\$ 6.87	\$ 7.03	\$ 3.41	\$ 7.21	\$ 6.23
Central	\$ 16.50	\$ -	\$ 7.32	\$ 10.56	\$ -	\$ -	\$ -	\$ 16.50	\$ 3.03	\$ 4.31	\$ 7.04	\$ 9.11
Mobile	\$ 7.50	\$ 8.49	\$ 4.45	\$ 7.50	\$ 8.22	\$ 8.91	\$ 7.63	\$ 7.58	\$ 7.97	\$ 3.98	\$ 8.48	\$ 7.17
Total	\$ 7.77	\$ 8.97	\$ 4.12	\$ 7.76	\$ 8.67	\$ 9.19	\$ 7.81	\$ 8.04	\$ 7.84	\$ 4.30	\$ 8.69	\$ 7.43

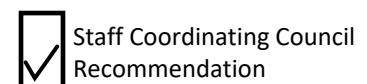
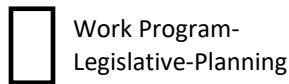
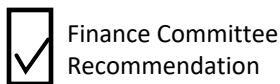
**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Dahlia Chazan Deputy Chief, Caltrain Planning
Lawrence Leung Manager, Rail Contracts & Budget

SUBJECT: **Accept On-Call Transportation Planning and Consultant Support Services Update**



ACTION

This report is for information only. No Board action is required.

SIGNIFICANCE

This informational item is presented quarterly to the Board and reports on the following:

- Total amount of work directives (WDs) issued to each firm since contract inception
- List of WDs and amendments issued since the last reporting period with the WD number, title, description, JPB project manager, vendor, issuance date, start date, end date, and value

The tables below provide an update of contract activities from March 5th, 2022 thru June 3rd, 2022. Table 1 summarizes the contract capacity status. Table 2 updates the percentage of capacity used against the percent time elapsed. Table 3 shows the Board approved dates and amounts. Table 4 aggregates the WD amounts issued to each of the vendors. Table 5 describes each of the WDs issued since the last reporting period.

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

Pursuant to Resolution No. 2020-18, the Board of Directors (Board) awarded contracts to Fehr & Peers, HNTB Corporation, Kimley-Horn & Associates, Inc., Arup North America Ltd., Mott MacDonald Group Inc., and WSP USA, Inc., consisting of a five-year base term for an aggregate

not-to-exceed amount of \$25,000,000 with two additional, one-year option terms in an aggregate not-to-exceed amount of \$5,000,000 for each option year.

Prepared By:	Dahlia Chazan	
	Deputy Chief, Caltrain Planning	650.508.6225
	Lawrence Leung	650.508.6328
	Manager, Rail Contracts & Budget	

Table 1

Contract Summary	Years	Amount
Total Capacity:	7.0	\$35,000,000
Exercised:	5.0	\$25,000,000
Work Directives Issued:		\$10,945,478
Remaining Exercised Capacity:		\$14,054,522

Table 2

Contract Days	Days Elapsed	% Time Elapsed	Capacity Used
1825	702	38%	44%

Table 3

Contract Information	Start	End	Years	Capacity	Resolution/ Authorized
Base	7/1/2020	6/30/2025	5.0	\$25,000,000	2020-18
Option #1	7/1/2025	6/30/2026	1.0	\$5,000,000	
Option #2	7/1/2026	6/30/2027	1.0	\$5,000,000	
Amendment			0.0		
Total:			7.0	\$35,000,000	

Table 4

Vendor	Fehr & Peers	HNTB	Kimley-Horn	ARUP	Mott	WSP
Contract #	20-J-P-006A	20-J-P-006B	20-J-P-006C	20-J-P-006D	20-J-P-006E	20-J-P-006F
Total WDs Issued	\$2,458,283	\$1,526,948	\$3,057,186	\$1,033,094	\$2,370,439	\$499,528
Previous Reporting Period	\$2,458,283	\$1,054,899	\$2,609,172	\$1,033,094	\$2,370,439	\$378,279
Current Reporting Period	\$0	\$472,049	\$448,014	\$0	\$0	\$121,249

Table 5

WD#	Title	Description (Updates in Bold)	Vendor	Updated	Start	(Revised) End	Current Value
10429	PCEP Grant Application Support	Consultant shall help develop a grants strategy and grant application development to help Caltrain close a \$410 million funding gap in the Peninsula Corridor Electrification Project (PCEP). Added \$121k for additional support.	WSP	6/2/2022	1/25/2022	12/31/2022	\$399,619.07
10336	San Francisquito Creek Bridge Replacement - Planning and Outreach	Planning and outreach to accompany baseline engineering assessments and earliest concept designs for the San Francisquito Creek Bridge replacement. Added \$73k for additional support.	HNTB	5/23/2022	12/16/2020	3/31/2023	\$135,708.00
10468	Capital Planning Support	Support for potential capital projects that are currently being managed within the Planning Department or being transitioned from Planning to the Capital Projects/Development Department. Such projects require ongoing yet intermittent planning management and tracking, coordination with internal and external partners and stakeholders, development of agreements, technical reviews, etc. The goal is to acquire resources to support these projects up to a certain dollar value. Added \$448k for additional support.	Kimley-Horn	4/14/2022	4/2/2021	12/31/2022	\$700,240.00
10307	DSAP Development Support Services	Development support services associated with commercial development on the Caltrain-owned parcels within the Diridon Station Area Plan (DSAP) area in the City of San Jose. Specifically, the development team will be responsible for developing planning, land use, economic, environmental and development strategy associated with the City of San Jose's preliminary review application and formal planning application. \$573k budgeted thru FY24 but \$98k authorized for FY21 and \$254k authorized for FY22. Added \$117k to budget for environmental review services in order to meet CEQA requirements; total budget now \$691k and total authorization remains at \$352k.	Fehr & Peers	4/8/2022	3/8/2021	6/30/2024	\$352,041.58
10700	San Francisco DTX Agreement Development Services	Support on Agreement Development services for Caltrain as part of the development of the San Francisco Downtown Extension (DTX) project.	HNTB	3/10/2022	2/8/2022	6/30/2023	\$399,046.09

Caltrain Broadband Wireless Communications Project



item #5.d.viii.
8/4/2022



Caltrain Goals (Vision 2040)

- Caltrain shall make a priority of enhancing equity in its system, focusing on the diverse constituency of riders who depend on transit for essential travel and addressing the historical inequities that have caused the rail service to be disproportionately underutilized by lower income riders and people of color
- Caltrain recognizes its unique position as a critical link within the Bay Area's passenger rail network. The railroad will undertake policies and actions that improve its connectivity to other transit systems to strengthen its role as part on a regionally integrated network
- Caltrain must address the needs of the present (during the COVID-19 pandemic), while simultaneously planning for and working toward a long-term future. The railroad will endeavor to proceed on a **path of recovery and growth** that anticipates, advances and, where possible, accelerates the incremental delivery of the 2040 Long Range Service Vision.

Project Goals

- Deliver a **turnkey solution** for broadband wireless connectivity to EMUs
- Provide **train to wayside** connectivity for needed Caltrain specific solutions
- Deliver a **high-quality onboard WiFi solution that attracts riders** by enhancing the value proposition to support choosing Caltrain as their first and best solution for commuting through the Peninsula and Silicon Valley
- Leverage Caltrain's **existing fiber network** along its right-of-way
- Seek to **avoid technical obsolescence** with a defined technology roadmap over the next 10-years

Project Scope

- **Customer Experience**
 - High-quality onboard WiFi solution
- **Passenger Information Systems**
 - Real-time connectivity for onboard messages and other content generated from Caltrain's Central Control Facility
- **CCTV**
 - Connectivity for EMU CCTV
 - Allows real-time, 24/7 monitoring of onboard activity at Caltrain's Central Control Facility
- **Passenger Counting System**
 - Connectivity for data collection at Caltrain's Central Control Facility

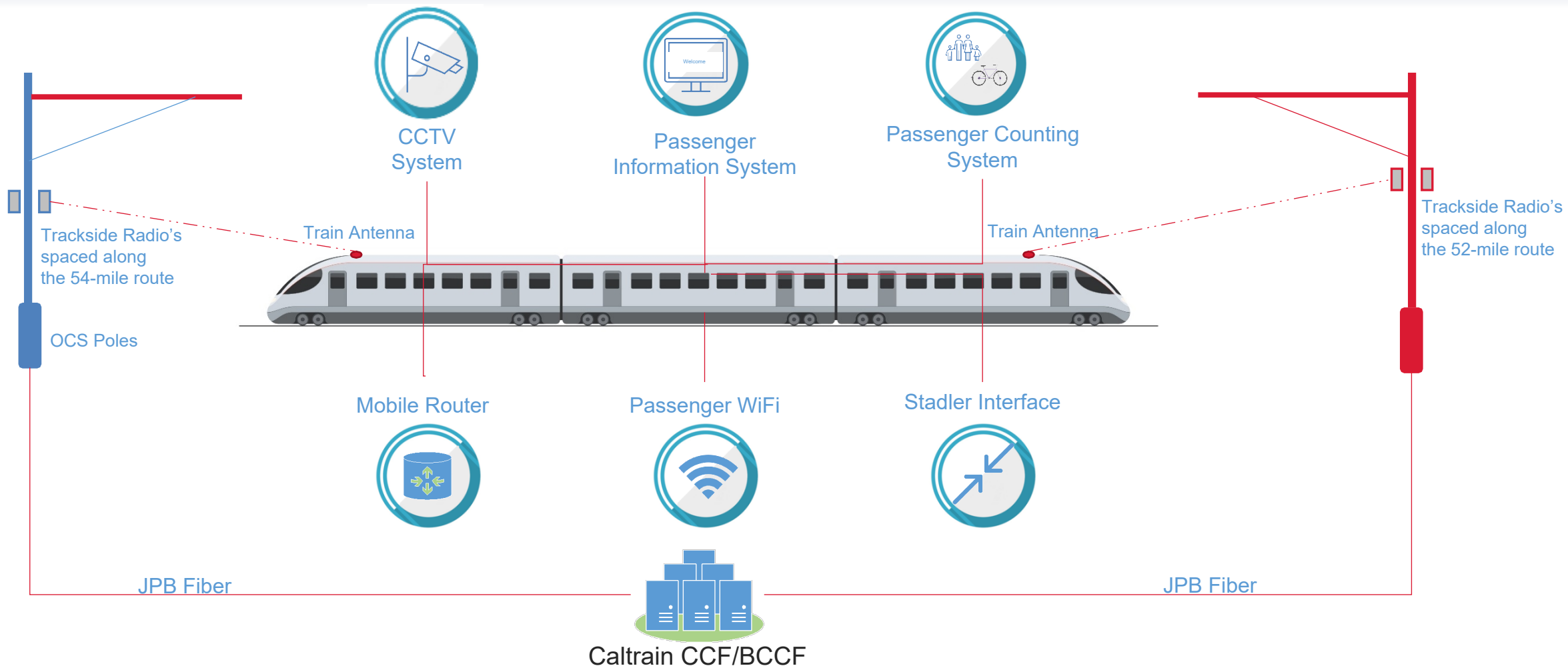
Project Requirements

- **Technology**
 - Open to any technology
 - 4G, 5G, private LTE, and trackside solutions
- **Performance – Customer Experience**
 - Quick onboarding of the WiFi connectivity
 - Continuous coverage from San Francisco to San Jose
 - Minimum of 100 megabits/sec per train
 - High-quality connection that avoids dropouts
 - 99.9% uptime within Caltrain operating hours

Project Requirements

- The Open Technology approach allows for an evaluation of a **wide range of technologies** to select the **best solution** given
 - Types of systems deployed onboard the train (WiFi, CCTV, etc.)
 - Number of riders and trains
- Identify **potential future revenue** or partnership opportunities – for Caltrain’s consideration
- **Minimize alterations** to the EMU and integration into the Stadler onboard network

Project Conceptual Design



Future Proofing the Technology

- Identify a **clear roadmap** with the ability to leverage advancements in technology
- Future Potential – **Customer Facing**
 - Advertising
 - Premium services, such as increased bandwidth for streaming, etc.
- Future potential – **Caltrain Systems**
 - Dynamic onboard map and messaging
 - Enhanced EMU Health Monitoring & Data Collection

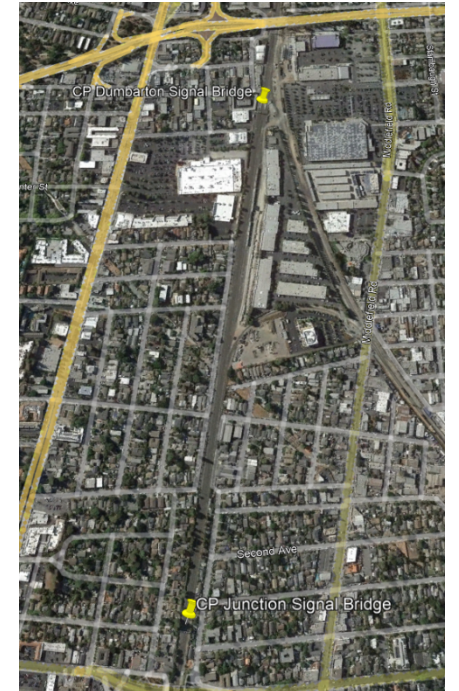
Procurement **Schedule**

- RFP Released - October 8, 2021
- Pre-proposal Conference –October 20, 2021
- Site Visit – October 21, 2021
- Q&A Period - October 27, 2021
- Proposals Received – December 30, 2021
- Oral Interviews – Week of Jan 31, 2022
- Live Demonstrations– April – May 2022
- Proposer Negotiations – June – August 2022
- Recommendation for Award – September 2022



Procurement **Live Demonstration**

- **Intent**
 - Proof of concept
 - Demonstrate technical capabilities of proposed solution
- **What and Where**
 - Mount track side equipment on two signal bridges $\frac{3}{4}$ of a mile apart
 - Mounted equipment on a test train (locomotive, cab car and car)
 - All testing was done overnight from 11:30pm – 4am
- **Testing**
 - One day each for vendors and Caltrain
 - Measured maximum throughput, range, etc. of each proposer's solution



Summary – Next Steps

- **Goals to be met**
 - Create a wireless train to wayside communication link for various uses by Caltrain and its passengers – that does not currently exist on Caltrain
 - Leverage Caltrain’s existing fiber network along our right-of-way
 - Identify a clear roadmap with the ability to leverage technical advancements
- **Next Steps**
 - Recommend a contract award for Board consideration in September 2022
 - Implement Project to correspond to commencement of EMU service

Questions?

FOR MORE INFORMATION

WWW.CALTRAIN.COM



**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard, Acting Executive Director
From: Grace Martinez, Acting CFO
Subject: **Reaffirm the Peninsula Corridor Joint Powers Board Investment Policy & Reauthorize Investment of Monies with the Local Agency Investment Fund (LAIF)**



Finance Committee
Recommendation

Work Program-
Legislative-Planning
Committee
Recommendation



Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

Action

Staff proposes the Committee recommend the Board of Directors of the Peninsula Corridor Joint Powers (Board):

1. Reaffirm the Peninsula Corridor Joint Powers Board (JPB) Statement of Investment Policy which aligns with current State law, including California Government Code Section 53601. This Investment Policy provides guidelines for the investment of JPB's funds and includes delegations of authority to invest such funds; and
2. Reauthorize the investment of JPB monies in Local Agency Investment Funds (LAIF) in compliance with LAIF requirements

Significance

The Acting Executive Director or designee serves as the JPB's trustee for purposes of placing investments pursuant to the Investment Policy. The Board of Directors, in accordance with California Government Code Section 53646(a), may review the Investment Policy and also reauthorize the included delegations of authority on an annual basis at a public meeting. After consideration of the existing policy, by staff, and in conjunction with the JPB's Investment advisor, no changes are currently recommended to the existing Investment Policy. Staff will continue to review the Investment Policy on a regular basis, and especially as increases in investable balances may lead to any appropriate changes. As such, the proposed action will:

- Reaffirm the Investment Policy's limitations for investment instruments consistent with the limitations set forth in California Government Code Sections 53600 et seq. for the JPB's current portfolios and to be updated annually by the Executive Director, Acting Executive Director, or a designee; and
- Reauthorize the investment of JPB monies in LAIF.

Budget Impact

Reaffirmation of the Investment Policy and reauthorization of investment in LAIF will have no impact on the JPB budgets.

Background

The JPB's investments continue to be in accordance with sound treasury management practices and comply with the objectives of safety, liquidity, and yield in that order of priority.

Continued investments through LAIF are consistent with these objectives

Prepared By:	Ashok Deshmukh	Acting Manager, Treasury	650.508.6405
	Connie Mobley-Ritter	Director, Treasury	650.508.7765

August 5, 1999
Reaffirmed August 3, 2000
Amended August 2, 2001
Reaffirmed September 2002
Amended October 2003

Reaffirmed September 2004
Reaffirmed October 2005
Reaffirmed November 2006
Amended November 2007
Amended December 2008

Reaffirmed December 2009
Amended November 2010
Reaffirmed November 2011
Amended November 2012
Reaffirmed November 2013

Reaffirmed November 2014
Amended August 2016
Amended September 2017
Reaffirmed October 2019
Amended November 2020
Amended October 2021
Proposed Reaffirmation August 2022

EXHIBIT A

PENINSULA CORRIDOR JOINT POWERS BOARD

STATEMENT OF INVESTMENT POLICY

I. PURPOSE

This Statement of Investment Policy (Investment Policy) sets forth the investment guidelines for the prudent investment and cash management of the Peninsula Corridor Joint Powers Board's (PCJPB) funds. It is the goal of this Investment Policy to establish investment objectives in accordance with the provisions of the *California Government Code, Section 53600 et seq.* (hereafter "*Code*"), and investment guidelines to ensure that the funds under its purview are prudently invested to preserve capital, provide necessary liquidity, and achieve a market-average rate of return over an economic cycle consistent with the PCJPB's goals of preserving principal and minimizing the risk of diminishing the principal.

Investments may only be made as authorized by this Investment Policy, and subsequent revisions. This Statement of Investment Policy may be reviewed annually by the PCJPB's Board of Directors at a public meeting. (*California Government Code Section 53646(a)*). Irrespective of these policy provisions, should the provisions of the *Code* be, or become, more restrictive than those contained herein, then such provisions will be considered immediately incorporated into this Statement of Investment Policy.

II. OBJECTIVE

The PCJPB's cash management system is designed to monitor and forecast accurately, expenditures and revenues, thus enabling the PCJPB to invest funds to the fullest extent possible. Idle funds of the PCJPB shall be invested in accordance with sound treasury management and in accordance with the provisions of the *Code* and this Investment Policy.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital, as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be applied in the context of managing an overall portfolio. PCJPB officials shall act in accordance with written procedures and the Investment Policy, and should report deviations from expectations in a timely fashion and take appropriate action to control adverse developments.

The PCJPB's primary objective with respect to its invested funds is to safeguard the principal of the funds. The second objective is to meet the liquidity needs of the PCJPB. The third objective is to achieve a return

on its invested funds.

III. **BENCHMARKS**

Investment performance will be compared to the performance benchmark selected by the PCJPB, which approximates the PCJPB's portfolio and the specific restrictions on the PCJPB's portfolio in accordance with applicable current legislation by the State of California. The benchmark will be reviewed periodically to ensure it remains appropriate and consistent with the PCJPB's risk and return expectations.

IV. **POLICY**

At all times, the PCJPB shall invest its funds in accordance with the rules and restrictions established by the law of the State of California (including the *Code*). In addition, the PCJPB shall conduct its investments under the "prudent investor standard": "When investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, a trustee shall act with care, skill, prudence and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency." (*California Government Code Section 53600.3*).

The Executive Director of the PCJPB, or his designee, shall serve as the PCJPB's trustee for purposes of placing investments pursuant to this Investment Policy. The Board of Directors may review and specifically reauthorize this delegation of authority on an annual basis.

1. **Criteria for Selecting Investments.** Criteria for selecting investments and the order of priority are:
 - a. **Safety.** The safety and risk associated with an investment refer to the potential loss of principal, interest or a combination of these amounts. The PCJPB shall operate only in those investments that are considered safe. Investments in instruments and with institutions permitted under Section 2, 6, and Section 7, are deemed to constitute safe investments within the meaning of this Investment Policy.
 - b. **Liquidity.** An adequate percentage of the portfolio, in the approximate amount of six months' operating expenses, should be maintained in liquid short-term investments which can convert to cash if necessary to meet disbursement requirements. For purposes of this Investment Policy, fixed income securities maturing in one year or more are considered investment term, and fixed income securities maturing in less than one year are considered short-term cash equivalents. All funds available for investment shall be directed to the managers of the PCJPB's investment portfolio.
 - c. **Return on Investment.** The PCJPB's investment portfolio shall be designed with the objective of attaining the safety and liquidity objectives first, and then attaining a market rate of return throughout the budgetary and economic cycles, consistent with the portfolio's benchmark as described in the section entitled

“Objective” (see above). This benchmark takes into account the PCJPB's investment risk constraints and the cash flow characteristics of the portfolio.

2. **Diversification.** The PCJPB will focus on diversification and invest in securities consistent with the diversification limits established by this policy and consistent with California Government Code.
3. **Safekeeping and Custody.** All security transactions, including collateral for repurchase agreements, will be executed on a Delivery versus Pay Basis (DVP). The assets of the PCJPB shall be held in safekeeping by the PCJPB's safekeeping agent, or secured through third party custody and safekeeping procedures. A due bill or other substitutions will not be acceptable.
4. **Maturity of Investments.** The specific security guidelines including maximum maturities and qualified Fixed Income instruments can be found in Section 10 “Summary of Instruments & Limitations” of this Investment Policy.

The maximum dollar weighted average maturity of the fund is five years. This policy limitation leaves open the flexibility to take advantage of interest rate fluctuations as well as yield curve differences to maximize the return on investment. The imposed maximum dollar weighted five year average maturity limits the market risk to levels appropriate for an intermediate income fund. For the purposes of calculating the “average life” of the fund, callable and asset backed securities will be run to their stated final maturity.

5. **Deposit of Funds.** As far as possible, all money belonging to or in the custody of the PCJPB including money paid to the PCJPB to pay the principal, interest or penalties of bonds, shall be deposited for safekeeping in state or national banks, savings associations or federal associations, credit unions or federally insured industrial loan companies in California (as defined by *California Government Code Section 53630*). Pursuant to *California Government Code Sections 53635, 53637 and 53638*, the money shall be deposited in any authorized depository with the objective of realizing maximum return, consistent with prudent financial management.
6. **Allowable Investment Instruments.** The PCJPB also may invest in any investment instrument as authorized by the *California Government Code*, as it may be amended from time to time, and subject to any conditions set forth in the *California Government Code*. This Policy may be more restrictive than *California Government Code* regarding the limitations of certain investment types, as shown in the table in Section 10. These investment instruments include but are not limited to:
 - a. United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest, pursuant to *California Government Code Section 53601(b)*.

- b. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government sponsored enterprises, pursuant to *California Government Code Section 53601(f)*.
- c. Bankers' acceptances otherwise known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank. Purchases of bankers' acceptances shall not exceed 180 days' maturity or 40 percent of the agency's moneys that may be invested pursuant to this section. However, no more than 30 percent of the agency's moneys may be invested in the bankers' acceptances of any one commercial bank pursuant to this section. This subdivision does not preclude a municipal utility district from investing moneys in its treasury in a manner authorized by the Municipal Utility District Act (*California Public Utilities Code Section 11501, et seq.*). Pursuant to *California Government Code Section 53601(g)*.
- d. Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical rating organization (NRSRO). Eligible commercial paper shall have a maximum maturity of 270 days or less. No more than 40 percent of the agency's money may be invested in eligible commercial paper. The agency may invest no more than 10 percent of its total investment assets in the commercial paper and medium-term notes of any single issuer pursuant to *California Government Code Section 53601(h)*.
- e. Negotiable certificates of deposit issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by *California Financial Code Section 5102*), a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank. Purchases of negotiable certificates of deposit shall not exceed 30 percent of the agency's moneys that may be invested pursuant to *California Government Code Section 53601(i)*.
- f. Investments in repurchase agreements or reverse repurchase agreements or securities lending agreements as defined in *California Government Code Section 53601(j)*.
- g. Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subdivision shall be rated in a rating category of "A" or its equivalent or better by an NRSRO. Purchases of medium-term notes shall not include other instruments authorized by this section and may not exceed 30 percent of the agency's moneys that may be invested pursuant to *California Government Code Section 53601(k)*. The agency may invest no more than 10 percent of its total investment assets in the commercial paper and the medium-term notes of any single issuer.

- h. Shares of beneficial interest issued by diversified management companies that invest in the securities and obligations as described by *California Government Code Section 53601(l)*.
- i. Local government investment pools. Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 as described by *California Government Code Section 53601(p)*.
- j. A mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond. Securities eligible for investment under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO and have a maximum remaining maturity of five years or less. Purchase of securities authorized by this subdivision may not exceed 20 percent of the agency's surplus moneys that may be invested pursuant to this *California Government Code Section 53601(o)*.
- k. Registered state warrants or treasury notes or bonds of this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the state or by a department, board, agency, or authority of the state. Pursuant to *California Government Code 53601(c)*

Registered treasury notes or bonds of any of the other 49 states in addition to California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 states, in addition to California. Pursuant to *California Government Code 53601(d)*.

Bonds, notes, warrants, or other evidences of indebtedness of any local agency within this state, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency. Pursuant to *California Government Code 53601(e)*
- l. Supranational obligations including United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated in a rating category of "AA" or its equivalent or better by an NRSRO and shall not exceed 30 percent of the agency's moneys that may be invested pursuant to *California Government Code Section 53601(q)*.

- m. Collateral is defined in this Investment Policy to mean property (as securities) pledged by a borrower to protect the interest of the lender. For purposes of this Investment Policy, the following investments are considered to have collateral backing: Certificates of Deposit protected by either the FDIC or pledged securities in conformance with California Codes and this Investment Policy; or Bankers' Acceptances (protected by an irrevocable time draft or bill of exchange) whereby the accepting bank incurs an irrevocable primary obligation thus guaranteeing payment on the draft or bill. A secondary obligation rests with the issuing company; Commercial Paper (protected by an unsecured promissory note from the issuer who must be rated A1/P1/F1 or better) thereby guaranteeing that the earning power and/or liquidity had been established to fulfill the obligation to pay; and, asset backed securities which are rated AAA by both Moody's and Standard & Poor's.
7. **Local Agency Investment Fund & San Mateo County Investment Pool.** The Board of Directors also authorizes the PCJPB to invest in the Local Agency Investment Fund (LAIF) pursuant to *California Government Code Section 16429.1* and in the San Mateo County Investment Fund (SMCIF).
8. **Prohibited Investments.** The PCJPB shall not invest any funds in inverse floaters, range notes or mortgage derived interest-only strips. The PCJPB shall not invest any funds in any security that could result in zero interest accrual if held to maturity; however, the PCJPB may hold this prohibited instrument until its maturity date. The limitation does not apply to investments in shares of beneficial interest issued by diversified management companies as set forth in *California Government Code Section 53601.6*.
9. **Portfolio Transactions.** The PCJPB's investment advisors are expected to seek best execution for all portfolio transactions. Best execution relates to the expected realized price net of commissions and is not necessarily synonymous with the lowest commission rate. Investment advisors are to obtain three independent bids from SEC licensed brokerage institutions, licensed by the state as a broker-dealer, as defined in *California Government Code Section 53601.5*, or from a brokerage firm designated as a primary government dealer by the Federal Reserve Bank, prior to the execution of each portfolio transaction. The investment advisors, at their sole discretion and authority, will choose which broker dealers or brokerage firms from which to solicit bids and final selection is to be made based on the best interests of the PCJPB. Investment advisors may incur Realized capital losses in order to minimize the decrease in real purchasing power of the assets over an indefinite period of time.
10. **Summary of Instruments & Limitations.** Subject to the limitations set forth in *California Government Code Sections 53600 et seq.* which may be amended from time to time, the Executive Director or his designee may invest in the following instruments, subject to the limits of flexibility described above and in the table below. Limitations set in this Policy may be more restrictive than required by *California Government Code*:

Instrument	Credit Rating	% of Fund	% of Fund per Issuer	Maximum Maturity
(a) U.S. Treasury Obligations		100	N/A	15 years
(b) Obligations of U.S. Agencies or Government Sponsored Enterprises		100	N/A	15 years
(c) Bankers' Acceptances		40	30	180 days
(d) Commercial Paper	A1/P1/F1	40	10	270 days
Local agencies with less than \$100M of investment assets under management may invest no more than 25% of the agency's money in eligible commercial paper				
(e) Negotiable Certificates of Deposit		30	N/A	5 years
(f) Repurchase Agreements		100	N/A	1 year
Reverse Repurchase Agreements & Securities Lending		20	N/A	92 days
(g) Medium Term Corporate Notes	"A" category (split rated issues not allowed)	30	10	5 years
(h) Shares of beneficial interest issued by diversified management companies		20	10	N/A
(i) Local Government Investment Pools		100	N/A	N/A
(j) Asset-backed and mortgage-backed securities	"AA" category	20	N/A	5 years
(k) Municipal Obligations		100	N/A	10 years
(l) Supranational Obligations	"AA" category	30%	N/A	5 years
Local Agency Investment Fund				Up to current state limit
San Mateo County Investment Fund				Up to current state limit

11. Oversight.

- a. Quarterly, the Executive Director shall submit an investment report to the Board of Directors within 30 days of the end of the quarter. The report shall include the following information:
 1. type of investment, issuer, date of maturity, par and dollar amount invested in all securities, investments and money held by the PCJPB;
 2. description of any of the PCJPB's funds, investments or programs that are under the management of contracted parties, including lending programs;
 3. for all securities held by the PCJPB or under management by any outside party that is not a local agency or the State of California LAIF, a current market value as of the date of the report and the source of this valuation;
 4. statement that the portfolio complies with the Investment Policy or the manner in which the portfolio is not in compliance; and
 5. statement that the PCJPB has the ability to meet its pool's expenditure requirements (cash flow) for the next six months or provide an explanation as to why sufficient money shall or may not be available.
- b. Annually, the Executive Director shall perform, or cause to be performed, an independent audit of the PCJPB's assets as reported for the investment program's activities. It is to be conducted in such a way as to determine compliance with the PCJPB's Investment Policy and State Codes. Such independent auditors will express an opinion whether the statement of assets is presented fairly and in accordance with generally accepted accounting principles.
- c. If the PCJPB places all of its investments in the LAIF, FDIC-insured accounts in a bank or savings and loan association, or the SMCIF (or any combination of these three), the Executive Director can simply submit, on at least a quarterly basis, the most recent statements from these institutions to meet the requirements of items 1-3 above, with a supplemental report addressing items 4 and 5 above. (*California Government Code Section 53646(b)-(e)*).

Resolution No. 2022-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Reaffirming the Statement of Investment Policy for the Peninsula Corridor Joint Powers Board

Whereas, as encouraged by applicable State law and in accordance with best practices, the Peninsula Corridor Joint Powers Board (JPB) adopted a Statement of Investment Policy in August 1999; and

Whereas, the JPB may annually render a statement of said Investment Policy to the Board of Directors for review and approval pursuant to Section 53646 of the State of California Government Code; and

Whereas, the JPB has amended or reaffirmed its Statement of Investment Policy over the years, most recently in October 2021, to align with descriptions of investments contained in the California state codes and to more clearly reflect the JPB's strategy for the investment of its funds; and

Whereas, in presenting the Statement of Investment Policy to the Board of Directors for this year, staff recommends reaffirming the Statement of Investment Policy to align with State law, including California Government Code Section 53601; and

Whereas, staff further recommends appointment of the Executive Director, Acting Executive Director, or designee, as trustee for purposes of placing investments pursuant to the aforementioned policy.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board (1) Reaffirms the Statement of Investment Policy attached hereto as Exhibit

A; and (2) Appoints its Executive Director, Acting Executive Director, or designee, as the trustee for purposes of placing investments pursuant to said policy.

Regularly passed and adopted this 4th day of August, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

Resolution No. 2022-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

**Reauthorizing Investment of the Peninsula Corridor Joint Powers Board Monies in Local
Agency Investment Fund**

Whereas, pursuant to Government Code Section 16429.1, a Local Agency Investment Fund (LAIF) was created in the State Treasury for the deposit of local agency monies for purposes of investment by the State Treasurer; and

Whereas, staff recommends that the deposit and withdrawal of money in the LAIF in accordance with the provisions of Government Code Section 16429.1 is in the best interests of the Peninsula Corridor Joint Powers Board (JPB); and

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board does hereby reauthorize the deposit and withdrawal of JPB monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Government Code Section 16429.1, for the purpose of investment; and

Be It Further Resolved the Executive Director, Acting Executive Director, or designee, shall be authorized to order the deposit or withdrawal of JPB monies in the LAIF.

Regularly passed and adopted this 4th day of August, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Pranaya Shrestha
Caltrain Modernization Chief Officer

SUBJECT: **Authorize Execution of Change Order to Wabtec Railway Electronics for a Traction Power SCADA System Under Contract No. 17-J-S-061 and Completion of Traction Power Supervisory Control and Data Acquisition System as Part of the Peninsula Corridor Electrification Program**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff and the Caltrain Modernization (“CalMod”) Program Change Management Board (“CMB”) recommend that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”):

1. Approve an increase to the original Contract No. 17-JS-061 with Wabtec Railway Electronics, Inc. (“Wabtec”), in an amount not to exceed \$1,036,122 for completion of Traction Power Supervisory Control And Data Acquisition (“TP SCADA”) System.
2. Authorize the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel, with full implementation of the agreed upon Funding Partners’ Oversight Protocol.

SIGNIFICANCE

As a part of the Peninsula Corridor Electrification Program (“PCEP”), a TP SCADA System must be installed and integrated into the existing Caltrain Central Train Control (“CTC”) system, known as Rail Operations Control System (“ROCS”). ROCS was implemented in 2012 and is a train dispatch system based on the proprietary software platform, Advanced Information Management System (AIM), provided by Rockwell Collins, which has acquired ARINC Incorporated, (D/B/A Rockwell Collins Information Management Services). The AIM product line includes a TP SCADA component that builds directly upon the existing base system. The

integration of the TP SCADA System with ROCS is crucial to minimizing the risk of compromising railroad operations.

Contract No. 17-J-S-61 was executed with ARINC on August 3, 2017 (Resolution No. 2017-40) for the TP SCADA for a total not-to-exceed amount of \$3,446,917, to allow the JPB to implement the TP SCADA as the key element of the electrified system. On June 9, 2022, Wabtec entered into an agreement with ARINC to purchase the Surface Transportation business. Contract No. 17-J-S-061 has been assigned to Wabtec Railway Electronics, Inc.

Pursuant to Resolution No. 2017-40, the Board previously authorized the Executive Director to exercise change order authority of up to 15 percent of the total Board-authorized contract amount for a total not to exceed amount of \$517,038 to allow the JPB the needed flexibility to address any specification and scope changes that may arise during the completion of the TP SCADA System for PCEP.

Since project inception through June 2022, four change orders have been executed within the existing contract authority for modification of the TP SCADA system due to Segment 4 field points changes.

In December of 2021, the JPB authorized a global settlement with PCEP design-build contractor Balfour Beatty Infrastructure, Inc. ("BBII") to resolve commercial issues related to the 2-Speed Check Solution, change orders, and additional costs arising from the extension of the schedule for the Electrification Project to 2024. TP SCADA design, factory acceptance, and installation were completed by ARINC. However, the site acceptance test, system integration on-site support final acceptance and warranty time extension are required to be in sync with PCEP design-build contractor schedule, specifically a projected completion date of December 2024 which includes all project close out efforts. The integration of Traction Power SCADA will be ongoing through system acceptance. Staff and ARINC Incorporated have negotiated the cost and schedule for the time extension which includes escalation costs for remaining payments for testing and final acceptance.

As BBII continues to build out remaining segments, staff have negotiated a not-to-exceed Time and Material Term to anticipate future additional points change through final acceptance at the end of 2024. Staff have analyzed Wabtec's (ARINC) price proposal and find it to be fair and reasonable as compared to the Independent Cost Estimate prepared by the Staff for the same scope of work.

The change order in the amount of \$1,036,122 was reviewed by the CMB at its July 20, 2022 meeting and was approved by unanimous vote.

BUDGET IMPACT

There is no budget impact for the change order to complete the TP SCADA System. This change order will be funded through current project funds within the approved \$2.44 billion CalMod program budget.

BACKGROUND

On August 3, 2017, the JPB approved a contract with ARINC, in an amount not to exceed \$3,446,917, to deliver TP SCADA System for PCEP and a \$517,038 contingency (15% of approved contract amount) along with two addition resolutions (2021-31 and 2021-60) which allowed staff to issue four contract change orders for a total of \$1,009,501 within the approved contract authority. This agreement was assigned to Wabtec in June 2022.

The change order for Wabtec (ARINC) TP SCADA contract time extension and additional points changes is proposed for \$1,036,122 and includes the following work:

- Escalation cost for remaining payment milestones for Site acceptance test, final acceptance an Warranty
- Credit of physical on-site support hours
- Additional technical support between the completion of the Site acceptance test and the start of revenue service, including anticipated future points and screen display changes, for a not to exceed amount under T&M.
- 1,000 hour availability test to be performed upon commencement of electrified service.

The table below depicts the total TP SCADA Contract amount and approved Contract Authority:

Description	Amount (US\$)
Original ARINC Contract Value (August 2017) – Reso 2017-40	\$3,446,917
Change Order Authority (15% of ARINC Contract) - Reso 2017-40	\$517,038
Reso 2021-31	\$230,000
Reso 2021-60	\$249,416
Existing Wabtec/ARINC Contract Authority (A)	\$4,488,371
Executed Change Orders (CCO-001, 002, 003, 004)	\$1,009,501
Executed Original Contract Value	\$3,446,917
Contract time extension and additional Point Changes	\$1,036,122
Total Contract Amount (B)	\$5,492,540
Contract Authority Shortfall (A-B)	(\$1,004,169)

Staff have determined that the change order proposal in the amount of \$1,036,122 is comprehensive, and the scope of work described therein is necessary to complete the TP SCADA System. Furthermore, staff finds that that the price proposal is reasonable. Staff believes that it is in best interest of the JPB, and in the public interest, that the JPB approve a contract change order to Wabtec (ARINC) to complete the Caltrain Crossing Optimization Project.

Prepared By: Sherry Bullock, CalMod Program Director 650.622.7866

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Authorizing Execution of Change Order to Contract with Wabtec Railway Electronics for a Traction Power SCADA System (Contract No. 17-J-S-061) and Completion of Traction Power Supervisory Control and Data Acquisition System As Part of the Peninsula Corridor Electrification Program

Whereas, the Peninsula Corridor Joint Powers Board (“JPB”) adopted Resolution No. 2017-40 authorizing the execution of Contract No. 17-J-S-61 with ARINC, Incorporated (“ARINC”) d/b/a Rockwell Collins, Information Management Services on August 3, 2017, for a Traction Power Supervisory Control and Data Acquisition (“TP SCADA”) System for a total not-to-exceed amount of \$3,446,917, to allow Caltrain to implement the TP SCADA as a key element of the electrified system; and

Whereas, as a part of the Peninsula Corridor Electrification Program (“PCEP”), TP SCADA must be installed and integrated into the existing Caltrain Central Train Control (“CTC”) system, known as Rail Operations Control System (“ROCS”). ROCS was implemented in 2012 and is a train dispatch system based on the proprietary software platform, Advanced Information Management System (AIM), provided by Rockwell Collins, which has acquired ARINC; and

Whereas, the AIM product line includes a TP SCADA component that builds directly upon the existing base system. The integration of the Traction Power SCADA System with ROCS is crucial to minimizing the risk of compromising railroad operations; and

Whereas, Resolution No. 2017-40 authorized the Executive Director to exercise change order authority of up to 15 percent of the total Board-authorized contract amount for a total not to exceed amount of \$517,038 to allow the JPB the needed flexibility to address any

specification and scope changes that may arise during the completion of the Traction Power SCADA System for PCEP; and

Whereas, since project inception through June 2022, four change orders have been executed within the existing contract authority for modification of the SCADA system due to Segment 4 field points changes;

Whereas, in December of 2021, the JPB authorized a global settlement with PCEP design-build contractor Balfour Beatty Infrastructure, Inc. (“BBII”) to resolve commercial issues related to the 2-Speed Check Solution, change orders, and additional costs arising from the extension of the schedule for the Project to 2024; and

Whereas, the TP SCADA design, factory acceptance, and installation were completed by ARINC; however, the site acceptance test, system integration on-site support final acceptance and warranty time extension are required to be in sync with the PCEP design-build contractor schedule. On June 9, 2022, Wabtec entered into an agreement with ARINC to purchase the Surface Transportation business and Contract No. 17-J-S-061 has been assigned to Wabtec Railway Electronics, Inc. Staff and ARINC (now Wabtec) have negotiated the cost and schedule for the time extension which includes escalation costs of remaining payments for testing and final acceptance; and

Whereas, as BBII continues to build out remaining segments, staff have negotiated a not-to-exceed Time and Material Term with Wabtec (ARINC) to anticipate future additional points change through final acceptance at the end of 2024. Staff have analyzed Wabtec’s price proposal and find it to be fair and reasonable as compared to the Independent Cost Estimate prepared by staff for the same scope of work; and

Whereas, staff and the Caltrain Modernization Program Change Management Board recommend that the Board of Directors: (1) Approve an increase to the original Contract No. 17-JS-061 with Wabtec in an amount not to exceed \$1,036,122 for completion of the TP SCADA System; and (2) Authorize the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel, with full implementation of the agreed upon Funding Partners' Oversight Protocol.

Now, therefore, be it resolved that the Board of Directors ("Board") of the Peninsula Corridor Joint Powers Board ("JPB") approves an increase to the original Contract No. 17-JS-061 with Wabtec Railway Electronics, Inc. ("Wabtec"), in an amount not to exceed \$1,036,122 for completion of Traction Power Supervisory Control And Data Acquisition ("TP SCADA") System; and authorizes the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

Regularly passed and adopted this 4th day of August 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Pranaya Shrestha, PE
Caltrain Modernization Chief Officer

SUBJECT: **Authorize Amendment to B&G Transportation Group, LLC for On-Call Safety and Security Advisory Services Contract 18-J-P-072 for the Caltrain Modernization Program**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff and the Caltrain Modernization (“CalMod”) Program Change Management Board (“CMB”) recommend that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”):

1. Approve an amendment to the contract with B&G Transportation Group LLC (“B&G”) for On-Call Safety and Security Advisory Services for the Peninsula Corridor Electrification Project (“PCEP”) to extend the contract term through December 31, 2024; and to increase the contract total not-to-exceed amount by \$4,432,182 from \$5,060,000 to \$9,492,182.
2. Authorize the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

SIGNIFICANCE

Approval of the above actions will ensure uninterrupted services for tasks related to CalMod safety and security certification including Electric Multiple Units (“EMUs”), hazard analysis, construction and systems safety, emergency response training, and working with regulatory agencies such as the Federal Railroad Administration (“FRA”), Federal Transit Administration (“FTA”), and the California Public Utilities Commission (“CPUC”), all of which are critical to the success of upcoming energization of Segment 4, and corridor-wide substantial completion.

The CalMod Program has established a re-baselined schedule with the Electrification design-build contractor Balfour Beatty Infrastructure Inc. (“BBI”) as a result of the global settlement in

2021. The re-baselined schedule and global settlement was approved by the Board on December 6, 2021.

The time extension and contract capacity increase are needed for B&G to continue to provide safety and security professional services through project completion.

BUDGET IMPACT

There is no budget impact for the contract amendment. The increased Safety and Security Advisory Service contract amount is part of the total approved PCEP Program Budget of \$2.44 billion which was approved by the JPB on December 6, 2021.

BACKGROUND

Pursuant to Resolution No. 2018-50, after a competitive procurement process, the Board awarded a contract to B&G for on-call safety and security advisory services for the CalMod Program for a total not-to-exceed amount of \$4,600,000 for a five-year term, and a contingency authority of up to 10 percent of the total Board-authorized contract amount to address unanticipated tasks assigned under authorized work directives.

B&G provides safety and security advisory and support service and works closely with JPB staff and other JPB consultants to support CalMod delivery and execution with focus on construction and systems safety. The CalMod Safety and Security Advisory Services includes, but are not limited to, construction and systems safety and security support, safety and security plan preparation, safety assurance, hazard management program, safety certification and training, and emergency response training tasks for complex projects related to CalMod delivery.

In order to accommodate CalMod's current program schedule, a contract term extension from December 31, 2023 through December 31, 2024 is now needed to maintain uninterrupted safety and security support for the Electrification Program through project closeout, which extends three months beyond anticipated revenue service date of September 2024. The contract capacity increase is needed for B&G to continue to provide and expand essential and critical safety services for Caltrain and perform safety certification for energization of Segment 4 in 2022 and later on full corridor revenue service certification as required by the FTA and the CPUC. In order to meet the deadlines set in the rebaselined schedule, the pace and scope of work on PCEP have increased, leading to a need for additional safety and security support. The increased labor costs and resulting need for an increase in contract capacity arise from:

- (1) Additional FTE added after the March 10 incident
- (2) Additional field safety coverage for night shifts
- (3) Special safety task forces to address incidents, safety standdown training
- (4) Additional coverage to support developing project needs as required during the testing phases of the project

- (5) Additional support related to hazard management program, safety and security plan preparation, safety certification and training, and emergency response training tasks
- (6) Extension from December 2023 through December 2024

With the extended term, an increase in the amount of \$4,432,182 from \$5,060,000 to \$9,492,182 in contract authority is therefore needed for B&G to perform the safety and security advisory professional services. Increasing the contract total will not obligate the JPB to purchase any specific level of service from B&G as work directives are negotiated and issued on an as-needed basis.

The table below depicts the total B&G Safety and Security Advisory Services approved contract authority, Cost at Completion:

Description	Amount (US\$)
Original B&G Contract Amount – Reso 2018-50	\$4,600,000
Contract Authority Contingency @ 10%	\$460,000
Total Current B&G Contract Authority (A)	\$5,060,000
B&G Safety and Security Professional Service Cost	US\$
B&G Cost Inception to Date (through June 2022)	(4,403,868)
B&G Service Cost (July 2022 – June 2023)	(2,477,993)
B&G Service Cost (July 2023 – June 2024)	(1,924,659)
B&G Service Cost (July 2024 – December 2024)	(685,662)
Total B&G Safety and Security Service Cost at Completion	(9,492,182)
Total Contract Amount at Completion (B)	\$9,492,182
Contract Authority Shortfall (A-B)	(4,432,182)

B&G’s performance to date has been satisfactory and in accordance with the requirements of the contract.

Prepared By: Sherry Bullock CalMod Program Director 650.622.7866

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Authorizing Amendment to Contract for On-Call Safety and Security Advisory Services with B&G Transportation Group, LLC (Contract 18-J-P-072) for the Caltrain Modernization Program

Whereas, the Caltrain Modernization (“CalMod”) Program will electrify and upgrade the performance, operating efficiency, capacity, safety, and reliability of Caltrain's commuter rail service. CalMod includes the replacement of 75 percent of Caltrain's diesel service with high-performance electric trains; the electrification of the existing corridor between San Francisco and San Jose; and the installation of an advanced signal system that includes federally mandated safety improvements; and

Whereas, pursuant to Resolution No. 2018-50, after a competitive procurement process, the Board awarded a contract to B&G Transportation Group LLC (“B&G”) for on-call safety and security advisory services for the CalMod Program for a total not-to-exceed amount of \$4,600,000 for a five-year term, and a contingency authority of up to 10 percent of the total Board-authorized contract amount to address unanticipated tasks assigned under authorized work directives; and

Whereas, B&G provides critical safety and security advisory and support services for the CalMod Program and works closely with JPB staff and other JPB consultants to support CalMod delivery and execution with focus on construction and systems safety. The CalMod Safety and Security Advisory Services include, but are not limited to, construction and systems safety and security support, safety and security plan preparation, safety assurance, hazard management program, safety certification and training, emergency response training tasks for complex projects related to CalMod delivery; and

Whereas, in order to accommodate CalMod’s re-baselined program schedule, a contract term extension from December 31, 2023 through December 31, 2024 is now needed to provide the necessary time required to bring the project to completion. The contract capacity increase is needed for B&G to continue to provide essential and critical safety services for Caltrain and perform safety certification for energization of Segment 4 in 2022 and subsequently full corridor revenue service certification as required by the Federal Transit Administration (“FTA”) and the California Public Utilities Commission (“CPUC”); and

Whereas, with the extended term, an increase in the amount of \$4,432,182 from \$5,060,000 to \$9,492,182 in contract authority is therefore needed for B&G to perform Safety and Security Advisory professional services. Increasing the contract total will not obligate the JPB to purchase any specific level of service from B&G as work directives are negotiated and issued on an as-needed basis; and

Whereas, Staff and the CalMod Program Change Management Board (“CMB”) recommend that the Board of Directors of the Peninsula Corridor Joint Powers Board (“JPB”):

1. Approve an amendment to the contract with B&G Transportation Group for On-Call Safety and Security Advisory Services for the CalMod program to extend the contract term through December 31, 2024; and to increase the contract total not-to-exceed amount by \$4,432,182 from \$5,060,000 to \$9,492,182.
2. Authorize the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

Now, therefore, be it resolved that the Board of Directors approves an amendment to the contract with B&G Transportation Group for On-Call Safety and Security Advisory Services for

the CalMod program to extend the contract term through December 31, 2024 and to increase the contract total not-to-exceed amount by \$4,432,182 from \$5,060,000 to \$9,492,182; and authorizes the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

Regularly passed and adopted this 4th day of August 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Pranaya Shrestha, PE
Caltrain Modernization Chief Officer

SUBJECT: **Authorize Amendment to On-Call Program Management Support Services
Contract 14-PCJPB-P-005 for the Caltrain Modernization Program**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff and the Caltrain Modernization (“CalMod”) Program Change Management Board (“CMB”) recommend that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”):

1. Approve an amendment to the contract with AECOM (formerly URS Corporation Americas, Inc. (URS)) for On-Call Program Management Support Services for the CalMod Program to extend the contract term through December 31, 2024; and to increase the contract total not-to-exceed amount by \$11,943,960 from \$36,361,332 to \$48,305,293.
2. Authorize the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

SIGNIFICANCE

Approval of the above actions will ensure uninterrupted services for tasks related to program management support services for CalMod. The CalMod Program has established a re-baselined schedule with the design-build contractor Balfour Beatty Infrastructure Inc. (“BBII”) as a result of the global settlement in 2021. The global settlement and re-baselined schedule was approved by the Board on December 6, 2021. Accordingly, the CalMod Program completion date has been extended through December 2024 including project close out efforts after the revenue service date of September 2024.

BUDGET IMPACT

There is no budget impact for the contract amendment. The increased Program Management Support Service contract amount is part of the total approved CalMod Program Budget of \$2.44 billion, which was approved by the JPB on December 6, 2021.

BACKGROUND

Pursuant to Resolution No. 2014-04, after a competitive procurement process, the Board awarded a contract to AECOM for a three-year base term in an amount of \$10,167,109, with up to two, 2-year option terms for a total not-to-exceed amount of \$10,227,123, and contingency authority of up to 15 percent of the total Board-authorized contract amount to address unanticipated tasks assigned under authorized work directives.

Pursuant to Board Resolution No. 2016-60, the Board approved an amendment to the AECOM contract to increase the contract authority in an amount of \$5.5 million.

Pursuant to Board Resolution No. 2020-28, the Board authorized an amendment to the contract with AECOM to extend the contract term through February 28, 2023, and increased the contract total amount by \$7,350,000, from \$29,011,332 to a new contract total amount of \$36,361,332.

AECOM provides critical management support service for the CalMod program and works closely with JPB staff and other JPB consultants to support CalMod delivery and execution. The program management support services for CalMod include, but are not limited to, program planning and scheduling, program project controls, program change management, program cost estimating, program risk management, quality assurance, program document controls, and additional tasks for complex projects related to CalMod Program delivery.

In order to accommodate CalMod's current re-baselined program schedule, a contract term extension from February 28, 2023 through December 31, 2024 is now needed to retain AECOM's program management support services through project closeout, which extends three months beyond anticipated revenue service date. The time extension and contract capacity increase will allow AECOM to continue to provide associated procedures and functional work that relates to program management of time, budget/cost, contingency and change management for CalMod to fulfill the program's requirements as required by the Federal Transit Administration. The increased labor costs and resulting need for additional contract capacity arise from:

- (1) A need to hire additional schedulers and cost analysts
- (2) A need to hire additional document controls specialist and document control lead
- (3) A dedicated Program Management Director to manage all PM functions
- (4) A need to hire field Quality Assurance Representative
- (5) Extension from February 28, 2023 through December 2024

With the extended term and additional work required, an increase of \$11,943,960 from \$36,361,332 to \$48,305,293 in contract authority is therefore needed to ensure that CalMod is able to engage AECOM to perform program management support services continuously until the end of the project. The additional support outlined above is part of a revised staffing plan that accurately reflects CalMod’s program management service needs to successfully complete the remaining work through project close-out. Updated support needs were determined by CalMod staff as part of an organizational assessment and review of the overall budget, including consultant services. Increasing the contract total will not obligate the JPB to purchase any specific level of service from AECOM as work directives are negotiated and issued on an as-needed basis.

The table below depicts the total AECOM Approved Contract Authority, CalMod PM Service Total Cost and Contract Amount:

Description	Amount (US\$)
Original AECOM Contract Amount – Reso 2014-04	\$10,167,109
Contract Authority increase Reso 2016-60	\$5,500,00
Option Period one (02/01/17 - 01/31/19)	\$5,113,560
Option Period two (02/01/19 - 01/31/21)	\$5,113,563
Contract Authority Contingency @ 15%	\$3,117,100
Contract Authority increase Reso 2020-28	\$7,350,000
Total Current AECOM PM Service Contract Authority (A)	\$36,361,332
AECOM PM Service Cost	US\$
PM Service Cost Inception To Date (through June 2022)	(28,680,271)
PM Service Cost (July 2022 – June 2023)	(6,022,741)
PM Service Cost (July 2023 – June 2024)	(6,046,372)
PM Service Cost (July 2024 – December 2024)	(1,816,074)
Total PM Service Cost at Completion	(48,305,293)
Total Contract Amount at Completion (B)	\$48,305,293
Contract Authority Shortfall (A-B)	\$(11,943,960)

AECOM’s performance to date has been satisfactory and in accordance with the requirements of the contract.

Prepared By: Sherry Bullock, CalMod Program Director 650.622.7866

AECOM Project Management Services

Headcount	FY19	FY20	FY21	FY22	FY23	FY24	FY25
Overall Program Management	0.6	0.6	0.5	1.3	1.9	1.8	1.4
Planning and Scheduling	2.1	1.5	1.9	1.5	2.5	2.8	1.4
Cost Management	3.5	3.5	4.0	4.0	5.9	6.0	3.0
Cost Estimating	1.0	1.3	0.9	0.6	0.4	0.3	0.1
Project Risk Management	0.5	0.4	0.3	0.3	0.7	0.7	0.1
Quality Assurance	1.1	0.9	0.9	0.7	0.8	0.8	0.3
Document Control	0.9	0.9	0.9	1.0	1.8	2.0	2.0
PCEP Technical Support	1.2	1.4	1.0	0.9	0.9	0.1	-
Total	10.9	10.4	10.5	10.3	14.8	14.3	8.2

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

**Authorizing Amendment to Contract for On-Call Program Management Support Services with
AECOM (Contract 14-PCJPB-P-005) for the Caltrain Modernization Program**

Whereas, the Caltrain Modernization (“CalMod”) Program will electrify and upgrade the performance, operating efficiency, capacity, safety, and reliability of Caltrain's commuter rail service. CalMod includes the replacement of 75 percent of Caltrain's diesel service with high-performance electric trains; the electrification of the existing corridor between San Francisco and San Jose; and the installation of an advanced signal system that includes federally mandated safety improvements; and

Whereas, AECOM (formerly URS Corporation Americas, Inc. (URS)) provides management support services for the CalMod Program and works closely with JPB staff and other JPB consultants to support CalMod delivery and execution. The program management support services for CalMod includes, but are not limited to, program planning and scheduling, program project controls, program change management, program cost estimating, program risk management, quality assurance, program document controls, and additional tasks for complex projects related to CalMod Program delivery; and

Whereas, the CalMod Program has established a re-baselined schedule with the design-build contractor Balfour Beatty Infrastructure, Inc. (“BBII”) as a result of the global settlement in 2021. The global settlement and re-baselined schedule was approved by the Board on December 6, 2021. Accordingly, the CalMod Program completion date has been extended through December 2024, including project close out efforts after the revenue service date of September

2024. Approval of the amendment to the AECOM On-Call Program Management Support Services contract will ensure uninterrupted services for tasks related to program management support services for CalMod; and

Whereas, after a competitive procurement process, the Board awarded a contract to AECOM for a three-year base term in an amount of \$10,167,109, with up to two, 2-year option terms for a total not-to-exceed amount of \$10,227,123, and contingency authority of up to 15 percent of the total Board-authorized contract amount to address unanticipated tasks assigned under authorized work directives pursuant to Resolution No. 2014-04; and

Whereas, in 2016, the Board approved an amendment to the AECOM contract to increase the contract authority in an amount of \$5.5 million pursuant to Board Resolution No. 2016-60, and in 2020, the Board authorized an amendment to the contract with AECOM to extend the contract term through February 28, 2023, and increased the contract total amount by \$7,350,000, from \$29,011,332 to a new contract total amount of \$36,361,332 pursuant to Board Resolution No. 2020-28; and

Whereas, in order to accommodate CalMod's current program schedule, a contract term extension from February 28, 2023 through December 31, 2024 is now needed to provide the necessary time required to bring the project to completion. The time extension and contract capacity increase are needed for AECOM to continue to provide associated procedures and functional work that relates to program management of time, budget/cost, contingency and change management for CalMod to fulfill the program's requirements as required by the Federal Transit Administration (FTA); and

Whereas, with the extended term, an increase of \$11,943,960 from \$36,361,332 to \$48,305,293 in contract authority is therefore needed to ensure that CalMod is able to engage AECOM to perform program management support services continuously until the end of the project. Increasing the contract total will not obligate the JPB to purchase any specific level of service from AECOM as work directives are negotiated and issued on an as-needed basis; and

Whereas, Staff and the CalMod Program Change Management Board (“CMB”) recommend that the Board of Directors of the Peninsula Corridor Joint Powers Board:

1. Approve an amendment to the contract with AECOM for On-Call Program Management Support Services for the CalMod Program to extend the contract term through December 31, 2024; and to increase the contract total not-to-exceed amount by \$11,943,960 from \$36,361,332 to \$48,305,293.
2. Authorize the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

Now, therefore, be it resolved that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”) approves an amendment to Contract 14-PCJPB-P-005_with AECOM (formerly URS Corporation Americas, Inc. (URS)) for On-Call Program Management Support Services for the CalMod Program to extend the contract term through December 31, 2024 and to increase the contract total not-to-exceed amount by \$11,943,960 from \$36,361,332

to \$48,305,293; and authorizes the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

Regularly passed and adopted this 4th day of August 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

Caltrain Electrification August JPB Board Items x-xii (SCADA, B&G, AECOM)



x. Traction Power SCADA Change Order no.5 and Contract Time Extension

Staff and CMB Recommend the JPB Board Action

July 20, 2022 CMB Approved :

- Execution of change order to WABTEC RAILWAY ELECTRONICS for a Traction Power Supervisory Control and Data Acquisition (SCADA) System under Contract No. 17-J-S-061 and Completion of TP SCADA as part of PCEP Program
- Approve an increase to the original Contract No. 17-JS-061 with Wabtec Railway Electronics, Inc. (“Wabtec”), in an amount not to exceed \$1,036,122 for completion of Traction Power SCADA System.
- Authorize the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel, with full implementation of the agreed upon Funding Partners’ Oversight Protocol.

TP SCADA Change Order No.5 and Time Extension

■ Background:

- Contract No. 17-J-S-61 was executed with ARINC on August 3, 2017 (Resolution No. 2017-40) for TP SCADA for a total not-to-exceed amount of \$3,446,917, to allow the JPB to implement the TP SCADA as the key element of the electrified system.
- Since project inception through June 2022, four change orders have been executed within the existing contract authority for modification of the TP SCADA system due to Segment 4 field points changes.
- PCEP global settlement in 2021 and rebaseline schedule for the project to enter revenue service in Sept 2024 while Design Builder continues to build out the remaining segments. The integration of Traction Power SCADA will be ongoing through system acceptance.
- Caltrain Team started negotiation with ARINC since March 2022 and concluded change order and time extension. Caltrain Team and legal are in the process of finalizing terms and conditions with Wabtec due to the recent acquisition.



TP SCADA Change Order No.5 and Time Extension

- **TP SCADA Contract Change Order No.5:**
 - Reimburses ARINC for escalations due to schedule extension beyond ARINC's control
 - Credit 800 hours of on-site support which Caltrain no longer requires
 - Adds T&M technical support between the completion of the Site Acceptance Test and the start of revenue service for as needed technical support, and anticipates future points and screen display changes
 - T&M account will be monitored and reported monthly with NTE amount of \$1,092,194
 - Change start date of 1,000-hour availability test to revenue service
 - One Year Warranty will start upon Final Acceptance, which is no later than December 2024.
 - 10% Retention is added to this change order.

SCADA Change Order No.5 and Time Extension

Change Order No. Cost and Negotiation Summary:

	Initial Submission 3/4/2022	5/4/2022 Negotiation*	Final Value*
Escalation for Site Acceptance Test (2019 to May 2022)	\$2,168.84	\$2,168.84	\$2,168.84
Escalation for Final Acceptance (2019 to 2024)	\$26,738.21	\$26,738.21	\$26,738.21
Escalation for Warranty (2020 to 2025)	\$13,631.52	\$13,631.52	\$13,631.52
T&M support (Aug 2022- 2024)	\$1,312,338	\$1,009,287	\$1,092,194
Credit for unused site support hours	\$(99,129)	\$(99,129)	\$(99,129)
Total			\$1,036,122



TP SCADA Change Order No.5 and Time Extension

- TP SCADA Contract Authority Summary:**

Description	Amount (US\$)
Original ARINC Contract Value (August 2017) – Reso 2017-40	\$3,446,917
Change Order Authority (15% of ARINC Contract) - Reso 2017-40	\$517,038
Reso 2021-31	\$230,000
Reso 2021-60	\$249,416
Existing Wabtec/ARINC Contract Authority (A)	\$4,488,371
Executed Change Orders (CCO-001, 002,003, 004)	\$1,009,501
Executed Original Contract Value	\$3,446,917
Contract time extension and additional Point Changes	\$1,036,122
Total Contract Amount (B)	\$5,492,540
Contract Authority Shortfall (A-B)	(\$1,004,169)

PCEP Program Contingency Drawdown (as June 2022)

PCEP June 2022	Total (A+B)	BBII Risk Pool (A)	Program Contingency (B)
PCEP Contingency	\$90,000,088	\$50,000,000	40,000,088
Drawn Contingency	(\$888,825)	(\$756,460)	(\$132,365)
Remaining Contingency	\$89,111,263	\$49,243,540	39,867,723
CMB Approved Changes	(\$2,804,224)	(\$1,768,102)	(1,036,122)
Remaining Contingency (After August Board Approval)	\$86,307,039	\$47,475,437	38,831,601

xi. B&G CalMod Safety and Security Contract Capacity Increase & Extension

B&G CalMod Safety and Security Contract Capacity Increase & Extension

■ Background

- In 2018, Resolution No. 2018-50, the JPB Board awarded a contract to B&G for on-call safety and security advisory services for the CalMod Program for a total not-to-exceed amount of \$4,600,000 for a five-year term.
- The CalMod Program has established a re-baselined schedule with the Electrification design-build contractor Balfour Beatty Infrastructure Inc. (“BBII”) as a result of the global settlement in 2021. The re-baselined schedule and global settlement was approved by the Board on December 6, 2021. The time extension and contract capacity increase are needed for B&G to continue to provide safety and security professional services through project completion.
- B&G provides safety and security advisory and support service with a focus on construction and systems safety for CalMod, and the Service includes:
 - Construction and systems safety and security support, safety and security plan preparation, safety assurance, hazard management program, safety certification and training, emergency response training tasks, etc. for CalMod delivery.



B&G CalMod Safety and Security Contract Capacity Increase & Extension

- **An increase of Contract Capacity in the amount of \$4,432,182 from \$5,060,000 to \$9,492,182.**
 - Additional field safety coverage for night shifts
 - Special safety task forces to address incidents, safety standdown training
 - Additional coverage to support developing project needs as required during the testing phases of the project
 - A contract term extension from December 31, 2023 through December 31, 2024 to bring the project to completion.

B&G CalMod Safety and Security Contract Capacity Increase & Extension

Description	Amount (US\$)
Original B&G Contract Amount – Reso 2018-50	\$4,600,000
Contract Authority Contingency @ 10%	\$460,000
Total Current B&G Contract Authority (A)	\$5,060,000
B&G Safety and Security Professional Service Cost	US\$
B&G Cost Inception to Date (through June 2022)	(4,403,868)
B&G Service Cost (July 2022 – June 2023)	(2,477,993)
B&G Service Cost (July 3023 – June 2024)	(1,924,659)
B&G Service Cost (July 2024 – December 2024)	(685,662)
Total B&G Safety and Security Service Cost at Completion	(9,492,182)
Total Contract Amount at Completion (B)	\$9,492,182
Contract Authority Shortfall (A-B)	(4,432,182)

B&G CalMod Safety and Security Contract Capacity Increase & Extension

- There is no impact to PCEP Adopted Program Budget of 2.44 billion
- B&G CalMod Safety and Security Service Cost is included in overall PCEP Program Management Oversight Cost which is reported monthly in PCEP Monthly Program Report.
- Increasing the contract total will not obligate the JPB to purchase any specific level of service from B&G as work directives are negotiated and issued on an as-needed basis.
- The CMB Approved this contract capacity increase during July 2022 CMB meeting

xii. AECOM Program Management Support Service Contract Capacity Increase & Extension

AECOM Program Management Support Service Contract Capacity Increase & Extension

■ Background

- Pursuant to Resolution No. 2014-04, the Board awarded a contract to AECOM for a three-year base term in the amount of \$10,167,109, with up to two, 2-year option terms for a total not-to-exceed amount of \$10,227,123, and contingency authority of up to 15 percent.
- The global settlement and re-baselined schedule was approved by the Board on December 6, 2021. CalMod Program completion date has been extended through December 2024 including project close out efforts after the revenue service date of September 2024. The time extension and contract capacity increase are needed for AECOM to continue to provide safety and security professional services through project completion.
- AECOM provides program management support services: Program planning and scheduling, program project controls, program change management, program cost estimating, program risk management, quality assurance, and program document controls.

AECOM Program Management Support Service Contract Capacity Increase & Extension

Item #5.e.iv.
8/4/2022

- **\$11,943,960 from \$36,361,332 to \$48,305,293 in contract authority:**
 - A dedicated Program Management Director to manage all PM functions
 - A need to hire additional schedulers, cost analysts, and contract administrators
 - A need to hire additional document controls specialist and document control lead
 - A need to hire a field Quality Assurance representative
 - A contract term extension from February 28, 2023 through December 31, 2024 to bring the project to completion.



AECOM Program Management Support Service Contract Capacity Increase & Extension

Description	Amount (US\$)
Original AECOM Contract Amount – Reso 2014-14	\$10,167,109
Contract Authority increase Reso 2016-60	\$5,500,00
Option Period one (02/01/17 - 01/31/19)	\$5,113,560
Option Period two (02/01/19 - 01/31/21)	\$5,113,563
Contract Authority Contingency @ 15%	\$3,117,100
Contract Authority increase Reso 2020-28	\$7,350,000
Total Current AECOM PM Service Contract Authority (A)	\$36,361,332
AECOM PM Service Cost	US\$
PM Service Cost Inception To Date (through June 2022)	(28,680,271)
PM Service Cost (July 2022 – June 2023)	(6,022,741)
PM Service Cost (July 2023 – June 2024)	(6,046,372)
PM Service Cost (July 2024 – December 2024)	(1,816,074)
Total PM Service Cost at Completion	(48,305,293)
Total Contract Amount at Completion (B)	\$48,305,293
Contract Authority Shortfall (A-B)	\$(11,943,960)

AECOM Program Management Support Service Contract Capacity Increase & Extension

- There is no impact to PCEP Adopted Program Budget of 2.44 billion.
- AECOM CalMod Program Management Support Service Cost is included in overall PCEP Program Management Oversight Cost which is reported monthly in PCEP Monthly Program Report
- Increasing the contract total will not obligate the JPB to purchase any specific level of service from AECOM as work directives are negotiated and issued on an as-needed basis.
- The CMB Approved this contract capacity increase during July 2022 CMB meeting

Q&A

- **Questions / Comments?**

FOR MORE INFORMATION
WWW.CALTRAIN.COM



**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard, Acting Executive Director

From: Grace Martinez, Acting Chief Financial Officer

Subject: **Award Contract for Armored Car Cash Collection Services**

Finance Committee
Recommendation

Work Program-
Legislative-Planning
Committee
Recommendation

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB):

1. Award a contract to Brink's, Inc. of Coppell, Texas (Brink's) for armored car cash collection services (Services) for a not-to-exceed amount of \$2,278,371 for a three-year base term.
2. Authorize the Acting Executive Director or designee to execute a contract with Brink's in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreement, and in a form approved by legal counsel.
3. Authorize the Acting Executive Director or designee to exercise up to two, one-year option terms, at an additional total not-to-exceed amount of \$1,834,696 for both option terms, if deemed in the best interest of the JPB.

Significance

Approval of the above actions will provide the JPB with a dedicated and qualified contractor to collect cash from ticket vending machines at Caltrain stations six days per week, process cash by counting it at a secured cash processing facility, and deliver and deposit processed cash into the JPB's bank vault.

Budget Impact

Funds for this contract are included in the Fiscal Year 2023 adopted operating budget and will be included in future operating budgets.

Background

On March 17, 2022, the Peninsula Corridor Joint Powers Board (JPB) and the San Mateo County Transit District (District) jointly issued Request for Proposals (RFP) 22-S-J-S-042 for the Services. The solicitation was advertised on the JPB’s and District’s e-procurement website. As part of its outreach efforts, and with an understanding that this is a specialized market with a limited number of firms that provide the Services, staff sent solicitation notices to firms identified as potential proposers: Loomis, GardaWorld, Sectran Security, Armored Knight, and Brink’s. Staff also contacted other agencies in an effort to identify additional potential proposers. In spite of these efforts, the JPB and District received only one proposal, which was from Brink’s.

Brink’s is neither a Disadvantaged Business Enterprise nor a Small Business Enterprise (SBE).

A Selection Committee (Committee) comprised of qualified JPB and District staff reviewed and scored the proposal in accordance with the following weighted criteria:

Criteria	Points
• Approach to Providing Services	20
• Company Operations Questionnaire	25
• Company Qualifications, Experience & References	20
• Qualifications and Experience of Key Personnel	15
• Reasonableness of Cost	20
• SBE Preference	5

Brink’s proposal met all of the requirements of the RFP. Staff and legal counsel have determined that the proposal submitted by Brink’s is responsive to the solicitation’s requirements. JPB and District staff performed a follow-up clarification meeting with Brink’s staff to review in detail the proposal. Staff found that the cost proposed was higher than the JPB’s and District’s Independent Cost Estimate due to escalated labor, fuel, and overhead costs. To address the higher-than-expected costs, staff conducted a cost savings analysis and reduced cash collection frequencies and processes. Staff then requested a Best and Final Offer (BAFO) from Brink’s. Staff subsequently conducted a price analysis of Brink’s BAFO and found the proposed prices to be fair and reasonable.

Brink’s has provided armored car cash collection services to the JPB since January 1, 2020, after it acquired Dunbar Armored, Inc., which was awarded the contract for the Services in July 2017. Brink’s performance under the contract has been satisfactory.

Award of the new contract to Brink’s will ensure uninterrupted Services to the JPB.

Prepared By:	Terry Loo	Contract Administrator	650.508.7788
	Michelle King	Manager, Revenue Management	650.508.7914

Resolution No. 2022-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Awarding a Contract to Brink's, Inc. for Armored Car Cash Collection Services for a Total Not-to-Exceed Amount of \$2,278,371 for a Three-Year Base Term, and Two, One-Year Option Terms for an Additional Total Not-to-Exceed Amount of \$1,834,696 for Both Option Terms

Whereas, on March 17, 2022, the Peninsula Corridor Joint Powers Board (JPB) and the San Mateo County Transit District (District) jointly issued Request for Proposals (RFP) 22-S-J-S-042 to provide armored car cash collection services (Services); and

Whereas, in response to the RFP, the JPB and District received one proposal from Brink's, Inc. of Coppell, Texas (Brink's); and

Whereas, a Selection Committee (Committee) reviewed, evaluated, and scored the proposal according to the evaluation criteria set forth in the RFP, and determined that Brink's possesses the necessary qualifications and requisite experience to successfully perform the Services; and

Whereas, staff and legal counsel reviewed Brink's proposal and determined it complies with the requirements of the solicitation documents; and

Whereas, staff determined that Brink's prices are fair and reasonable; and

Whereas, staff recommends that the Board of Directors (Board) award a contract for the Services to Brink's for a not-to-exceed amount of \$2,278,371 for a three-year base term, and authorize the Acting Executive Director or designee to exercise up to two, one-year option terms for an additional total not-to-exceed amount of \$1,834,696 for both option terms, if in the best interest of the JPB.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract for armored car cash collection services to Brink's, Inc. for a three-year base term for a not-to-exceed amount of \$2,278,371; and

Be It Further Resolved that the Board authorizes the Acting Executive Director or designee to execute a contract with Brink's in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreement, and in a form approved by legal counsel; and

Be It Further Resolved that the Board authorizes the Acting Executive Director or designee to exercise up to two, one-year option terms for an additional total not-to exceed amount of \$1,834,696 for both option terms, if in the best interest of the JPB.

Regularly passed and adopted this 4th day of August, 2022, by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard, Acting Executive Director
From: Grace Martinez, Acting Chief Financial Officer
Subject: **Information on Statement of Revenues and Expenses for the Period Ended
June 30, 2022**

Finance Committee
Recommendation

Work Program-
Legislative-Planning
Committee
Recommendation

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

Information

The Finance Division engages in many activities following the end of the June 30 fiscal year to close out the old fiscal year and set up the new fiscal year. The demands of these activities require a longer time to produce a complete Statement of Revenues and Expenses than allowed by the normal board meeting cycle. Consequently, staff will present a Statement of Revenues and Expenses for June at the October 6th meeting of the Board of Directors. The auditors, Brown Armstrong Accountancy Corporation, expect to finish the audit in late October. We expect to have the Annual Comprehensive Financial Report finalized in early November 2022.

Prepared By: Danny Susantin, Accountant III
Jennifer Ye, Director, Accounting

650.622.8073
650.622.7890

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Work Program-Legislative-Planning Committee
Through: Michelle Bouchard
Acting Executive Director
From: Casey Fromson
Chief Communications Officer
Subject: **State and Federal Legislative Update**

Finance Committee Recommendation Work Program-Legislative-Planning Committee Recommendation Staff Coordinating Council Reviewed Staff Coordinating Council Recommendation

Action

Staff proposes the Committee recommend the Board:

1. Receive the attached Federal and State Legislative Updates

Significance

The 2022 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Budget Impact

None.

Background

None.

Prepared By: Jadie Wasilco

Government &
Community Affairs
Manager

650.465.6301



June 10, 2022

TO: Caltrain Board of Directors

FM: Joshua W. Shaw, Matt Robinson & Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson & Bridget McGowan, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – July 2022**

General Update

The Legislature passed the House of Origin deadline on May 27, marking the halfway point for the 2022 legislative year. Active bills are now in their second house – Assembly bills in the Senate and Senate bills in the Assembly. Committee hearings will ramp up again until July 1, the policy committee deadline.

Starting July 1, the Legislature will adjourn for summer recess until August 1, leaving just one month for bills to pass out of fiscal committee and off the floor of their second house before session adjourns on August 31.

2022-23 State Budget Update

As discussed in last month's report, the Governor released the May Revision of the 2022-23 State Budget in Mid-May. The May Revision's transportation funding package maintained the investments included in the Governor's January Budget proposal as well as added several transportation-relief items including \$750M in incentive grants for transit and rail agencies for free transit for Californians for three months and a gas tax rebate proposal.

In response to the May Revision, the Legislature recently released a legislative budget agreement reached between both houses. This agreement includes a \$10.9 billion transportation package for investments in transit, active transportation, freight, and other purposes over 4 years, with \$5.5 billion in year one. It is important to note that these funds would be appropriated only if the Legislature and Governor reach an agreement on Highspeed Rail funding.

The Legislature and Administration will negotiate further in order to adopt a budget by the Constitutional deadline of June 15. It is likely negotiations regarding trailer bill language and budget bill juniors will continue beyond this date as both parties resolve outstanding disagreements.

Bills with Action Taken

AB 2197 (Mullin) – PCEP Funding. This bill would appropriate \$260 million from the state's General Fund to the California State Transportation Agency for the purpose of closing the funding gap for the Caltrain Electrification Project. *Support.*

This bill has not yet been set for hearing and did not meet the House of Origin deadline. It will not advance this year.

AB 1944 (Lee) Public Meetings – This bill would make changes to the Brown Act to clarify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public. This bill would also require all public meetings of a legislative body using teleconferencing to provide a video stream accessible to members of the public and an option for members of the public to address the body remotely during the public comment period through an audio-visual or call-in option. *Support.*

AB 1944 was amended in late May to require that at least a quorum of the legislative body participates from a single physical location that is noticed on the agenda and open to the public within the agency's jurisdiction.

The bill passed out of the Assembly and is now in the Senate.

SB 922 (Wiener) – CEQA Exemptions for Transit. This bill would permanently extend statutory exemptions from the CEQA requirement for clean transportation projects, including charging and facilities for zero-emission rail, station-area improvements, and first/last mile connections for bike and ped. This bill is a follow up to SB 288 (Wiener, 2020) which Caltrain supported. *Support.*

The bill was amended in mid-May to clarify the types of transportation projects that would be exempted.

The bill passed out of the Senate and is set for hearing in the Assembly Natural Resources Committee on June 13.

SB 942 (Newman) Low Carbon Transit Operations Program: Free or Reduced Fare Transit Program. This bill would provide California public transit agencies with the flexibility to use Low Carbon Transit Operations Program funds for free or reduced-fare transit programs on an ongoing basis. This flexibility will ensure the long-term sustainability and benefits of free youth ridership programs that expand access to public transit and create lifelong riders. *Support.*

The bill is now in the Assembly.

Bills of Interest

AB 1919 (Holden) – Free Student Transit Passes. This bill would, upon appropriation, require Caltrans to administer the Youth Transit Pass Pilot Program which would administer grants to transit agencies for the costs of creating, designing, developing, advertising and distributing free youth transit passes, the cost of providing free transit service to passholders, and costs of administering and participating in the program. Caltrain would be required to provide a report by 2027 on the outcomes of the program. The bill includes a January 2028 sunset.

The May 19 amendments remove the requirements that local transit agencies offer free youth transit passes to those age 25 and under in order to be eligible for various state funding programs.

The bill passed out of the Assembly and is set to be heard in the Senate Transportation Committee on June 28.

AB 2441 (Kalra) – Local Public Transit Agencies: New Technologies. This bill would impose requirements on public transit employers relating to the introduction of new vehicle technologies for public transit services that would eliminate job functions or jobs of the workforce to which the new vehicle technology applies. The bill would require a public transit employer to provide notice to the exclusive employee representative of its intention to begin procuring, acquiring or deploying such technologies no less than 12 months in advance. The bill would also require these subjects to be mandatory subjects of collective bargaining, including creating plans to train and prepare the affected workforce to fill new positions created by the technology.

The bill was amended on June 2 with various changes that narrow the bill but do not address all the outstanding concerns raised by transit agencies.

The bill passed out of the Senate Labor, Public Employment and Retirement Committee and will come up for a vote on the Senate Floor.

SB 917 (Becker) – Seamless. This bill would require the Metropolitan Transportation Commission (MTC) to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, establish open data standards, requires the region’s transit agencies to comply with the established programs, requires MTC to indicate what steps are needed to comply, and if a transit agency does not comply and does not qualify for an exemption, makes that transit agency ineligible to receive a portion of state transit funding in an amount determined by MTC.

The bill passed out of the Senate and is set to be heard in the Assembly Transportation Committee on June 27.

Grants

Transit and Intercity Rail Capital Program (\$500 million - \$600 million in Cycle 5) – The Transit and Intercity Rail Capital Program (TIRCP) provides grants from the Greenhouse Gas Reduction Fund to fund transformative capital improvements that will modernize California’s intercity, commuter, and urban rail systems, and bus and ferry transit systems, to significantly reduce emissions of greenhouse gases, vehicle miles traveled, and congestion. Eligible projects include zero-emission vehicles and associated fueling or charging infrastructure of facility modifications.

Guidelines: Found [here](#)

Status: Funding cycle closed. Project applications were due March 3, 2022. CalSTA award announcement is expected in June 2022.

Applications Received: TIRCP received 50 applications with all funding requests totaling \$3,949,662,335.

The CTC recently hosted a series of workshops for the three SB 1 programs it oversees – the Solutions for Congested Corridors Program (SCCP), Local Partnership Program (LPP), and the Trade Corridor Enhancement Program (TCEP). The CTC will solicit applications for the next round of funding in Summer 2022 and announce project awards in Summer 2023. As a reminder, in late-2020, the California Transportation Commission awarded grants for three SB 1 programs – the Solutions for Congested Corridors Program, Local Partnership Program, and the Trade Corridor Enhancement Program.

Grade Separation Funding - Below is a list of the funding sources that we are aware of and/or that have been used to fund grade separations in the recent years. The funding sources below are managed across

various state agencies and departments, including the Public Utilities Commission (PUC), the California State Transportation Agency (CalSTA), the California Transportation Commission (CTC), and Caltrans.

PUC Section 190 Grade Separation Program – The Program is a state funding program to grade separate crossings between roadways and railroad tracks and provides approximately \$15 million annually, transferred from Caltrans. Agencies apply to the PUC for project funding.

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years. The [2022 STIP](#), adopted in March 2022, includes \$796 million in new STIP funding capacity. Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

Transit and Intercity Rail Capital Program – As discussed above, the TIRCP is managed by CalSTA and is available to fund rail and transit projects that reduce greenhouse gas emissions. The program receives funding from Cap and Trade and the recently created Transportation Improvement Fee to the tune of approximately \$500 million per year. The TIRCP is programmed over five years, with the most recent cycle beginning in May 2018. Caltrain received \$160 million for the CalMod project.

Proposition 1A – This \$9.9 billion Bond Act is the primary funding source for the high-speed rail project and has been used to fund a very limited number of grade separation projects in the past, including in the City of San Mateo.

Caltrain State Legislative Matrix

June 10, 2022

PRIORITY BILLS			
Bill Number (Author)	Summary	Location	Position
AB 2197 (Mullin D) Caltrain Electrification: Funding	Existing law provides for the creation of the Peninsula Corridor Joint Powers Board, which operates Caltrain as the commuter rail service along the San Francisco Peninsula commute corridor. This bill would appropriate \$260,000,000 from the General Fund to the Transportation Agency for allocation to the Peninsula Corridor Joint Powers Board for the purpose of completing the Caltrain Electrification Project. This bill has not yet been set for hearing and did not meet the House of Origin deadline. It will not advance this year. Introduced: 2/15/2022	Assembly Transportation	Supported 3/3/2022
SB 922 (Wiener D) California Environmental Quality Act: exemptions: transportation- related projects.	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA, until January 1, 2030, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would delete the requirement that the bicycle transportation plan is for an urbanized area. The bill would extend the exemption to an active transportation plan or pedestrian plan. The bill would define “active transportation plan” and “pedestrian plan.” The bill would specify that individual projects that are a part of an active transportation plan or pedestrian plan remain subject to the requirements of CEQA unless those projects are exempt by another provision of law. This bill contains other related provisions and other existing laws.	Assembly Natural Resources	Supported 4/7/2022

	Amended: 5/11/2022		
<p>SB 942 (Newman D)</p> <p>Low Carbon Transit Operations Program: free or reduced fare transit program.</p>	<p>Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board as part of a market-based compliance mechanism to be deposited into the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law continuously appropriates specified portions of the annual proceeds in the fund to various programs, including 5% for the Low Carbon Transit Operations Program, which is administered by the Department of Transportation and provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility. Existing law requires each of those transit agencies to demonstrate that each expenditure of program moneys allocated to the transit agency reduces the emissions of greenhouse gases and does not supplant another source of funds, to use those moneys to provide transit operating or capital assistance, to use at least 50% of those moneys to benefit disadvantaged communities, and to submit specified information to the department before seeking a disbursement of those program moneys, as specified. This bill would authorize a transit agency that uses program moneys to fund a free or reduced fare transit program and that demonstrates compliance with the above-described requirements in its initial program application to continue to use those moneys to maintain that program on an ongoing basis without demonstrating continued compliance with those requirements. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/8/2022</p>	Assembly Transportation	Supported 4/7/2022
<p>AB 1944 (Lee D)</p> <p>Local government: open and public meetings.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the</p>	Senate Governance and Finance	Supported 5/5/2022

	<p>legislative body that will participate in the meeting remotely. The bill would also require an updated agenda reflecting all of the members participating in the meeting remotely to be posted, if a member of the legislative body elects to participate in the meeting remotely after the agenda is posted. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/25/2022</p>		
<p>SB 917 (Becker D) Seamless Transit Transformation Act.</p>	<p>Existing law creates the Metropolitan Transportation Commission, as a local area planning agency and not as a part of the executive branch of the state government, to provide comprehensive regional transportation planning for the region 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. This bill would require the commission to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards, as specified. The bill would require the region’s transit agencies, as defined, to comply with those established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards, as provided. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/18/2022</p>	<p>Assembly Transportation 6/27/2022 2:30 p.m. - 1021 O Street, Room 1100 Assembly Transportation, Friedman, Chair</p>	<p>Watch</p>
<p>AB 1919 (Holden D) Youth Transit Pass Pilot Program: free youth transit passes.</p>	<p>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Upon the appropriation of moneys by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by the department, for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, and distributing free youth transit passes to persons 25 years of age and under, providing free transit service to holders of those passes, and administering and participating in the program, as specified. The bill would require the department to submit an interim report to specified committees of the Legislature on or before January 1, 2027, on, among other things, the outcomes of the program and the funding conditions associated with offering free youth transit passes, the status of transit</p>	<p>Senate Transportation 6/28/2022 1:30 p.m. - 1021 O Street, Room 1200 Senate Transportation, Gonzalez, Chair</p>	<p>Watch</p>

	<p>pass programs statewide, and whether these provisions led to reductions in the emissions of greenhouse gases and vehicle miles traveled, as provided.</p> <p>Amended: 5/19/2022</p>		
OTHER LEGISLATION			
<p>AB 1938 (Friedman D)</p> <p>Transit and Intercity Rail Recovery Task Force.</p>	<p>Existing law establishes the Transportation Agency, which consists of various departments and state entities, including the California Transportation Commission and the Department of Transportation. Under existing law, the agency is under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. Existing law provides for the funding of public transit and intercity rail, including under the Transportation Development Act. This bill would require the secretary, on or before July 1, 2023, to establish and convene the Transit and Intercity Rail Recovery Task Force to include representatives from the department and various local agencies, academic institutions, and nongovernmental organizations. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit and intercity rail ridership and improve transit and intercity rail operations for users of those services. The bill would require the secretary to prepare and submit a report of findings based on the task force’s efforts to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2025. The bill would require the report to include a detailed analysis of specified issues and recommendations on specified topics. The provisions of the bill would be repealed on January 1, 2028. This bill contains other existing laws.</p> <p>Amended: 3/7/2022</p>	<p>Senate Transportation</p> <p>6/28/2022 1:30 p.m. - 1021 O Street, Room 1200 Senate Transportation, Gonzalez, Chair</p>	<p>Watch</p>
<p>AB 2061 (Ting D)</p> <p>Transportation electrification: electric vehicle charging infrastructure.</p>	<p>Existing law creates the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission (Energy Commission), to provide, among other things, competitive grants and revolving loans to specified entities for those entities to develop and deploy innovative technologies that transform California’s fuel and vehicle types to help attain the state’s climate change policies. Existing law requires the Energy Commission to develop and adopt an investment plan to determine priorities and opportunities for the program. Existing law requires the Energy Commission, in consultation</p>	<p>Senate Energy, Utilities and Communications</p>	

	<p>with the State Air Resources Board (state board), as part of the development of the investment plan, to assess whether charging station infrastructure is disproportionately deployed, as specified, and, upon finding disproportionate deployment, to use moneys from the Alternative and Renewable Fuel and Vehicle Technology Fund, as well as other mechanisms, including incentives, to more proportionately deploy new charging station infrastructure, except as specified. Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Existing law requires the PUC, in consultation with the Energy Commission and the state board, to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to, among other things, reduce dependence on petroleum and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. The PUC is required to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, if certain requirements are met. Beginning July 1, 2023, this bill would require an entity that receives an incentive funded by a state agency or through a charge on ratepayers to install, own, or operate a charging station, in whole or in part, to report charging station uptime, as defined, to the Energy Commission. The bill would require the Energy Commission, in consultation with the PUC, to develop a formula to calculate uptime to provide consistent, standardized reporting of information. This bill contains other existing laws.</p> <p>Amended: 4/18/2022</p>		<p>Watch</p>
<p>AB 2237 (Friedman D)</p> <p>Transportation planning: regional transportation improvement plan: sustainable communities strategies: climate goals.</p>	<p>Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization. Existing law requires each regional transportation planning agency or county transportation commission to biennially adopt and submit to the California Transportation Commission and the Department of Transportation a 5-year regional transportation improvement program that includes, among other things, regional transportation improvement projects and programs proposed to be funded, in whole or in part, in the state transportation improvement program. This bill would require that those projects and programs included in each regional transportation improvement program also be consistent with the most recently prepared sustainable communities strategy of the regional</p>	<p>Senate Environmental Quality</p>	<p>Watch</p>

	<p>transportation planning agency or county transportation commission and the state’s climate goals, as defined. The bill would require each regional transportation planning agency or county transportation commission to rank all transportation projects and prioritize projects based on adherence to its most recently adopted sustainable communities strategy and the state’s climate goals, prioritize funding and implementing projects in the order of prioritization, and submit the prioritized list to the state board and the California Transportation Commission. The bill would require the state board, in consultation with the commission, to determine whether those projects and programs are consistent with the sustainable communities strategy and the state’s climate goals, and would prohibit a regional transportation planning agency or county transportation commission from funding inconsistent projects or programs, as specified. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/19/2022</p>		
<p>AB 2357 (Ting D) Surplus land.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements before disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local agency send a notice of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. Existing law defines “exempt surplus land,” for which a local agency is not required to follow the requirements for disposal of surplus land, except as provided, as, among other things, surplus land that is subject to valid legal restrictions that are not imposed by the local agency and that would make housing prohibited, as specified. This bill would also require the department to maintain on its internet website a listing of all entities, including housing sponsors, that have notified the department of their interest in surplus land for the purpose of developing low- and moderate-income housing. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/5/2022</p>	<p>Senate Governance and Finance 6/15/2022 9 a.m. - 1021 O Street, Room 2200 Senate Governance and Finance, Caballero, Chair</p>	<p>Watch</p>
<p>AB 2438 (Friedman D)</p>	<p>Existing law provides for the funding of projects on the state highway system and other transportation improvements, including under the state transportation improvement</p>	<p>Senate Transportation</p>	

<p>Transportation funding: alignment with state plans and greenhouse gas emissions reduction standards.</p>	<p>program, the state highway operation and protection program, the Solutions for Congested Corridors Program, the Trade Corridor Enhancement Program, and the program within the Road Maintenance and Rehabilitation Program commonly known as the Local Partnership Program. This bill would require the agencies that administer those programs to revise the guidelines or plans applicable to those programs to ensure that projects included in the applicable program align with the California Transportation Plan, the Climate Action Plan for Transportation Infrastructure adopted by the Transportation Agency, and specified greenhouse gas emissions reduction standards. This bill contains other related provisions and other existing laws.</p> <p>Amended: 3/21/2022</p>	<p>6/28/2022 1:30 p.m. - 1021 O Street, Room 1200 Senate Transportation, Gonzalez, Chair</p>	<p>Watch</p>
<p>AB 2441 (Kalra D)</p> <p>Public employment: local public transit agencies: new vehicle technology.</p>	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matter subject to collective bargaining. This bill would require a public transit employer to provide written notice to the exclusive employee representative of the workforce affected by new vehicle technology of its determination to begin, or its substantive progress toward initiating, any procurement process or a plan to acquire or deploy any new vehicle technology for public transit services that would eliminate job functions or jobs of the workforce to which the new vehicle technology applies not less than 12 months before commencing the process, plan, or deployment. The bill would require a public transit employer, upon a written request of the exclusive employee representative, to provide specified information to the exclusive employee representative, including the potential gaps in skills that may result from the new service. The bill would require the public transit employer, following the written request for information by the exclusive employee representative, to engage in collective bargaining on specified subjects, including creating plans to train and prepare the affected workforce to fill new positions created by a new service or product.</p> <p>Amended: 6/2/2022</p>	<p>Senate Third Reading</p> <p>6/13/2022 #52 Senate Assembly Bills – Third Reading File</p>	<p>Watch</p>
<p>AB 2449 (Rubio, Blanca D)</p> <p>Open meetings: local</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the</p>	<p>Senate Governance and Finance</p>	

<p>agencies: teleconferences.</p>	<p>public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise and recast those teleconferencing provisions and, until January 1, 2028, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely only under specified circumstances and for a period of three consecutive months. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/23/2022</p>		<p>Watch</p>
<p>ACA 1 (Aguiar-Curry D)</p> <p>Local Government Financing Affordable Housing & Public Infrastructure: Voter Approval</p>	<p>(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 12/7/2020</p>	<p>Assembly Local Government</p>	<p>Supported 2021</p>

<p>SB 1121 (Gonzalez D)</p> <p>State and local transportation system: needs assessment.</p>	<p>Existing law requires the California Transportation Commission to adopt and submit to the Legislature an annual report summarizing its prior-year decisions in allocating transportation capital outlay appropriations, and identifying timely and relevant transportation issues facing the state. Existing law authorizes the report to also include a discussion of any significant upcoming transportation issues anticipated to be of concern to the public and the Legislature and requires the report to include specific, action-oriented, and pragmatic recommendations for legislation to improve the transportation system. This bill would require the commission to prepare a needs assessment of the cost to operate, maintain, and provide for the necessary future growth of the state and local transportation system for the next 10 years, as provided. As part of the needs assessment, the bill would require the commission to forecast the expected revenue, including federal, state, and local revenues, to pay for the cost identified in the needs assessment, any shortfall in revenue to cover the cost, and recommendations on how any shortfall should be addressed. The bill would require the commission to submit the needs assessment to the Legislature on or before January 1, 2024, and biennially thereafter.</p> <p>Amended: 4/6/2022</p>	<p>Assembly Transportation</p> <p>6/20/2022 2:30 p.m. - 1021 O Street, Room 1100 Assembly Transportation, Friedman, Chair</p>	<p>Watch</p>
<p>SB 1161 (Min D)</p> <p>Transit operators: street harassment plans.</p>	<p>Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. This bill would require the University of California Institute of Transportation Studies to, on or before June 30, 2023, develop and make available to transit operators, as defined, a survey for the purpose of promoting consistency in the collection of specified survey data. The bill would require transit operators to, on or before June 30, 2025, develop and implement a plan to reduce the street harassment experienced by its riders, as specified, and to consider the safety concerns and needs of riders impacted by street harassment when planning, designing, and operating their systems. The bill would require transit operators to, on or before June 30, 2024, collect survey data for the purpose of informing the plan. The bill would require the plan to be developed in consultation with certain riders, and would require those transit operators to conduct outreach in multiple languages in order to reach limited-English-proficient persons impacted by street harassment, as specified. The bill would authorize these plans to include changes to policies, design, operations, or other aspects of transit systems, as specified. The bill would require the Transportation Agency to, on or before January 1, 2027, produce and submit a report containing certain information related to the implementation of these provisions to the Legislature and the Governor. To the extent the</p>	<p>Assembly Transportation</p> <p>6/27/2022 2:30 p.m. - 1021 O Street, Room 1100 Assembly Transportation, Friedman, Chair</p>	<p>Watch</p>

	<p>bill imposes additional duties on a local agency, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/2/2022</p>		
<p>SB 1410 (Caballero D)</p> <p>California Environmental Quality Act: transportation impacts.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. CEQA requires the Office of Planning and Research to prepare and develop proposed guidelines for the implementation of CEQA by public agencies and requires the Secretary of the Natural Resources Agency to certify and adopt those guidelines. CEQA requires the office to prepare, develop, and transmit to the secretary for certification and adoption proposed revisions to the guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas, as defined, that promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Existing law requires the office to recommend potential metrics to measure transportation impacts, as specified. CEQA authorizes the office to adopt guidelines establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit priority areas. This bill would require the office, by January 1, 2025, to conduct and submit to the Legislature a study on the impacts and implementation of the guidelines described above relating to transportation impacts. The bill would require the office, upon appropriation, to establish a grant program to provide financial assistance to local jurisdictions for implementing those guidelines. This bill contains other existing laws.</p> <p>Amended: 5/2/2022</p>	<p>Assembly Natural Resources</p>	<p>Watch</p>

Caltrain Federal Report As of June 13, 2022

Congressional Update

Federal Delegation Members Request Funding for Caltrain in FY23 Appropriations Bills

- Senator Feinstein requested \$15 million in funding and Senator Padilla requested \$10 million in funding in the Fiscal Year 2023 Transportation, Housing and Urban Development Appropriations Bill for Caltrain's new signal system needed for the Electrification Project.
- Congresswoman Speier and Congresswoman Eshoo both requested \$800,000 in funding in the Fiscal Year 2023 Transportation, and Housing and Urban Development, and Related Agencies Appropriations bill for a project to add winglets to existing fencing along the Caltrain corridor.
- Congresswoman Eshoo also requested \$2,000,000 in funding in the Fiscal Year 2023 Transportation, and Housing and Urban Development, and Related Agencies Appropriations bill for the Santa Clara Valley Transportation Authority (VTA) to eliminate at-grade rail crossings in Santa Clara County.
- The House Appropriations Committee will begin markups of the FY 2023 spending bills the week of June 13.
- The House Appropriations Subcommittee on the Departments of Transportation, and Housing and Urban Development, and Related Agencies will mark up its bill on June 23. The full House Appropriations Committee will pass the bill on June 30.
- The Senate Appropriations Committee does not yet have a schedule for consideration of its appropriations bills yet. It is unlikely that Congress will be able to pass all 12 appropriations bills before the end of the fiscal year, September 30, so they will have to pass a continuing resolution (CR) to continue to fund the federal government.

Secretary Buttigieg Testifies on the Department of Transportation (DOT)'s FY 2023 Budget Priorities

- On May 12, the House Appropriations Subcommittee on the Departments of Transportation, and Housing and Urban Development, and Related Agencies held a [hearing](#) on DOT's FY 2023 budget request. DOT Secretary Pete Buttigieg appeared before the subcommittee, gave [testimony](#), and answered members' questions.
- Sec. Buttigieg provided a general overview of his department's actions and an update on critical issues.

- Subcommittee Chairman David Price (D-NC) applauded DOT for its work to faithfully distribute the \$143 billion in FY 2022 that Congress provided through the Infrastructure Investment and Jobs Act (IIJA). He thanked the Subcommittee's Ranking Member, Mario Diaz-Balart (R-FL), for working with him to fund infrastructure programs.
- Ranking Member Diaz-Balart voiced his concern regarding "excessive spending" and pledged to conduct a thoughtful review of DOT's budget request. He questioned the Biden Administration's efforts to integrate environmental concerns with its distribution of federal funding for infrastructure programs. Sec. Buttigieg explained that DOT is committed to streamlining infrastructure projects and reviewing them appropriately.

Department of Transportation Update

FRA Implements Federal-State Intercity Passenger Rail Corridor Program

- On May 13, the Federal Railroad Administration (FRA) implemented the Corridor Identification and Development Program that was created in IIJA.
- IIJA provided \$36 billion in mandatory funding for five years for this Federal-State Intercity Passenger Rail Corridor program,
- Eligible entities are Amtrak, states, regional passenger rail authorities, regional planning organizations, and political subdivisions of a state.
- Under this program, these entities can propose specific passenger rail corridors that meet at least one of four criteria:
 - A new intercity rail route of less than 750 miles;
 - Enhancement of service along an existing route of less than 750 miles;
 - Restoration of service over some or all of a route formerly operated by Amtrak; or
 - Increased service frequency over an existing long-distance (over 750 mile) route.

DOT Announces Safe Streets Grant Funding Opportunity

- On May 16, President Biden and DOT Secretary Buttigieg [announced \\$1 billion in available funding](#) for local communities as part of the [Safe Streets and Roads for All \(SS4A\) Grant Program](#). The program was created in the IIJA and provides dedicated funding to support plans, projects, and strategies that will prevent roadway deaths and severe injuries. The law directed DOT to "support local initiatives to prevent death and serious injury on roads and streets." When selecting projects under the program, the law also requires DOT to consider other factors in addition to safety, including equitable investment in the safety needs of underserved communities.
- Eligible applicants include local governments, Metropolitan Planning Organizations (MPOs), special districts that are subdivisions of a state, transit agencies, federally recognized tribal governments, and multijurisdictional groups. Applicants have until September 15 to apply for funding. The NOFO is [here](#).

- Roadway intersections with other modes of transportation (e.g., at-grade highway rail crossings, etc.) are eligible activities.

FTA Announces Grant Program for Transit-Oriented Development

- On May 26, the Federal Transit Administration (FTA) announced the availability of the FY 2022 Pilot Program for Transit-Oriented Development (TOD) Planning Grant Program. Authorized and funded under the IIJA, the grant reflects the Biden Administration's focus on comprehensive urban planning by integrating local land use, housing, and transportation planning with transit projects.
- The goal of TOD is to focus growth around transit stations and capitalize on public investments in transit to facilitate the revitalization of neighborhoods, private sector development, and community engagement. The IIJA allocated \$68 million over five years to support pilot projects for TOD. Recipients may use funds to integrate land use and transportation planning with a new fixed guideway or core capacity transit capital investment.
- For this year, the FTA has made \$13.1 million available. Eligible applicants are state or local governmental authorities that are FTA grant recipients. Applicants have until July 25 to apply for funding. The NOFO [here](#).

Temporary Waiver Released for Buy America

- On May 20, DOT released a Buy America waiver for construction materials. Buy America provisions are included in the IIJA and mandate that recipients of IIJA funds must source their project materials domestically. Specifically, the Buy America preference refers only to the materials used to build infrastructure projects, not tools, equipment, and supplies. Eligible goods under Buy America provisions cover iron, steel, and manufactured products.
- Citing the public interest clause within the Buy America guidance, DOT issued a waiver for construction materials. The temporary public interest waiver will last for 180 days, beginning on May 14, and expire on November 10. Awards obligated within this timeframe will qualify under the waiver's protections.

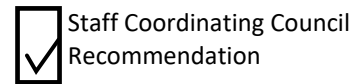
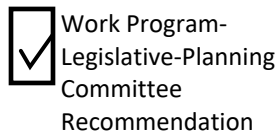
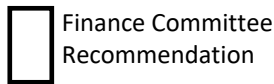
Round-Up of Open Grant Opportunities

- [FY 2022 Pilot Program for Transit-Oriented Development \(TOD\) Planning](#): \$13.1 million available. All applications due by July 25, 2022
- [Safe Streets and Roads for All Discretionary Grant Program](#): \$1 billion available. All applications due by September 15, 2022.
- [Bridge Investment Program](#): \$12.5 billion available. All applications due by July 25.

(Same presentation presented to both Committees and **available under Item 5.d.viii**)

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard, Acting Executive Director
From: Dahlia Chazan, Deputy Chief of Planning
Subject: **Redwood City Planning and Real Estate Update and Resolution Authorizing the Acting Executive Director to Enter into a Participation Agreement with the City of Redwood City to Assist in Funding Plan Amendments to Facilitate Future Transit-Oriented Development on JPB-Owned Property**



Action

This report includes:

1. An informational update that will be supplemented by a presentation and which requires no action by the Board of Directors (“Board”); and
2. A recommendation to adopt a resolution authorizing the Acting Executive Director or designee to enter into a Participation Agreement with the City of Redwood City to assist in funding plan amendments that will facilitate future transit-oriented development on JPB-owned property at the Redwood City Caltrain Station (“Property”).

Significance

The Caltrain planning team has been involved in multiple joint planning efforts with the City of Redwood City over the past few years. This report provides an update on these efforts, which are consistent with the 2040 Long Range Service Vision’s designation of Redwood City as the mid-peninsula hub and transfer station.

The report also provides an update on related JPB real estate activities within Redwood City’s Transit District, which aim to preserve future right-of-way needed for a future four-track hub station, provide new parking for Caltrain patrons, and maximize transit-oriented development (“TOD”) potential on JPB property and in the surrounding Transit District.

In support of these real estate and planning efforts, Staff recommends that the Board agree to enter into a Participation Agreement with the City of Redwood City to assist in funding the Transit District Environmental Impact Report (“EIR”) and Plan Amendments, which will facilitate future development of JPB property within the Transit District, resulting in a future project receiving faster entitlements with less capital outlay.

Budget Impact

The cost to participate in the Redwood City Transit District EIR and Plan Amendments is \$169,000. This cost may ultimately be recovered if the JPB-owned property is developed in the future.

Background

Caltrain's 2040 Service Vision identified Redwood City station as the ideal location for a four-track mid-Peninsula transfer hub due to its high ridership, land use densities, and potential connection to the future Dumbarton crossing. The station area also has significant potential for future development, including the Sequoia Station Shopping Center redevelopment by Lowe Enterprises ("Lowe") as well as the potential for future TOD on JPB-owned property.

Staff have been working with the City closely on a variety of planning and real estate-related efforts, summarized below.

Summary of Planning Efforts

Redwood City Grade Separation Feasibility Study (led by City of Redwood City)

The City of Redwood City initiated the Grade Separation Feasibility Study in May 2019 in partnership with Caltrain. The Study evaluates a number of different alternatives for elevated grade separation structures in Redwood City to reduce pedestrian, bicycle, and motor vehicle conflicts with trains, to improve connectivity across the tracks and to decrease traffic delays related to future service levels.

The City and Caltrain have worked together to hone the alternatives and completed the final round of community outreach in June 2022. The study is anticipated to be complete in late summer and will result in a project summary report that can be used to inform the next phase of work. It will also be used by the City Council of Redwood to help them select a preferred alternative.

Redwood City Transit District (led by City of Redwood City)

The City of Redwood City is planning for the near-term redevelopment of the "Redwood City Transit District", which includes the Sequoia Station Shopping Center, the Caltrain station, Caltrain's Perry Street parking lot, Caltrain's James Street parking lot, and Caltrain's Redwood City Transit Center, which is used by SamTrans for bus-to-bus transfers and to provide last mile connections to the Caltrain Station. The Transit District identifies the land use regulations, space needs and circulation improvements associated with potential grade separations, a future four-track Caltrain station, and the redevelopment of the Sequoia Station Shopping Center and the Redwood City Transit Center property.

Transit Center Planning (led by Caltrain)

Grade separations in Redwood City will include construction of a new four-track Caltrain station and transit center. To further aid short-term coordination associated with the redevelopment of the Redwood City Transit District, Caltrain, SamTrans and Redwood City collaborated on a

transit center planning exercise. The purpose of this exercise was to 1) develop a station site plan concept and 2) ensure adequate space is preserved for all modes of access to the station in both the near and long term.

The study examined the locations for future multimodal access facilities to ensure they could be adequately accommodated under future conditions. Applicable findings from this study have informed components of the Redwood City Transit District.

Related Real Estate Activities and Recommendation to Contribute to Transit District Plan Amendments

A summary of JPB real estate activities in Redwood City is provided below; additional detail is provided in the accompanying presentation.

Sequoia Station Property Dedication and Replacement Caltrain Parking

Staff worked closely with the City and Lowe to identify the portion of the Sequoia Station development site needed for future expansion of the right of way, and Lowe has agreed to dedicate this property to JPB. The next steps will be to discuss trigger mechanisms and timing of the dedication with the City and Lowe. Lowe has also tentatively agreed to provide 150 replacement parking spaces for Caltrain as part of its Sequoia Station redevelopment.

Property Swap with Minkoff Group and Redwood City

Minkoff Group is planning a mixed-use development with commercial office and a teen center at 901 El Camino Real (as well as an affordable housing project at an off-site location). The JPB entered into a service agreement with Minkoff Group to explore the viability and parameters of a proposed three-way property exchange with Minkoff Group and the City of Redwood City. The swap, originally proposed by Redwood City, would result in JPB ownership of a more regularly shaped site for future development, as well as meet the City's objective of creating a more efficient street grid in the Transit District area. It will also enable Minkoff to provide additional affordable housing units.

Minkoff will pay for JPB staff time to evaluate the feasibility of the property swap, including understanding the exact boundaries of properties that would be exchanged, details about the City's Street vacation and dedication process and likely timing of a swap given that it will be contingent upon the Minkoff Group receiving entitlements for their adjacent project. If, after obtaining a better understanding of the above, staff concludes that it makes sense to pursue the swap, the next steps will be to evaluate the properties through the Rail Corridor Use Policy process, obtain Board approval of any proposed transaction and thereafter proceed in a manner consistent with Surplus Land Act requirements.

Participation in Transit District EIR and Plan Amendments

Redwood City has requested that the JPB enter into a participation agreement to help fund the Transit District EIR and Plan Amendments, which would enable residential mixed-use development on the JPB-owned development site at the transit station, with densities appropriate for development near Caltrain. Under this agreement, the JPB would provide \$169,000 (13% of total cost, shared with the City and Lowe). Staff recommend that Board approve this contribution because it will facilitate future TOD on JPB property and provide

environmental clearance, ultimately resulting in reduced cost and time savings for the future developer.

Prepared By:	Brian W. Fitzpatrick	Director, Real Estate and Development	(650) 508-7781
	Nadine Fogarty	Deputy Director, TOD & Real Estate Planning	(650) 208-6574
	Melissa Reggiardo	Planning Manager	(650) 508-6283
	David Pape	Principal Planner	(650) 508-6210

Resolution No. 2022-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Authorizing the Acting Executive Director to Enter into a Participation Agreement with the City of Redwood City to Assist in Funding Plan Amendments to Facilitate Future Transit-Oriented Development on JPB-Owned Property

Whereas, a portion of the Peninsula Corridor Joint Powers Board (“JPB”)-owned Redwood City Caltrain Station (the “Property”) has been identified in the Caltrain Rail Corridor Use Policy (“RCUP”) as property not needed to accommodate future Caltrain expansion, and Staff has identified the site as one of the Agency’s most promising development parcels; and

Whereas, the City of Redwood City (“City”) is undergoing a process to amend its Downtown Precise Plan to create a Transit District overlay that will provide additional standards and guidelines to support transit-oriented development and increase the development cap specific to this area; and

Whereas, the City is also preparing a Transit District Environmental Impact Report (EIR) that will provide environmental clearance for properties included within the Transit District; and

Whereas, participating in these plan amendments and the EIR will result in lower cost and a streamlined City approval process than if the if the Agency were to separately seek entitlements and undertake environmental review at a later date; and

Whereas, a number of office projects are proposed in the Transit District area, and Staff believes that the Property offers an important opportunity to plan for housing on JPB property; and

Whereas, participating in the City process does not require the JPB to develop the Property; and

Whereas, if the JPB seeks to redevelop the site in the future, it would comply with all state and local regulations (including the Surplus Land Act) and would engage a developer partner; and

Whereas, Staff recommends that the Board authorize the Acting Executive Director or designee to enter into a Participation Agreement with the City of Redwood City to assist in funding plan amendments that will facilitate future transit-oriented development on JPB-owned property at the Redwood City Caltrain Station.

Now, Therefore, Be It Resolved that JPB hereby authorizes the Acting Executive Director to enter a Participation Agreement with the City of Redwood City in an amount of \$169,000 to assist in funding the plan amendments and the EIR for the JPB-owned property at the Redwood City Caltrain Station and to take all other actions necessary to give effect to this resolution.

Regularly passed and adopted this 4th day of August, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Redwood City Planning and
Real Estate Update
And Recommendation
Regarding a Participation
Agreement with the City of
Redwood City**



Overview of Presentation

1. **Redwood City Context**
2. **Ongoing Planning Efforts**
 - Whipple Avenue Grade Separation Study
 - Transit District Planning
 - Transit Center Conceptual Planning
3. **Sequoia Station Redevelopment**
4. **Minkoff Group Development – Potential Land Swap**
5. **Opportunity for Residential TOD**
6. **Proposed Contribution to Transit District Plan Amendments and EIR**
7. **Recommendation**



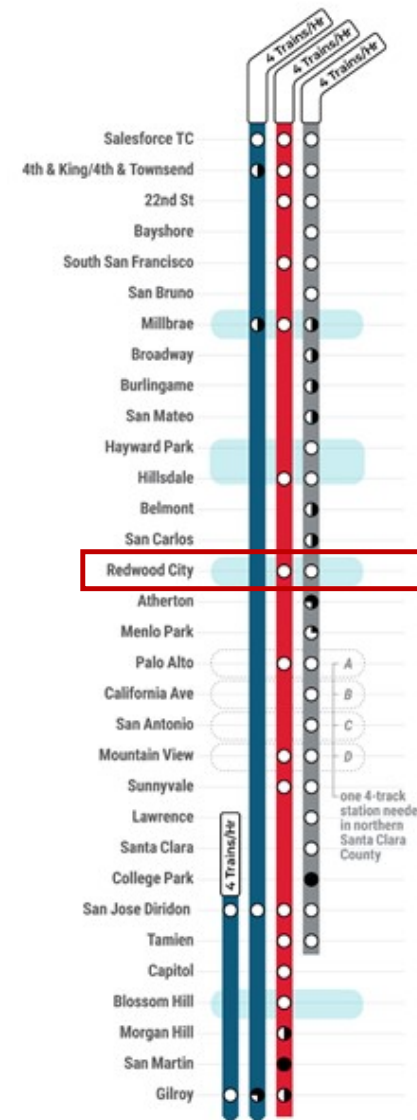
Redwood City – A Dynamic Context

- Redwood City is a high-ridership station today and is identified as an optimal location for a four-track mid-Peninsula transfer hub in the 2040 Caltrain Service Vision
- Significant amount of activity at the station including:
 - Caltrain and City coordination on **grade separation** planning in the station area and south
 - The City's **Transit District** land use process, including major redevelopment of **Sequoia Station Shopping Center**
 - Caltrain coordination with the City and SamTrans on **transit center conceptual planning**



2040 Service Vision

- Vision specifies a minimum of 8 Caltrain trains per hour per direction providing both local and express service
- A four-track mid-Peninsula hub will support systemwide growth by facilitating transfers between local and express trains
- Strong ridership, high land use densities and a potential connection to a future Dumbarton service make Redwood City an ideal location for a potential four-track mid-Peninsula hub



Whipple Avenue Grade Separation Study

Led by Redwood City, Managed by Caltrain

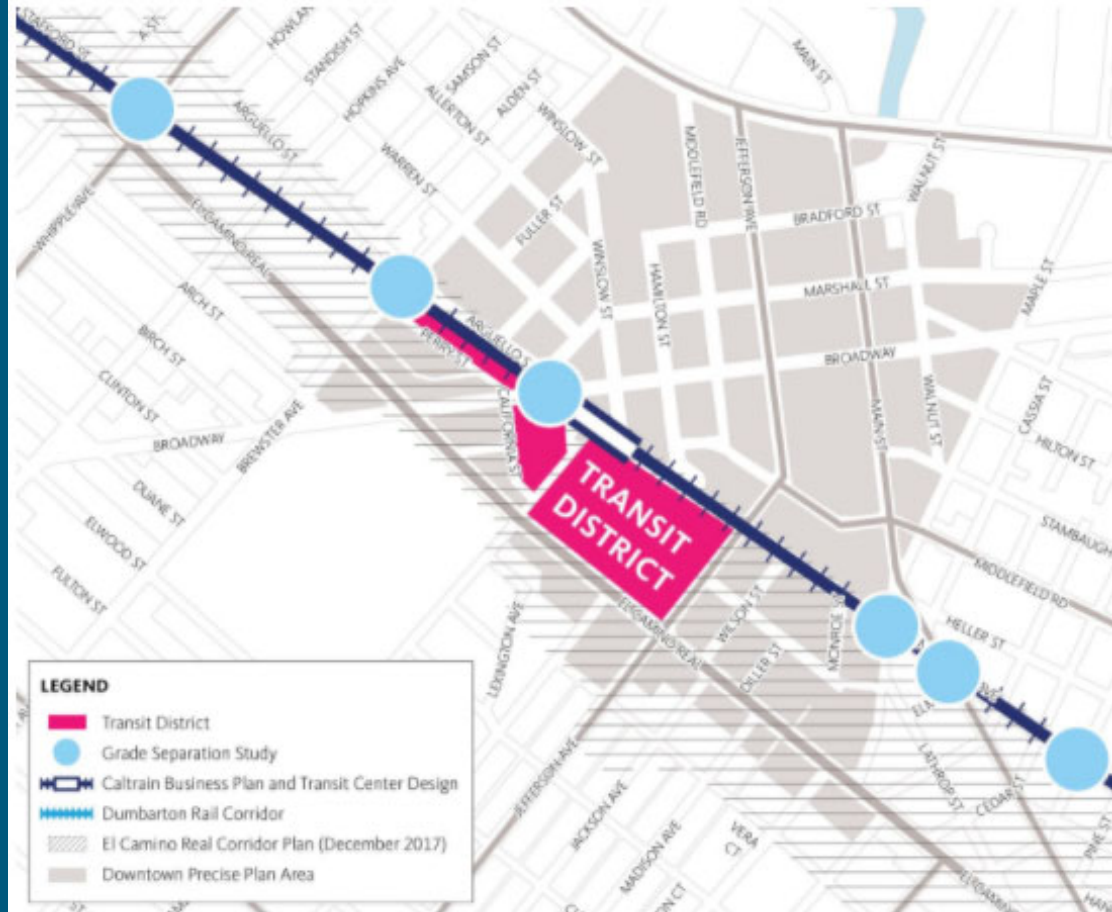
- Began in 2019 and funded by SMCTA
- Focused on grade separation at Whipple but also considers separations at Brewster, Broadway, Maple, Main and Chestnut
- Assumed an expanded and relocated four-track station between Brewster and Broadway
- The City and Caltrain have worked together to hone the alternatives and completed the final round of community outreach in June 2022
- Completion of project summary report anticipated Q1 FY-23



Transit District Planning

Led by Redwood City

- The Transit District is a land use planning process covering several properties at and adjacent to the station area, including:
 - Lowe's Sequoia Station Shopping Center redevelopment
 - Caltrain station
 - Caltrain James Street parking lot
 - Caltrain Perry Street parking lot
 - Caltrain's Redwood City Transit Center, used by Samtrans for bus-to-bus transfers and connections to Caltrain
- Identifies land use regulations as well as space needs and circulation improvements associated with potential grade separations, an expanded and relocated four-track Caltrain station, and the redevelopment of the Sequoia Station Shopping Center and the Redwood City Transit Center



Transit Center Conceptual Planning

Led by Caltrain

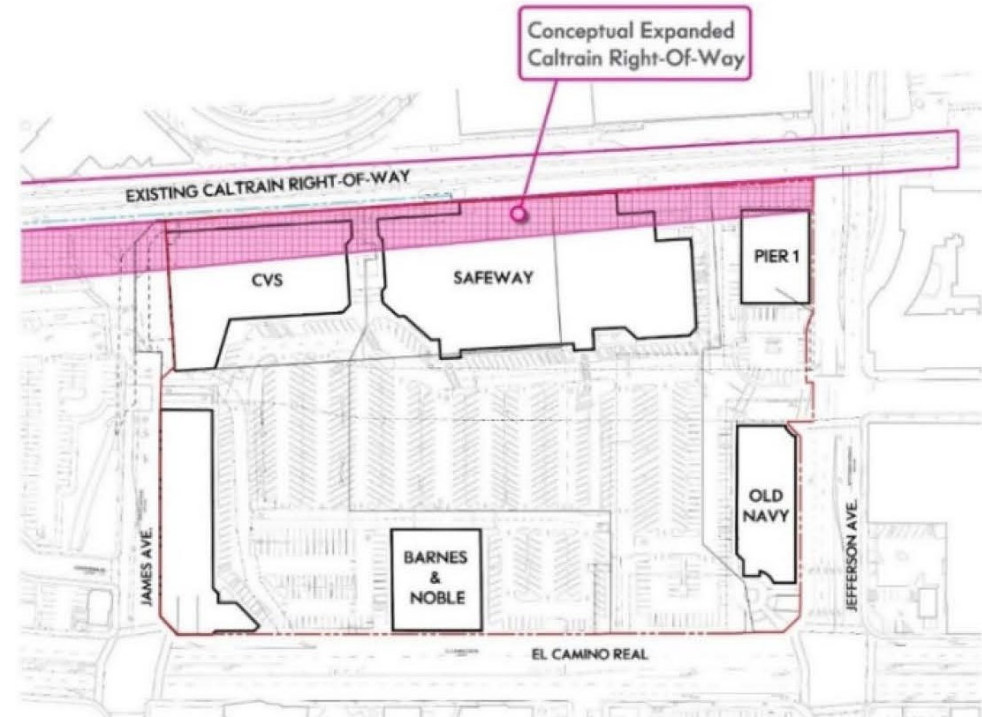
- Began in 2021 to aid the City in short-term land use decisions related to the Transit District Process
- City and SamTrans are key stakeholders
- Developed a conceptual station site plan to inform spatial needs of an expanded and relocated four track station and ensure adequate space is preserved for all modes of access to the station in both the near and long term
- Specifically considers:
 - Surrounding street networks
 - Multimodal facilities and access
- Draft Final Report currently under review – Anticipated completion Q1 FY-23



Sequoia Station Redevelopment

Developer: Lowe

- A redeveloped Sequoia Station will provide:
 - 631 residential units (for rent)
 - 1,230,000 sq. ft. office
 - 166,600 sq. ft. retail
 - Childcare + open space
 - 3,098 public parking spaces + 946 bike parking spaces
 - Relocated Safeway away from tracks toward El Camino
 - Dedicated land adjacent to the tracks for future transit infrastructure (expanded four-track station and grade separations)
- Caltrain and SamTrans are coordinating with Redwood City and Lowe as property owners
 - SamTrans owns a portion of the underground Transit Center garage (under CVS), used to provide parking for Caltrain
 - Lowe has tentatively agreed to provide replacement parking for Caltrain as part of the development



Minkoff Group Development

- Minkoff Group is proposing a near-term development adjacent to the existing transit center
 - They have options to purchase:
 - Autozone on El Camino Real
 - A1 Party Rental, next to RWC Station
 - They plan to develop:
 - Seven-story office building
 - Public plaza and teen center
 - 60 affordable housing units at an off-site location



Minkoff Group Development - Potential Land Swap

- **The City approached Caltrain and the Minkoff Group about a 3-way land swap**
- The proposal is separate from the Sequoia Station Redevelopment
- **Objectives:**
 - City would vacate part of California Street and replace its function with an extended future Franklin Street from the Sequoia Station redevelopment, creating a more efficient street grid
 - Minkoff and the JPB would swap land to convert two unconventionally-shaped sites to much better sites for both entities
- Staff is currently working with the City and Minkoff Group to explore the viability and configuration of this exchange





EXISTING



PROPOSED



Opportunity for Residential TOD

- Staff recommends that JPB plan to develop property at the Redwood City Station as a residential TOD in the future – regardless of whether the land swap proceeds as envisioned
- This is one of two potential development sites identified in RCUP and the best site for housing
- Several major office projects are proposed in the area and the community has expressed a preference for more housing in the Transit District
- Caltrain TOD Policy requires 30% affordable housing
 - 10% very low income (50% of AMI);
 - 10% low income (80% of AMI);
 - 10% moderate income (120% of AMI)
- Staff will return to the Board with specific recommendations about how to proceed with development at a later date



Proposed Contribution to Transit District Plan Amendments and EIR

- **Purpose: Enable Future Transit-Oriented Development on JPB-Owned Property**
- Redwood City's Downtown Precise Plan is a form-based code that includes a cap on development
- Plan amendments will establish a Transit District Overlay with a new cap specific to the area, which will reserve development potential specifically for the JPB-owned property:
 - Up to 315 residential units + ground floor retail
 - Up to 8 stories
 - No minimum parking for residential (max 1.5/unit)
- EIR will provide environmental clearance for future development
- Plan amendments and EIR will reduce cost and streamline entitlement



Recommendation

- Adopt a resolution authorizing the Acting Executive Director to enter into a participation agreement with the City of Redwood City to assist in Funding the Transit District Plan Amendments and EIR
- Cost: \$169,000 (13% of total cost, shared with City and Lowe)





Thank you!



**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard, Acting Executive Director
From: Casey Fromson, Chief Communications Officer
Subject: **State and Federal Legislative Update**

Finance Committee Recommendation Work Program-Legislative-Planning Committee Recommendation Staff Coordinating Council Reviewed Staff Coordinating Council Recommendation

Action

Staff proposes the Committee recommend the Board:

1. Receive the attached Federal and State Legislative Updates

Significance

The 2022 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Budget Impact

None.

Background

None.

Prepared By: Jadie Wasilco

Government &
Community Affairs
Manager

650.465.6301



July 8, 2022

TO: Caltrain Board of Directors

FM: Joshua W. Shaw, Matt Robinson & Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson & Bridget McGowan, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – August 2022**

General Update

The Legislature adjourned for Summer Recess on July 1, and legislators will remain in their districts until August 1. After they return, the Legislature will turn to the fiscal committee deadline of August 12, where all bills that are keyed fiscal must pass out of the Appropriations Committee in the bill's second house.

After the fiscal committee deadline, Legislators must pass bills off the floor of their second house and if applicable, the floor of the house of origin for concurrence, before the Legislature adjourns for final recess on August 31.

The Governor will then have 30 days to consider the bills on his desk.

2022-23 State Budget Update

The Legislature adopted and the Governor signed the 2022-23 Budget just before the start of the new fiscal year. Of interest to Caltrain, this includes \$4.2 billion for high-speed rail and \$7.65 billion for transit broken down as follows:

1. **\$3.65 billion (SB/AB 180, Item 0521-131-0001) for transit capital projects to be administered by Transit and Intercity Rail Capital Program (TIRCP).**
 - a. \$1.4985 billion is dedicated to geographical areas not listed as Southern California for high-priority transit and rail infrastructure projects.
 - No less than \$900 million of the \$1.4985 billion shall be administered as a General Fund set-aside for an "Existing TIRCP Projects Leveraging Federal & Local Funds Reserve" and shall be available for multi-year grants to support the delivery of capital projects that have previously received grants from the Transit and Intercity Rail Capital Program and that can demonstrate that a supplemental state grant would leverage or maintain an identified source of significant local or federal investment, including through the federal Capital Investment Grant Program, Expedited Project Delivery Program, or other federal funding source.

- Caltrain’s Electrification Project qualifies under the terms of this \$900 million set aside.
 - b. \$1.8315 billion is dedicated to high-priority transit projects in Southern California, geographically inclusive of the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego and Ventura.
 - No less than \$900 million of t \$1.8315 billion shall be administered as a General Fund set-aside for an “Existing TIRCP Projects Leveraging Federal & Local Funds Reserve” and shall be available for multi-year grants to support the delivery of capital projects that have previously received grants from the Transit and Intercity Rail Capital Program and that can demonstrate that a supplemental state grant would leverage or maintain an identified source of significant local or federal investment, including through the federal Capital Investment Grant Program, Expedited Project Delivery Program, or other such federal funding source.
 - c. \$300 million for project development activities related to rail realignment capital projects for high-priority intercity rail projects located primarily in the coastal zone, identified in the State Rail Plan as being at risk of sea-level rise, and designated as a Strategic Rail Corridor Network by the United States Department of Defense and Federal Railroad Administration.
 - d. Of the total allocated under 1a and 1b, up to \$150 million shall be administered as a General Fund set-aside for a “Major Projects Project Development Reserve” and shall be available for multiyear grants to support the delivery of capital projects and programs of projects that have entered or have applied to enter federal project development processes for at least a portion of the project or program of projects, and that expect to receive federal funding in the future once complete with project development.
2. **\$4 billion (SB/AB 198 Section 15) in FYs 2023-24 and 2024-25 for transit capital projects statewide, allocated via population-based formula.**
- a. Of this total \$2 billion shall be available for each fiscal year, for the 2023–24 and 2024–25 fiscal years for transit and intercity rail capital projects. It is the goal of the Legislature that each recipient of funding described in subdivision (a) of Section 99313 of the Public Utilities Code will receive a minimum allocation of three hundred thousand dollars (\$300,000) from Transit and Intercity Rail Capital Program funds described in this section, with the balance of the Transit and Intercity Rail Capital Program funds described in this section allocated on a population-based formula to each recipient of funding described in subdivision (a) of Section 99313 of the Public Utilities Code. It is the intent of the Legislature that these funds will be used consistent with the uses identified Item 0521-131-0001 of Section 2.00 of the Budget Act of 2021.

The budget also includes \$350 million for critical high priority grade separation safety improvements.

Bills with Action Taken

AB 2197 (Mullin) – PCEP Funding. This bill would appropriate \$260 million from the state’s General Fund to the California State Transportation Agency for the purpose of closing the funding gap for the Caltrain Electrification Project. *Support.*

This bill has not yet been set for hearing and did not meet the House of Origin deadline. It will not advance this year.

AB 1944 (Lee) Public Meetings – This bill would make changes to the Brown Act to add additional flexibilities for board members to teleconference into meetings if certain requirements are met, including that a quorum of members of the body participate in person. *Support.*

Before the bill's hearing in the Senate Governance and Finance Committee, the committee offered amendments that the author would not accept, so the author pulled the bill, and it was not heard in committee. The bill then failed the policy committee deadline and will not be moving further.

SB 922 (Wiener) – CEQA Exemptions for Transit. This bill would permanently extend statutory exemptions from the CEQA requirement for clean transportation projects, including charging and facilities for zero-emission rail, station-area improvements, and first/last mile connections for bike and ped. This bill is a follow up to SB 288 (Wiener, 2020) which Caltrain supported. *Support.*

The bill is on the Assembly Floor.

SB 942 (Newman) Low Carbon Transit Operations Program: Free or Reduced Fare Transit Program.

This bill would exempt transit agencies using program funding for the continuation of a free or reduced fare transit program from the requirement to demonstrate that reductions in GHG emissions can be realized through the continuation of the program. It would also allow the transit agency to continue to use those funds for the purpose without time restriction and require reapplication to the program every three years. *Support.*

The bill is set for hearing on August 3 in the Assembly Appropriations Committee.

Bills of Interest

AB 1919 (Holden) – Free Student Transit Passes. This bill would, upon appropriation, require Caltrans to administer the Youth Transit Pass Pilot Program which would administer grants to transit agencies for the costs of creating, designing, developing, advertising, distributing and developing free youth transit passes, the cost of providing free transit service to passholders, and costs of administering and participating in the program. Caltrain would be required to provide a report by 2027 on the outcomes of the program. The bill includes a January 2028 sunset.

June 14 amendments strike the age threshold and replace it with those attending certain educational institutions, authorize transit agencies to submit grant applications in partnership with educational institutions, authorize grant funds to be used for existing free transit programs, and allow existing programs for free transit for those 18 years old or younger to apply without an educational partner.

The bill was set in the Senate Appropriations Committee on August 1.

AB 2441 (Kalra) – Local Public Transit Agencies: New Technologies. This bill would impose requirements on public transit employers relating to the introduction of new vehicle technologies for public transit services that would eliminate job functions or jobs of the workforce to which the new vehicle technology applies. The bill would require a public transit employer to provide notice to the exclusive employee representative of its intention to begin procuring, acquiring or deploying such technologies no less than 12 months in advance. The bill would also require these subjects to be mandatory subjects of collective bargaining, including creating plans to train and prepare the affected workforce to fill new positions created by the technology.

The bill was amended on June 2 with various changes that narrow the bill but do not address all the outstanding concerns raised by transit agencies.

The bill is on the Senate Floor.

SB 917 (Becker) – Seamless. This bill would require the Metropolitan Transportation Commission (MTC) to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, establish open data standards, requires the region’s transit agencies to comply with the established programs, requires MTC to indicate what steps are needed to comply, and if a transit agency does not comply and does not qualify for an exemption, makes that transit agency ineligible to receive a portion of state transit funding in an amount determined by MTC.

Amendments in June require transit agencies to establish a regional transit coordinating council and would require the Council to develop and adopt an integrated transit fare structure that would be submitted to the Commission for approval. After approval, each transit agency would be required to present the structure to its board. The amendments also require funding to be secured prior to implementation of programs and fare changes discussed in the bill and maintains governing board authority over fare changes.

The bill is set for hearing in the Assembly Appropriations Committee on August 3.

Grants

Transit and Intercity Rail Capital Program (\$500 million - \$600 million in Cycle 5) – The Transit and Intercity Rail Capital Program (TIRCP) provides grants from the Greenhouse Gas Reduction Fund to fund transformative capital improvements that will modernize California’s intercity, commuter, and urban rail systems, and bus and ferry transit systems, to significantly reduce emissions of greenhouse gases, vehicle miles traveled, and congestion. Eligible projects include zero-emission vehicles and associate fueling or charging infrastructure of facility modifications.

Status: Project awards have been announced and can be [found here](#).

Applications Received: TIRCP received 50 applications with all funding requests totaling \$3,949,662,335.

The CTC recently hosted a series of workshops for the three SB 1 programs it oversees – the Solutions for Congested Corridors Program (SCCP), Local Partnership Program (LPP), and the Trade Corridor Enhancement Program (TCEP). The CTC will solicit applications for the next round of funding in Summer 2022 and announce project awards in Summer 2023. As a reminder, in late-2020, the California Transportation Commission awarded grants for three SB 1 programs – the Solutions for Congested Corridors Program (draft guidelines as of June 2022), Local Partnership Program (draft competitive and formulaic guidelines as of June 2022), and the Trade Corridor Enhancement Program (draft guidelines as of June 2022).

Grade Separation Funding - Below is a list of the funding sources that we are aware of and/or that have been used to fund grade separations in the recent years. The funding sources below are managed across various state agencies and departments, including the Public Utilities Commission (PUC), the California State Transportation Agency (CalSTA), the California Transportation Commission (CTC), and Caltrans.

PUC Section 190 Grade Separation Program – The Program is a state funding program to grade separate crossings between roadways and railroad tracks and provides approximately \$15 million annually, transferred from Caltrans. Agencies apply to the PUC for project funding.

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years. The 2022 STIP, adopted in March 2022, includes \$796 million in new STIP funding capacity. Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

Transit and Intercity Rail Capital Program – As discussed above, the TIRCP is managed by CalSTA and is available to fund rail and transit projects that reduce greenhouse gas emissions. The program receives funding from Cap and Trade and the recently created Transportation Improvement Fee to the tune of approximately \$500 million per year. The TIRCP is programmed over five years, with the most recent cycle beginning in May 2018. Caltrain received \$160 million for the CalMod project.

Proposition 1A – This \$9.9 billion Bond Act is the primary funding source for the high-speed rail project and has been used to fund a very limited number of grade separation projects in the past, including in the City of San Mateo.

Caltrain State Legislative Matrix

Item #5.g.ii.
8/4/2022

July 8, 2022

PRIORITY BILLS			
Bill Number (Author)	Summary	Location	Position
AB 2197 (Mullin D) Caltrain Electrification: Funding	Existing law provides for the creation of the Peninsula Corridor Joint Powers Board, which operates Caltrain as the commuter rail service along the San Francisco Peninsula commute corridor. This bill would appropriate \$260,000,000 from the General Fund to the Transportation Agency for allocation to the Peninsula Corridor Joint Powers Board for the purpose of completing the Caltrain Electrification Project. Introduced: 2/15/2022	Assembly Dead	Supported 3/3/2022
SB 922 (Wiener D) California Environmental Quality Act: exemptions: transportation- related projects.	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA, until January 1, 2030, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would delete the requirement that the bicycle transportation plan is for an urbanized area. The bill would extend the exemption to an active transportation plan or pedestrian plan. The bill would define “active transportation plan” and “pedestrian plan.” The bill would specify that individual projects that are a part of an active transportation plan or pedestrian plan remain subject to the requirements of CEQA unless those projects are exempt by another provision of law. This bill contains other related provisions and other existing laws. Amended: 5/11/2022	Assembly Third Reading	Supported 4/7/2022
SB 942 (Newman D) Low Carbon Transit Operations Program:	Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board as part of a market-based compliance mechanism to be deposited into the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law continuously appropriates specified portions of the annual proceeds in the fund to various	Assembly Appropriations 8/3/2022 9 a.m. - 1021 O	Supported 4/7/2022

<p>free or reduced fare transit program.</p>	<p>programs, including 5% for the Low Carbon Transit Operations Program, which is administered by the Department of Transportation and provides operating and capital assistance for transit agencies to reduce the emissions of greenhouse gases and improve mobility. Existing law requires each of those transit agencies to demonstrate that each expenditure of program moneys allocated to the transit agency reduces the emissions of greenhouse gases and does not supplant another source of funds, to use those moneys to provide transit operating or capital assistance, to use at least 50% of those moneys to benefit disadvantaged communities, and to submit specified information to the department before seeking a disbursement of those program moneys. This bill would exempt a transit agency using program moneys for the continuation of a free or reduced fare transit program from the above-described requirement to demonstrate that reductions in the emissions of greenhouse gases can be realized through the continuation of its transit program, and authorize the transit agency to continue to use those moneys for that purpose without any restriction to length of time. The bill would require the transit agency to submit an initial allocation request to the department and, for the next three fiscal years, to provide documentation necessary to meet an annual reporting requirement and comply with the program's requirements.</p> <p>Amended: 6/29/2022</p>	<p>Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair</p>	<p>Item #5.g.ii. 8/4/2022</p>
<p>AB 1944 (Lee D)</p> <p>Local government: open and public meetings.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely. The bill would also require an updated agenda reflecting all of the members participating in the meeting remotely to be posted, if a member of the legislative body elects to participate in the meeting remotely after the agenda is posted. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/25/2022</p>	<p>Senate Dead</p>	<p>Supported 5/5/2022</p>

<p>SB 917 (Becker D)</p> <p>Seamless Transit Transformation Act.</p>	<p>Existing law creates the Metropolitan Transportation Commission, as a local area planning agency and not as a part of the executive branch of the state government, to provide comprehensive regional transportation planning for the region 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. This bill would require the commission to develop and adopt a Connected Network Plan, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards, as specified. The bill would require the region’s transit agencies, as defined, to comply with those established regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards, as provided.</p> <p>Amended: 6/20/2022</p>	<p>Assembly Appropriations</p> <p>8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, Chair</p>	<p>Item #5.g.ii. 8/4/2022</p> <p>Watch</p>
<p>AB 1919 (Holden D)</p> <p>Youth Transit Pass Pilot Program: free youth transit passes.</p>	<p>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Upon the appropriation of moneys by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by the department, for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program, as specified. The bill would authorize a transit agency to submit a grant application in partnership with one or more educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare free program, as provided. The bill would authorize a transit agency with an existing fare free program that enables a person 18 years of age or younger to use a transit agency’s bus and rail services without paying any additional fare or charge to submit an application without an educational institution partner, as provided. The bill would require the department to submit a report to specified committees of the Legislature on or before January 1, 2027, on, among other things, the outcomes of the program and the funding conditions associated with offering free youth transit passes, the status of transit pass programs statewide, and whether these provisions led to reductions in the emissions of greenhouse gases and vehicle miles traveled, as provided. This bill contains other existing laws.</p> <p>Amended: 6/14/2022</p>	<p>Senate Appropriations</p> <p>8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair</p>	<p>Watch</p>

OTHER LEGISLATION

<p>AB 1938 (Friedman D)</p> <p>Traffic safety: speed limits.</p>	<p>Existing law establishes various default speed limits for vehicles upon highways, as specified. Existing law requires the Department of Transportation (Caltrans), by regulation, to require Caltrans or a local authority to round speed limits up or down to the nearest 5 miles per hour of the 85th percentile of free-flowing traffic. This bill would, if the speed limit needs to be rounded down to the nearest 5 miles per hour increment of the 85th-percentile speed, authorize Caltrans or a local authority to lower the speed limit by 5 miles per hour from the nearest 5 miles per hour of the 85th percentile, as specified.</p> <p>Amended: 6/16/2022</p>	<p>Senate Appropriations</p>	<p>Item #5.g.ii. 8/4/2022</p> <p>Watch</p>
<p>AB 2061 (Ting D)</p> <p>Transportation electrification: electric vehicle charging infrastructure.</p>	<p>Existing law creates the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission (Energy Commission), to provide, among other things, competitive grants and revolving loans to specified entities for those entities to develop and deploy innovative technologies that transform California’s fuel and vehicle types to help attain the state’s climate change policies. Existing law requires the Energy Commission to develop and adopt an investment plan to determine priorities and opportunities for the program. Existing law requires the Energy Commission, in consultation with the State Air Resources Board (state board), as part of the development of the investment plan, to assess whether charging station infrastructure is disproportionately deployed, as specified, and, upon finding disproportionate deployment, to use moneys from the Alternative and Renewable Fuel and Vehicle Technology Fund, as well as other mechanisms, including incentives, to more proportionately deploy new charging station infrastructure, except as specified. Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Existing law requires the PUC, in consultation with the Energy Commission and the state board, to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to, among other things, reduce dependence on petroleum and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. The PUC is required to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, if certain requirements are met. Beginning July 1, 2023, this bill would require an entity that receives an incentive funded by a state agency or through a charge on ratepayers to install, own, or operate a charging station, in whole or in part, to report charging station uptime, as defined, to the Energy Commission. The bill would require the Energy Commission, in consultation with the PUC, to develop a formula to calculate uptime to provide consistent, standardized reporting of information. This bill contains other existing laws.</p>	<p>Senate Appropriations</p> <p>8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair</p>	<p>Watch</p>

	Amended: 4/18/2022		Item #5.g.ii. 8/4/2022
<p>AB 2237 (Friedman D)</p> <p>Transportation planning: regional transportation improvement plan: sustainable communities strategies: alternative planning strategy: state transportation funding.</p>	<p>Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. Existing law, to the extent the sustainable communities strategy is unable to achieve the greenhouse gas emissions reduction targets, requires the affected metropolitan planning organization to prepare an alternative planning strategy showing how the targets may be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.</p> <p>Existing law requires each regional transportation planning agency or county transportation commission to biennially adopt and submit to the California Transportation Commission and the Department of Transportation a 5-year regional transportation improvement program that includes, among other things, regional transportation improvement projects and programs proposed to be funded, in whole or in part, in the state transportation improvement program. This bill would require that those projects and programs included in each regional transportation improvement program also be consistent with the most recently prepared sustainable communities strategy of the regional transportation planning agency or county transportation commission, or, if applicable, the alternative planning strategy, and state and federal air quality standards. The bill would prohibit funds collected from any local transportation tax measure passed on or after January 1, 2023, from being spent until the transportation projects or programs to be funded by the tax measure are included in the most recently adopted sustainable communities strategy of the applicable regional transportation planning agency or county transportation commission or, if applicable, the alternative planning strategy. The bill would also prohibit the expenditure of funds from local tax measures that passed before January 1, 2023, but that exclusively provide for the collection and expenditure of funds on or after January 1, 2023, until the transportation projects or programs to be funded by the tax measure are included in the most recently adopted sustainable communities strategy, or, if applicable, the alternative planning strategy. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/13/2022</p>	Senate Dead	Watch
<p>AB 2357 (Ting D)</p> <p>Surplus land.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements before disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local</p>	Senate Dead	Watch

	<p>agency send a notice of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. Existing law defines “exempt surplus land,” for which a local agency is not required to follow the requirements for disposal of surplus land, except as provided, as, among other things, surplus land that is subject to valid legal restrictions that are not imposed by the local agency and that would make housing prohibited, as specified. This bill would also require the department to maintain on its internet website a listing of all entities, including housing sponsors, that have notified the department of their interest in surplus land for the purpose of developing low- and moderate-income housing. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/5/2022</p>		<p>Item #5.g.ii. 8/4/2022</p>
<p>AB 2438 (Friedman D)</p> <p>Transportation funding: guidelines and plans.</p>	<p>Existing law provides for the funding of projects on the state highway system and other transportation improvements, including under the interregional transportation improvement program, the state highway operation and protection program, the Solutions for Congested Corridors Program, the Trade Corridor Enhancement Program, and the program within the Road Maintenance and Rehabilitation Program commonly known as the Local Partnership Program. This bill would require, no later than January 1, 2024, the guidelines or plans applicable to those programs to include the strategies established in the Climate Action Plan for Transportation Infrastructure adopted by the Transportation Agency. The bill would also require the Transportation Agency, the California Transportation Commission, and the Department of Transportation, no later than January 1, 2024, to each establish guidelines to ensure transparency and accountability for the transportation funding programs that they respectively administer and for the project selection processes applicable to those programs. The bill would require those guidelines to meet certain requirements and would require those agencies to hold public workshops to solicit input before establishing the guidelines. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/16/2022</p>	<p>Senate Appropriations</p> <p>8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair</p>	<p>Watch</p>
<p>AB 2441 (Kalra D)</p> <p>Public employment: local public transit agencies: new vehicle technology.</p>	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matter subject to collective bargaining. This bill would require a public transit employer to provide written notice to the exclusive employee representative of the workforce affected by new vehicle technology of its determination to begin, or its substantive</p>	<p>Senate Third Reading</p>	<p>Watch</p>

	<p>progress toward initiating, any procurement process or a plan to acquire or deploy any new vehicle technology for public transit services that would eliminate job functions or jobs of the workforce to which the new vehicle technology applies not less than 12 months before commencing the process, plan, or deployment. The bill would require a public transit employer, upon a written request of the exclusive employee representative, to provide specified information to the exclusive employee representative, including the potential gaps in skills that may result from the new service. The bill would require the public transit employer, following the written request for information by the exclusive employee representative, to engage in collective bargaining on specified subjects, including creating plans to train and prepare the affected workforce to fill new positions created by a new service or product.</p> <p>Amended: 6/2/2022</p>		<p>Item #5.g.ii. 8/4/2022</p>
<p>AB 2449 (Rubio, Blanca D)</p> <p>Open meetings: local agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances. The emergency circumstances basis for remote participation would be contingent on a request to, and action by, the legislative body. The bill would define terms for purposes of these teleconferencing provisions. This bill contains other related provisions and other existing laws.</p>	<p>Senate Appropriations</p> <p>8/1/2022 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, Chair</p>	<p>Watch</p>

	Amended: 6/30/2022		Item #5.g.ii. 8/4/2022 Supported 2021
ACA 1 (Aguiar-Curry D) Local Government Financing Affordable Housing & Public Infrastructure: Voter Approval	(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws. Introduced: 12/7/2020	Assembly Local Government	
SB 1121 (Gonzalez D) State and local transportation system: needs assessment.	Existing law requires the California Transportation Commission to adopt and submit to the Legislature an annual report summarizing its prior-year decisions in allocating transportation capital outlay appropriations, and identifying timely and relevant transportation issues facing the state. Existing law authorizes the report to also include a discussion of any significant upcoming transportation issues anticipated to be of concern to the public and the Legislature and requires the report to include specific, action-oriented, and pragmatic recommendations for legislation to improve the transportation system. This bill would require the commission to prepare a needs assessment of the cost to operate, maintain, and provide for the necessary future growth of the state and local transportation system for the next 10 years, as provided. As part of the needs assessment, the bill would require the commission to forecast the expected revenue, including federal, state, and local revenues, to pay for the cost identified in the needs assessment, any shortfall in revenue to cover the cost, and recommendations on how any shortfall should be addressed. The bill would require the commission to submit the needs assessment to the Legislature on or before January 1, 2024, and biennially thereafter. Amended: 4/6/2022	Assembly Appropriations 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROP RIATIONS, HOLDEN, Chair	Watch
SB 1161 (Min D) Transit operators: street harassment plans.	Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. This bill would request the University of California Institute of Transportation Studies to, on or before June 30, 2023, develop and make available to transit operators, as defined, a survey for the purpose of promoting	Assembly Appropriations 8/3/2022 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROP	Watch

	<p>consistency in the collection of specified survey data. The bill would require transit operators to, subject to an appropriation by the Legislature, on or before June 30, 2025, develop and implement a plan to reduce the street harassment experienced by its riders, as specified, and to consider the safety concerns and needs of riders impacted by street harassment when planning, designing, and operating their systems. The bill would require transit operators to, subject to an appropriation by the Legislature, on or before June 30, 2024, collect survey data for the purpose of informing the plan. The bill would require the plan to be developed in consultation with certain riders, and would require those transit operators to conduct outreach in multiple languages in order to reach limited-English-proficient persons impacted by street harassment, as specified. The bill would require a transit operator to provide to the Transportation Agency specified information, including a description of the plan developed by the transit operator, actions taken to implement the plan, and efforts to consult riders. The bill would authorize these plans to include changes to policies, design, operations, or other aspects of transit systems, as specified. The bill would require the Transportation Agency to, on or before January 1, 2027, produce and submit a report containing certain information related to the implementation of these provisions to the Legislature and the Governor. To the extent the bill imposes additional duties on a local agency, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/29/2022</p>	RIATIONS, HOLDEN, Chair	Item #5.g.ii. 8/4/2022
<p>SB 1410 (Caballero D)</p> <p>California Environmental Quality Act: transportation impacts.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. CEQA requires the Office of Planning and Research to prepare and develop proposed guidelines for the implementation of CEQA by public agencies and requires the Secretary of the Natural Resources Agency to certify and adopt those guidelines. CEQA requires the office to prepare, develop, and transmit to the secretary for certification and adoption proposed revisions to the guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas, as defined, that promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Existing law requires the office to recommend potential metrics to measure transportation impacts,</p>	Assembly Appropriations Suspense File	Watch

	<p>as specified. CEQA authorizes the office to adopt guidelines establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit priority areas. This bill would require the office, by January 1, 2025, to conduct and submit to the Legislature a study on the impacts and implementation of the guidelines described above relating to transportation impacts. The bill would require the office, upon appropriation, to establish a grant program to provide financial assistance to local jurisdictions for implementing those guidelines. This bill contains other existing laws.</p> <p>Amended: 5/2/2022</p>		<p>Item #5.g.ii. 8/4/2022</p>
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Caltrain Federal Report As of July 11, 2022

CONGRESSIONAL UPDATE

Appropriations Update

- This month, the House Appropriations Committee passed all twelve FY 2023 Appropriations bills, including the Department of Transportation/Housing (THUD) funding bill. Congresswoman Speier and Congresswoman Eshoo both requested \$800,000 in funding in this bill for a project to add winglets to existing fencing along the Caltrain corridor. Congresswoman Eshoo also requested \$2,000,000 in funding for the Santa Clara Valley Transportation Authority (VTA) to eliminate at-grade rail crossings in Santa Clara County. The House is expected to vote on the spending bills the week of July 17.
- Senator Feinstein requested \$15 million in funding and Senator Padilla requested \$10 million in funding in the FY 2023 THUD funding bill for Caltrain's new signal system needed for the Electrification Project. However, the Senate Appropriations Committee has yet to schedule markups.
- The Department of Transportation (DOT) would receive \$105.4 billion, an increase of \$2.4 billion above the current funding and \$942 million above the President's FY 2023 budget request.
- None of this funding and report language is final as the House still has to conference with the Senate to reconcile the differences between the two THUD bills.
- Highlights of DOT Funding in the bill:
 - \$17.45 billion for the Federal Transit Administration (FTA).
 - \$3.012 for Capital Investment Grants, \$764 million above current funding. This includes:
 - ✓ \$1.897 billion for New Starts
 - ✓ \$40.7 million for Core Capacity
 - ✓ \$94 million for Small Starts
 - ✓ \$350 million for Expedited project Delivery
 - \$775 million for National Infrastructure Investments (RAISE/TIGER/BUILD), equal to FY 2022 (current funding), including \$30 million for grants to assist areas of persistent poverty.
 - There is report language that directs \$600 million go to projects that have Full Funding Grant Agreements (FFGAs) and either (1) have a cost share lower than 40 percent or (2) were signed during the Trump Administration
 - Caltrain is one of only a select number of other agencies across the country would be eligible for this funding.
 - \$3.8 billion for the Federal Railroad Administration (FRA), an increase of \$501 million above current funding. This includes:
 - \$555 million for the Federal-State Partnership for Intercity Passenger Rail

grant program, to support projects that improve, expand, or establish passenger rail service.

- \$2.3 billion for Amtrak, \$14 million above current funding, including \$882 million for Northeast Corridor Grants and \$1.5 billion for National Network Grants

FEDERAL GRANT OPPORTUNITIES

DOT Announces Railroad Crossing Elimination Program

- On June 30, DOT [announced](#) the release of the new Railroad Crossing Elimination Program. Funded through the IIJA, the program will administer \$573,264,000 this year to address dangerous conditions at railroad crossings.
- Administered by the Federal Railroad Administration (FRA), the program will help communities update railroad infrastructure to protect pedestrians and trains from unsafe crossings. Funding will be administered for grade separations, track relocations, warning devices, and other safety enhancements. FRA will prioritize projects that address environmental justice, workforce, and equity issues. Approximately 40% of funding will be allocated toward underserved communities.
- Local governments, port authorities, political subdivisions of a state, and metropolitan planning organizations are eligible to apply for funding. The NOFO can be found [here](#). Applicants have until October 1 to apply.

DOT Announces Reconnecting Communities Grant Program

- On June 30, DOT Secretary Pete Buttigieg [announced](#) the release of the Reconnecting Communities Pilot Discretionary Grant Program. Funded through the Infrastructure Investment and Jobs Act (IIJA), the program seeks to unify neighborhoods divided by past infrastructure planning. DOT will distribute \$195 million for the first round of funding to approximately 125 projects. Deadline to apply is October 13.
- Program funds may be used to transform local areas by investing in high-quality public transit, infrastructure, and main street revival. Examples of eligible projects are crosswalks and pedestrian walkways that cross an existing highway or rail line. DOT will emphasize projects that address economic strength, equity, climate and sustainability, transformation, and organizational excellence.
- DOT will also launch the [Thriving Communities Initiative](#), that was created in FY 2022 appropriations bill. This new program will provide technical assistance for transformative infrastructure projects that serve disadvantaged communities. Working with the Department of Housing and Urban Development (HUD), DOT will assist localities in planning equitable transportation projects that consider additional factors such as affordable housing and housing supply.

Roundup of Other Grant Opportunities

- [FY 2022 Pilot Program for Transit-Oriented Development \(TOD\) Planning](#). \$13.1 million available. Planning applications due by July 25. Caltrain staff are exploring a proposal for this program.

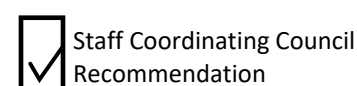
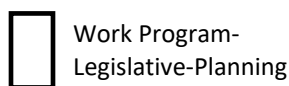
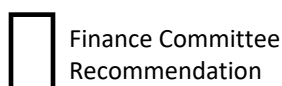
**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Simon Oh
Customer Experience Coordinator

SUBJECT: **Accept Report on First Year of Outreach Ambassador Services with External Consultant JBR Partners, Inc. (JBR) of San Francisco**



ACTION

Accept report for FY2021-22 of external outreach consultant JBR Partners, Inc. (JBR) in their efforts to serve as an extension of Caltrain’s overall outreach initiatives.

SIGNIFICANCE

At the request of a Caltrain Board member, this report is a summary of JBR’s work supporting Caltrain outreach for the Fiscal Year 2021-2022. JBR staff have supplemented Caltrain outreach efforts on a number of projects. Their support has helped ensure Caltrain riders have the information needed during special events, schedule changes and construction-related impacts. JBR’s work also ensures Caltrain staff have the bandwidth to focus on their primary responsibilities otherwise impacted by having to meet increasing outreaching needs for the agency.

List of Caltrain projects JBR supported this fiscal year, with rider engagement counts based on combined engagements among Caltrain and JBR staff:

- South San Francisco station shuttle stop relocation, Jan. 24
 - Riders engaged – 20
- May 2022 cutover project outreach, Apr. 27 to May 3
 - Riders engaged – ~360
- Bay to Breakers, May 15
 - Riders engaged – ~2,000

- May 2022 cutover project outreach, May 16 to May 23
 - Riders engaged – ~300
- Golden State Warriors victory parade in San Francisco, June 20
 - Riders engaged – ~1,200

Caltrain staff is continuously working with JBR staff on identifying future outreach needs consistent with Caltrain's overall outreach initiatives.

BUDGET IMPACT

For the first year of the current contract with JBR, Caltrain has spent \$33,439.53 across five projects entailing outreach services with the firm between January and June 2022.

BACKGROUND

In summer 2021, JPB board of directors approved a five-year, \$500,000 contract to JBR Partners, Inc. of San Francisco. JBR provides outreach ambassador services, serving as an extension to Caltrain in supplementing the agency's outreach initiatives by providing extra experienced staff to more places and with multilingual skills currently lacking with in-house talent alone. JBR's similar experience with a transit organization can best be exemplified with their long-standing contracts with various San Francisco municipal-level agencies including San Francisco Municipal Transportation Authority (SFMTA, which also operates Muni transit services) and San Francisco County Transportation Authority (SFCTA).

Prepared By: Simon Oh Customer Experience Coordinator 650.508.7711

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Rob Barnard
Deputy Chief, Rail Development

SUBJECT: **Authorize Use of Construction Manager General Contractor (CMGC) Project Delivery Method Pursuant to Public Utilities Code Section 103393 et seq. for the Mountain View Transit Center Grade Separation and Access Project**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff Coordinating Council recommends that the Board of Directors (the “Board”) of the Peninsula Corridor Joint Powers Board (“JPB”):

1. Make findings that use of the Construction Manager/General Contract (CMGC) project delivery method for the Mountain View Transit Center Grade Separation and Access Project (Project) will accomplish one or more of the following objectives: reduce project costs, expedite the project's completion, or provide features not achievable through the more traditional Design-Bid-Build (DBB) method, as required to utilize this project delivery method pursuant to Public Utilities Code section 103395.
2. Authorize the use of the CMGC project delivery method for the Project based on these findings; and
3. Authorize the Acting Executive Director, or designee, to file any other required documentation and to take any other actions necessary to give effect to this action.

This item has been approved by the JPB Work-Program-Legislative-Planning Committee (WPLP) on June 22, 2022.

SIGNIFICANCE

The Legislature enacted Assembly Bill 797 in 2013 to authorize the San Mateo County Transit District to use the CMGC project delivery approach for public transit projects within its jurisdiction. This authorization extends to the JPB pursuant to the Joint Powers Agreement, which established the JPB.

Pursuant to Public Utilities Code section 103395, the JPB may enter into a CMGC project delivery method contract only after taking the following steps. First, the Board must evaluate the traditional design-bid-build process of construction and CMGC method of project delivery in a public meeting. Second, the Board must then make written findings that the use of the CMGC project delivery method on a specific project under consideration will accomplish one or more of the following objectives:

- Reduce project costs;
- Expedite the project's completion; or
- Provide features not achievable through the design-bid-build method.

The Board must make findings *prior* to entering into a CMGC project delivery method contract. Contracting using the CMGC project delivery method requires two steps. First, the JPB issues a best-value procurement to engage a contractor for preconstruction services. The initial agreement must include a provision for subsequent negotiation of any of the later stages of the project including the construction itself. Second, if the JPB would like to award a contract for construction services after the initial phase of the contract, a Total Contract Price (TCP) must be negotiated. If an acceptable TCP cannot be negotiated, then JPB may award the subsequent phases of the contract using any other method of project delivery permitted by law.

Under the CMGC project delivery method, the agency conducts two qualifications-based selections to separately hire a designer and a CMGC contractor (contractor) to collaborate during the pre-construction design phase to deliver the Project. The contractor is initially authorized to participate in the pre-construction design phase work. Upon agreement on the Total Contract Price (TCP) to deliver the construction work, the contractor's construction phase contract will be executed. The CMGC project delivery best balances and facilitates important factors relating to the agency's control, including relationships with stakeholders and access to designer and contractor expertise during the pre-construction design phase.

The Project objectives are to:

- Improve safety for all modes of travel
- Improve overall traffic flow
- Reduce traffic delays caused by gate down times
- Support the pedestrianization of downtown Mountain View including the Transit Center and Castro Street

After assessment of the respective merits of both the DBB and CMGC project delivery methods and how these different project delivery methods would best address the unique features and complexities of the Mountain View Transit Center Grade Separation and Access Project, staff have determined use of the CMGC project delivery method will provide features that are not achievable through the DBB process. The CMGC project delivery method will allow contractor collaboration with the designer, providing opportunities to improve the project with innovative solutions. CMGC project delivery will likely also result in reduced project costs and expedited project completion. Proof of the cost and schedule benefits resulting from CMGC project delivery are documented in many industry documents and reports. A listing of some of the available industry documents and reports related to CMGC project delivery cost and schedule benefits are included in the *References* section of the *Alternative Project Delivery Decision Report* dated May 2022 documenting the methods and results of the March 2022 Project Delivery Assessment Workshop. The Alternative Project Delivery Decision Report can be available upon request.

Staff recommends that the Board make these findings and authorize the use of the CMGC method for the Project. In the future, staff will seek authorization from the Board to (1) enter into agreements with City of Mountain View and Santa Clara Valley Transportation Authority (VTA) to add to the budget to the Final Design and Pre-Construction phase; (2) amend the FY23 budget to include new funds; and (3) amend the Project budget authority.

BUDGET IMPACT

There is no immediate budget impact as the result of Board action to authorize use of the CMGC contracting approach over the traditional DBB contracting process for the Mountain View Transit Center Grade Separation and Access Project.

Separate from this Board action, project cost updates and project delivery contract negotiations impacting the Mountain View Transit Center Grade Separation and Access Project budget will be discussed and reflected in future JPB budgets.

BACKGROUND

The Mountain View Transit Center Grade Separation and Access Project will be the first grade separation project in Santa Clara County funded by Measure B, which was passed in Santa Clara County in 2016. The 2016 Measure B establishes \$700 million in funding for grade separations

in the cities of Palo Alto, Mountain View, and Sunnyvale. Castro Street/Moffett Boulevard and Rengstorff Avenue are the two grade separations in the City of Mountain View in the Measure B program.

Assessment of Project Delivery Method

In March 2022, in order to select a project delivery method for the Project, 12 representatives of the local government bodies involved in the project (eight from Caltrain, two from the City of Mountain View, and two from VTA) met and conducted a facilitated Project Delivery Assessment Workshop. The objective of the Workshop was to allow the evaluators to compare and score CMGC and DBB project delivery methods.

The Workshop participants then completed the Transportation Cooperative Research Program (TCRP) Report 131-based analytical project delivery method assessment and the issue rankings were noted on flip charts. This analytical project delivery assessment was conducted as a facilitated group discussion with the issue ranking completed using a consensus approach. Following the TCRP Report 131-based project delivery method assessment, the participants individually and without discussion completed the Modified Caltrans Quantitative Project Delivery Assessment Worksheets. The participants’ worksheet scores were recorded on a summary flipchart. The ranking summary is as follows:

Ranking or Scoring Method	DBB	CMGC
TCRP Report 131 Analytical Method	45	62
Modified Caltrans Quantitative Method	42.2	132.3

Based on the results of the two project delivery method assessment analyses, the CMGC project delivery method will achieve the Project schedule objectives and reduce Project costs, providing the dominant and obvious choice for delivering the Mountain View Transit Center Grade Separation and Access Project. The conclusion reached by the evaluation team is that the CMGC project delivery method offers several advantages over traditional Design-Bid-Build methods, including potential time and cost savings and providing opportunities for project innovation.

Conclusions of the Assessment

As noted in the previous Assessment of Project Delivery Method section, the project delivery evaluation team conducted two detailed analyses of potential project delivery methods in a one day facilitated Workshop. The results of these analyses presented in the previous section demonstrate the CMGC project delivery method is superior to the traditional DBB project delivery method. The Workshop methods and analysis results are documented in the *Alternative Project Delivery Decision Report* dated May 2022.

Use of the CMGC project delivery method to design and construct the Mountain View Transit Center Grade Separation and Access Project will: (a) result in substantial costs savings and reduce risk to the JPB; (b) allow the JPB to select a highly qualified contractor with the specialized expertise required to deliver the project; (c) benefit the public by improving safety and coordination during construction; and (d) avoid favoritism and promote competition.

Specific findings which substantiate these conclusions are as follows:

Finding: The CMGC project delivery method will result in substantial savings and reduced financial risk to the JPB. Reduced risk provides a significant value and potential savings.

- a. **Reduced Financial Risk:** The project will occur during challenging economic conditions within the construction industry. It would be very costly and disruptive if these economic conditions created undue risk and potentially negative financial impacts on the JPB's projects. Using the CMGC project delivery method will allow the JPB to look deeply into the contractor's financial strength and expertise and eliminate participation by those companies who do not have the financial strength or qualifications to successfully complete the project.
- b. **Total Contract Price (TCP) establishes a total contract price prior to starting construction:** The contractor will be able to obtain a complete understanding of the JPB's needs, the Owner's design intent, the scope of the project, the condition of the existing facilities, and the operational needs of the JPB by participating in the development of the design documents. By participating in this pre-construction phase of the project, the contractor will be able to offer value engineering (VE) suggestions for cost and schedule savings, improvements to the design, and focus the design on the contractor's preferred construction means and methods. With the benefit of this knowledge, the contractor will be able to negotiate a TCP paid by the JPB for the project, before JPB executes the construction contract.
- c. **Fewer Change Orders:** When the contractor participates in the pre-construction design process, fewer change orders will occur during the construction process. This is due to the contractor's better understanding of the owner's needs and the designer's intent. As a result, the project is more likely to be completed on time and on budget. In addition, fewer change orders reduce project management costs for both the JPB and the contractor.
- d. **TCP Change Orders are Reduced:** The traditional DBB project delivery method requires the designer to anticipate the low-bid contractor's preferred means and methods and to develop construction plans to accommodate a range of potential construction means and methods. With the contractor's participation in the pre-construction design phase, the designer will focus its design solutions to accommodate the contractor's preferred means and methods, reducing design effort and optimizing construction cost. Industry experience shows contractor participation during the pre-construction design phase avoids and in some cases

eliminates contractor VE proposals and constructability claims during construction. Industry experience shows these benefits are achievable regardless of when contractor participation begins during the pre-construction design phase.

- e. **TCP Change Orders Cost Less:** The traditional Design-Bid-Build project delivery method typically results in contractors charging up to 20% mark-up on construction contract change orders. The CMGC project delivery method applies predetermined mark-ups less than this value. If construction change orders are encountered, the industry experience has been to establish the allowable contractor fixed fee mark-up in the range of 5% to 10%.
- f. **Contractor Construction Fee is Less:** Contracts with the contractor are designed to create a better working relationship between all parties resulting in better risk identification and allocation and reduced risk to the contractor. As a consequence, the contractor's overhead and profit fee is generally in the 3% to 5% range which is lower than the mark-up usually applied to traditional design-bid-build projects.
- g. **The JPB has an Off-Ramp:** In the event the JPB and the contractor cannot reach agreement on the TCP for the construction phase work, the JPB will not execute the contractor's construction phase contract and will advertise and award the project using any other method of project delivery permitted by law.

Prepared By:	Alvin Piano	Project Manager	650.508.6447
	Rob Barnard	Deputy Chief, Rail Development	650.508.7783

Resolution No. 2022 –

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Authorize Use Of Construction Manager General Contractor (CMGC) Project Delivery Method Pursuant To Public Contract Code Section 103393 et seq. of the Mountain View Transit Center Grade Separation And Access Project

WHEREAS, the City of Mountain View (City) and the Santa Clara Valley Transportation Authority (VTA) desire to close the Castro Street at-grade crossing of the Caltrain tracks to improve safety and reduce traffic congestion; and

WHEREAS, the Mountain View Transit Center Grade Separation and Access Project objectives are to: improve safety for all modes of travel, improve overall traffic flow, reduce traffic delays caused by gate down times, and support the pedestrianization of downtown Mountain View including the Transit Center and Castro Street; and

WHEREAS, Agency staff representatives of the Peninsula Corridor Joint Powers Board (JPB), City of Mountain View, and VTA has investigated different project delivery methods and has evaluated the respective merits of delivering the Mountain View Transit Center Grade Separation and Access Project through the Construction Manager General Contractor (CMGC) project delivery method ; and

WHEREAS, Public Contract Code Section 103393 et seq. authorizes transit operators to utilize the CMGC project delivery method when it is in the best interest of the transit operator; and

WHEREAS, the law requires that a transit operator make written findings supporting the CMGC project delivery method over the traditional Design-Bid-Build (DBB) project delivery method; and

WHEREAS, staff has determined that use of the CMGC project delivery method will benefit the JPB by providing project features not achievable through the DBB project delivery method; and

WHEREAS, in light of this evaluation, the Staff Coordinating Council is recommending the Board find the use of the CMGC project delivery method is in the best interest of the JPB and shall be utilized to deliver the Mountain View Transit Center Grade Separation and Access Project; and

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Corridor Joint Powers Board hereby finds that utilizing the CMGC project delivery method pursuant to Public Contract Code section 103393 et seq. over the traditional DBB project delivery method for the Mountain View Transit Center Grade Separation and Transit Access Project will be in the best interest of the JPB as it will accomplish the objectives of providing project features not achievable through the traditional DBB project delivery method; and

BE IT FURTHER RESOLVED based upon these findings, the Board hereby authorizes staff to proceed with using the CMGC project delivery method pursuant to Public Contract Code Section 103393 et seq; and

Regularly passed and adopted this 7th day of July 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

Mountain View Transit Center Grade Separation and Access Project

Project Delivery Strategy



Project Location



Evelyn Ramp to Shoreline

Existing At-Grade Railroad Crossing at Castro Street

Project Goals

- Improve **safety** for all modes of travel
- Improve overall **traffic flow**
- **Reduce traffic delays** caused by gate down times
- Support the pedestrianization of downtown Mountain View including the Transit Center and Castro Street

Project Scope

Evelyn Ave. ramp to Shoreline Blvd.

- Reroutes traffic and allows vehicle closure at tracks

Pedestrian and bicycle under crossings

- Castro St. entrance and Evelyn Ave. intersection
- Track undercrossing and concourse
- Central Expressway under crossings to Stierlin Rd. and Adobe building

Moffett Blvd.

- Improvements and new shuttle loading



Evelyn Ramp to Shoreline

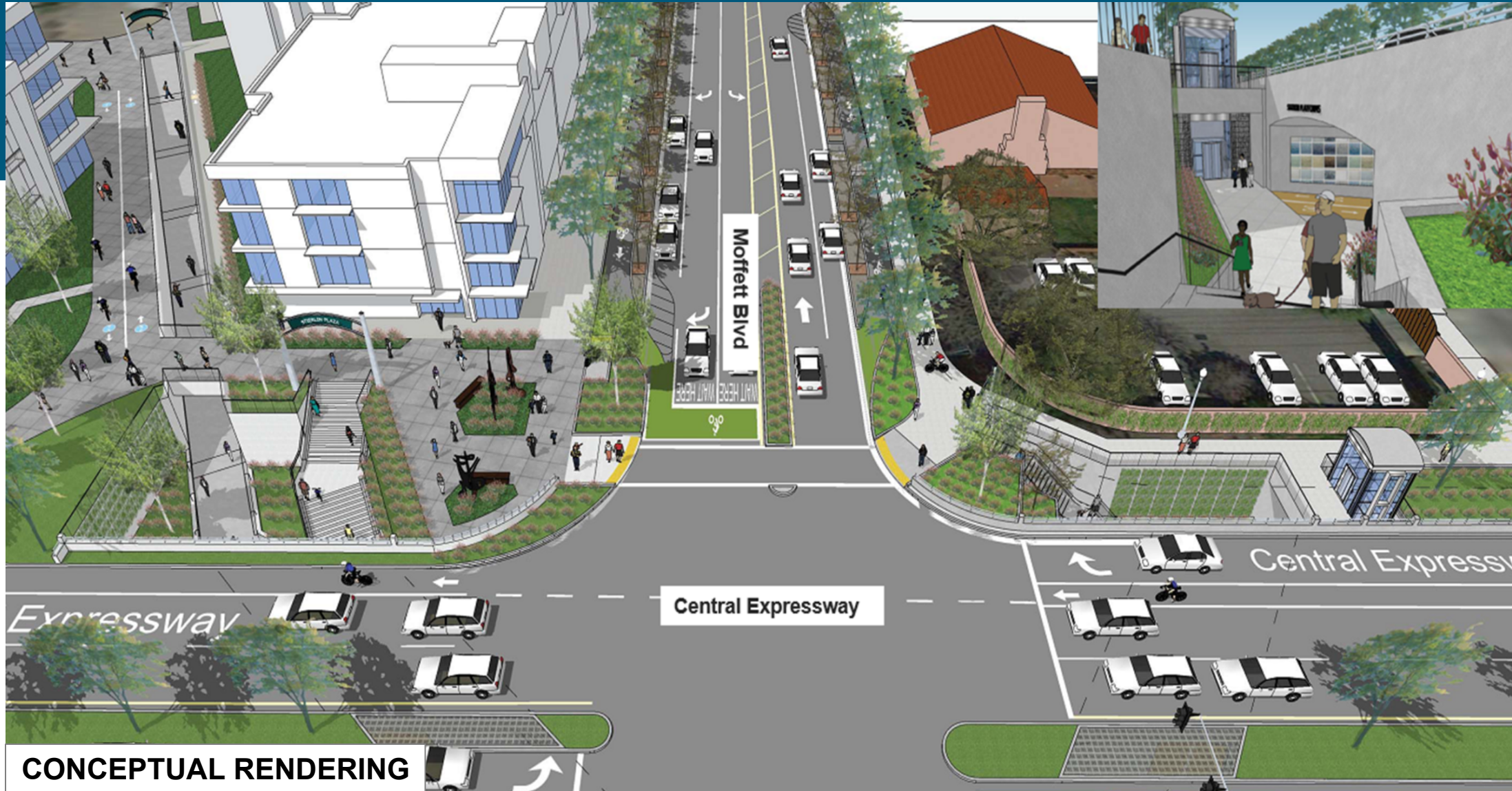


Undercrossing



CONCEPTUAL RENDERING

Stierlin and Adobe Entrances



CONCEPTUAL RENDERING



Overall Project Schedule

Dates	Activity
June 2022	Board approval of Final Design Contract
July 2022 – June 2024	Final Design
July 2024 – Jan 2025	Bidding
Feb 2025 – August 2027	Construction
November 2027	Closeout

Legislative Basis for CMGC

CA Public Utility Code section 103393 et. seq.

Allows District to use CMGC delivery after

- Evaluation of both traditional design-bid-build process and CMGC project delivery method in a public meeting



Legislative Basis for CMGC

CA Public Utility Code section 103393 et. seq.

Allows District to use CMGC delivery after

- District must make a **written finding** that the use of CMGC will accomplish one or more of the following objectives:
 - ***Reduce project costs***
 - ***Expedite the project's completion***
 - ***Or provide features not achievable through the design -bid-build method***



Legislative Basis for CMGC

CA Public Utility Code section 103393 et. seq.

Written Findings must be

- Made prior to the District entering into a CMGC contract
- Included as part of any application for state funds for the transit project



Project Delivery Methods Evaluated

Design-Bid-Build (**Traditional**)

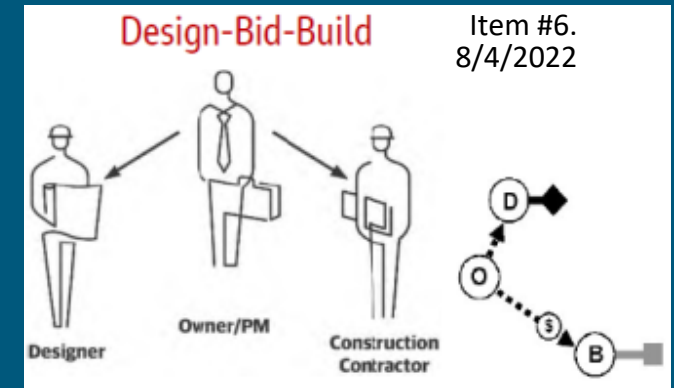
- Standard US project delivery method – provides the baseline delivery method
- Contractual obligations are well understood by design and construction industry
- Typically, the longest project delivery duration

Construction Manager/General Contractor (**CMGC**)

- Caltrain controls **Final Design**
- Maximizes cost savings opportunities – **commercial pricing**
- **Teamwork** develops during design reducing conflict risk during construction

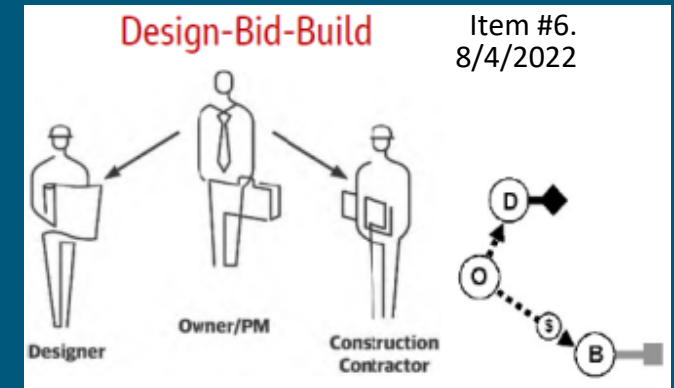


Design-Bid-Build Advantages



- Competitive bidding = **lowest initial price**
- Designer and contractor “**checks and balances**”
- Rights and obligations **well understood**
- Exemption from competitive bidding not required
 - No public hearing and record of findings

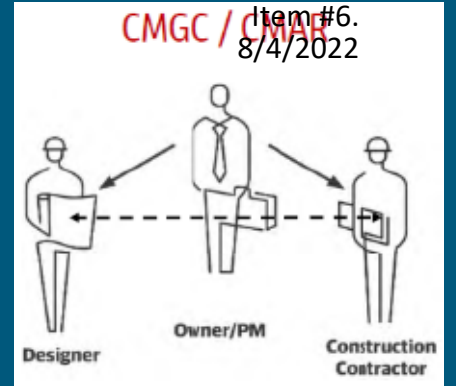
Design-Bid-Build Disadvantages



- Optimistic pricing = increased likelihood of **claims**
- **Eliminates communication** between Caltrain-Contractor on constructability, work plans, means and methods, and phasing during final design
- **Risk of inadequate budget** for jurisdictional stakeholder expectations, QC, schedule control, etc.
- **Higher** Caltrain construction administration
- Potential to develop **adversarial positions**

CMGC

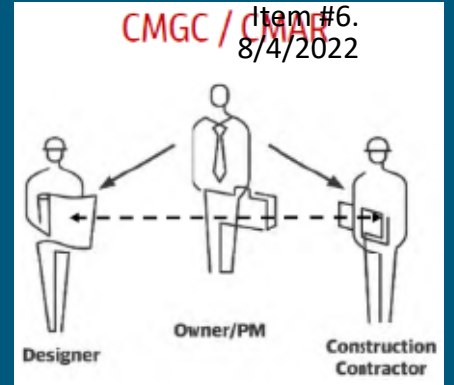
Advantages



- Use of **weight criteria for selection** to match project demands
- Caltrain controls **final design**
- Maximizes potential cost saving opportunities – **commercial pricing**
- Caltrain influences **conduct of construction**
 - Analyze options to meet stakeholder and jurisdiction expectations
 - Commercial pricing of options
 - Contractor buy-in

CMGC

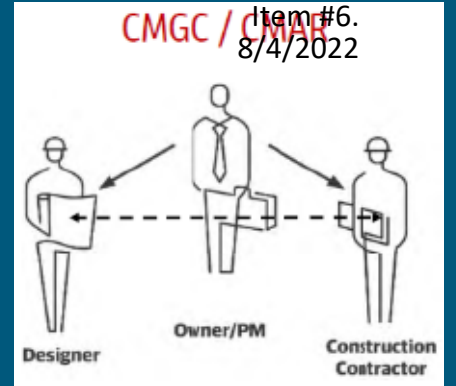
Advantages



- **Competitive pricing**
 - **Open-book** evaluation of all costs
 - Appropriate **risk apportionment**
 - Sub-contracts are **low-bid**
 - Targeted **best value** to support diversity contracting
- **Claim risk reduced** due to early contractor involvement
- **Schedule flexibility** allows issue resolution
- **Teamwork** develops during pre-construction design phase, reducing conflict risk during construction

CMGC

Disadvantages



- **CMGC exemption requires** public hearing
- **Reduces competitive leverage** on General Conditions
- **Claims** may occur at **subcontractor level**

Project Delivery Workshop

Objective

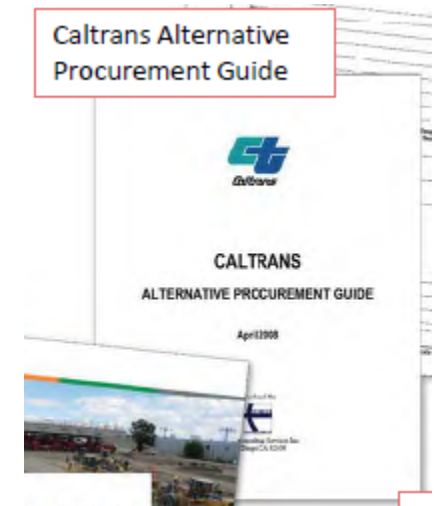
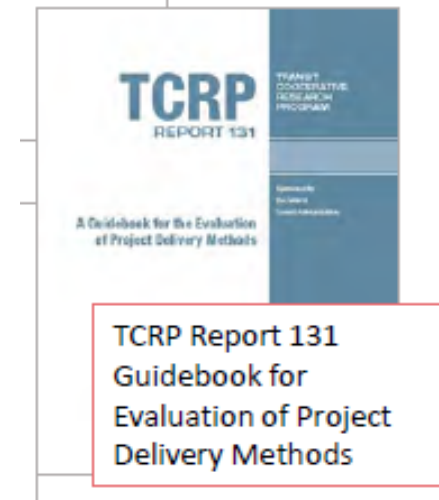
- Evaluate DBB vs CMGC
- Determine most appropriate delivery method

Participants

- Caltrain, City of Mountain View, and VTA staff

Evaluation Tools

- TCRP Report 131 Analytical Project Delivery Assessment
- Caltrans Modified Quantitative Project Delivery Method Selection



Project Delivery Workshop - Results

Based on this project's **unique features and complexities**

Construction Manager/General Contractor delivery method **most appropriate choice**

Ranking or Scoring Method	Design-Bid-Build	Construction Manager General Contractor
TCRC Report 131 Analytical Method	45	62
Modified Caltrans Qualitative Method	42.2	132.2

CMGC Findings

Reduce Project Costs

Optimize Costs

- Provides total contract price (TCP)
- Provides less competitive leverage on general condition pricing

Secure competitive construction bids

- Owner has an off-ramp to competitively bid the construction phase if TCP agreement not reached with contractor

CMGC Findings

Expedite Project's Completion

Optimize overall schedule

- Achieves reduced delivery time by overlapping traditional DBB procurement tasks

Targeted construction schedule reductions

- Allows for early enabling construction work such as utility relocations and other site preparation work
- Allows for early procurement of long-lead items

CMGC Findings

Provide features not achievable under design bid build method

- Provide **early contractor input** to design to incorporate preferred construction means and methods and phasing
- Allows for **collaboration** between the owner, designer, and contractor to deliver project requirements
- **Early bid packages:**
 - Utility relocation
 - Procurement and/or fabrication of long-lead items
 - Advance bid package for discreet critical path items – like bridge foundations and tunnel sections



CMGC Schedule

Dates	Activity
July 2022	Board approval of CMGC Project Delivery Method
August 2022 – April 2023	RFQ/RFP for Construction Manager General Contractor Services
May 2023	Board approval to award CMGC Contract
June 2023	CMGC Contractor begins review of 65% Design package

Staff Recommendations

- **Make findings** that the use of CMGC will accomplish one or more of the required objectives pursuant to Public Utility Code Section 103395
- **Authorize use** of CMGC project delivery method

Questions



FOR MORE INFORMATION

WWW.CALTRAIN.COM



**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Acting Executive Director
From: Dahlia Chazan, Deputy Chief, Caltrain Planning.
Subject: **Authorize the Executive Director to Execute a Letter of Agreement (LOA) with the Transbay Joint Powers Authority (TJPA)**

Finance Committee Recommendation

Work Program-Legislative-Planning Committee Recommendation

Staff Coordinating Council Reviewed

Staff Coordinating Council Recommendation

Action

Staff recommends that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”):

- 1) Authorize the Acting Executive Director to execute a Letter of Agreement for reimbursement from TJPA to Caltrain for efforts to advance the Downtown Rail Extension project (DTX) in an amount not to exceed \$437,000 in Fiscal Year 2021-2022 (“FY22”), and \$2,883,000 in Fiscal Year 2022-2023 (“FY23”); and
- 2) Authorize the Acting Executive Director or designee to execute any necessary agreements or amendments and take any additional actions necessary to give effect to this resolution.

Significance

Caltrain and TJPA have negotiated a Letter of Agreement (“LOA”) describing the parties’ cooperation to complete all work needed to meet critical milestones in the DTX Accelerated Work Plan and Capital Investment Grant (“CIG”) documentation, and authorizing reimbursement from TJPA to Caltrain for such efforts, while the parties negotiate a longer-term Master Cooperative Agreement (“MCA”) to be included in the TJPA’s August 2023 application to the Federal Transit Administration (“FTA”) Capital Investment Grants (CIG) Program. While the LOA is in place, the parties will negotiate the terms of the MCA by February 2023, with the goal of the full MCA being completed by August 2023.

Budget Impact

The LOA will have a positive impact on the budget. It allows for Caltrain costs directly attributable to this project (up to \$437,000 for FY22 and \$2,883,000 for FY23) to be covered by this project, avoiding pressure on other Caltrain capital and operating budgets. This is the same

arrangement in place between Caltrain and jurisdictions across the corridor engaged in capital project planning and delivery, such as Menlo Park and Sunnyvale.

Background

The completion of the DTX will have a major positive impact on Caltrain service and ridership. It completes the final element of the Transbay Program, which includes the Salesforce Transit Center, completed in 2018, and the creation of a transit-oriented neighborhood around the multi-modal transit hub. A regional priority since 1988, the DTX project will deliver the vision of the program by bringing Caltrain and California High Speed Rail into downtown San Francisco. The environmentally-cleared DTX will extend Caltrain's rail line from the Fourth and King station by approximately 1.6 miles and will provide significantly improved access for Peninsula riders to the North and East Bays, with a nearby connection to BART and San Francisco Municipal Transportation Agency rail services.

In April 2020, Caltrain entered into a Memorandum of Understanding (the "2020 MOU") with the TJPA, Metropolitan Transportation Commission (MTC), California High Speed Rail Authority (CHSRA), City and County of San Francisco (CCSF), and the San Francisco County Transportation Authority (SFCTA) (the project partners). Pursuant to the MOU, these six agencies have agreed to take part in a multi-year effort to ready the DTX for procurement, including activities related to governance, oversight, management, funding, and project delivery. The MOU also established a new organizational structure to support the efforts of the TJPA. An Integrated Program Management Team (IPMT), and an Executive Steering Committee (ESC), both composed of representatives from each of the partnering agencies, meet regularly to advise the TJPA Board on technical and policy matters. Specifically, Acting Executive Director Michelle Bouchard currently serves as the Chair of the DTX ESC, and Caltrain staff are members of the IPMT.

In 2021, the project executed an accelerated master schedule to support a potential 2023 Full Funding Grant Agreement (FFGA) request through the Federal Transit Administration's (FTA's) Capital Improvement Grant (CIG) process. The project was accepted into the FTA's initial Project Development Phase in December 2021. In 2022, the DTX project continues to pursue major milestones related to project development, funding, and public outreach and engagement.

To support and formalize Caltrain's role in the project, Caltrain and TJPA have commenced negotiating an MCA that outlines and confirms each party's responsibility for planning, designing, procuring, constructing, operating, and maintaining DTX. The MCA also meets the FTA requirement that TJPA, as Project Sponsor, completes and secures all critical third-party agreements that are necessary to facilitate the financing, design, permitting, construction, and operation and maintenance of a federally funded capital transit project. Therefore, the MCA must be complete prior to the scheduled commencement of FTA's CIG Engineering Phase in

August 2023. The MCA will address key topics including design support and coordination, right of way, temporary encroachment, permitting, procurement and construction coordination, operations maintenance and rehabilitation, and asset disposition.

As part of Caltrain’s participation in the project since the December 2021 entry into Project Development, Caltrain has incurred consultant costs in FY22 in support of this effort beyond its role on the DTX Executive Steering Committee (ESC) and participation in the DTX Integrated Project Management Team (IPMT). Due to its unique project development related responsibilities as lead transit rail operator, Caltrain has incurred an estimated \$437,000 in consultant costs since DTX’s acceptance into the FTA CIG Program in December 2021. Similarly, in FY23 Caltrain anticipates it will incur an additional \$2.883M, in agency staff and consultant costs in support of DTX. Costs incurred in support of advancing DTX in the CIG program are considered eligible local share to match a future Full Funding Grant Agreement (“FFGA”).

To ensure that these costs borne by Caltrain are reimbursed while the full MCA is being developed, a Letter of Agreement (LOA) between the parties will cover the interim period before the MCA is executed and will authorize the reimbursement of the consultant costs incurred by Caltrain in FY22 and its anticipated agency and consultant costs for FY23. These coordinated efforts are required to ensure that TJPA meets critical milestones in the accelerated work plan and documentation requirements of the FFGA. The LOA was adopted by the TJPA Board on July 14, 2022.

Prepared By:	Anthony Simmons	Director, Systemwide, Stations, and Capital Planning	SimmonsA@caltrain.com
	Dahlia Chazan	Deputy Chief, Caltrain Planning	650-730-6115

**Board Of Directors, Peninsula Corridor Joint Powers Board
State Of California**

* * *

Authorizing Execution Letter of Agreement with the Transbay Joint Powers Authority

Whereas, in April 2020, the Peninsula Corridor Joint Powers Board (JPB) entered into a Memorandum of Understanding (the 2020 MOU) with the Transbay Joint Powers Authority (TJPA), Metropolitan Transportation Commission (MTC), California High Speed Rail Authority (CHSRA), City and County of San Francisco (CCSF), and the San Francisco County Transportation Authority (SFCTA) (the project partners) to take part in a multi-year effort to ready the Downtown Rail Extension (DTX) for procurement, including activities related to governance, oversight, management, funding, and project delivery; and

Whereas, the completion of the DTX will have a major positive impact on Caltrain service and ridership. It completes the final element of the Transbay Program, which includes the Salesforce Transit Center, completed in 2018, and the creation of a transit-oriented neighborhood around the multi-modal transit hub by bringing Caltrain and California High Speed Rail into downtown San Francisco; and

Whereas, in 2021, the project executed an accelerated master schedule to support a potential 2023 Full Funding Grant Agreement (FFGA) request through the Federal Transit Administration's (FTA's) Capital Improvement Grant (CIG) process. To support and formalize Caltrain's role in the project, the JPB and TJPA have commenced negotiating an Master Cooperative Agreement that outlines and confirms each party's responsibility for planning, designing, procuring, constructing, operating, and maintaining DTX; and

Whereas, as part of the JPB's participation in the project since the December 2021 entry into Project Development, the JPB has incurred consultant costs in FY22 in support of this effort beyond its role on the DTX Executive Steering Committee (ESC) and participation in the DTX Integrated Project Management Team (IPMT) and due to its unique project development related responsibilities as lead transit rail operator, the JPB has incurred an estimated \$437,000 in consultant costs since DTX's acceptance into the FTA CIG Program in December 2021. Similarly, in FY23 the JPB anticipates it will incur an additional \$2.883M, in agency staff and consultant costs in support of DTX. Costs incurred in support of advancing DTX in the CIG program are considered eligible local share to match a future Full Funding Grant Agreement ("FFGA"); and

Whereas, to ensure that these costs borne by the JPB are reimbursed while the full MCA is being developed, a Letter of Agreement (LOA) between the parties will cover the interim period before the MCA is executed and will authorize the reimbursement of the consultant costs incurred by Caltrain in FY22 and its anticipated agency and consultant costs for FY23. These coordinated efforts are required to ensure that TJPA meets critical milestones in the accelerated work plan and documentation requirements of the FFGA; and

Whereas, the LOA was adopted by the TJPA Board on July 14, 2022, and staff recommends that the Board authorizes the Acting Executive Director to execute a Letter of Agreement for reimbursement from TJPA to Caltrain for efforts to advance the Downtown Rail Extension project (DTX) in an amount not to exceed \$437,000 in Fiscal Year 2021-2022 ("FY22"), and \$2,883,000 in Fiscal Year 2022-2023 ("FY23"); and

Now, therefore, be it resolved that the Board of Directors authorizes the Acting Executive Director to execute a Letter of Agreement for reimbursement from TJPA to Caltrain for efforts to advance the Downtown Rail Extension project (DTX) in an amount not to exceed \$437,000 in Fiscal Year 2021-2022 (“FY22”), and \$2,883,000 in Fiscal Year 2022-2023 (“FY23”); and

Be it further resolved that the Board of Directors authorizes the Acting Executive Director or designee to execute any necessary agreements or amendments and take any additional actions necessary to give effect to this resolution.

Regularly passed and adopted this 4th day of August 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

Downtown Rail Extension (DTX) Letter of Agreement

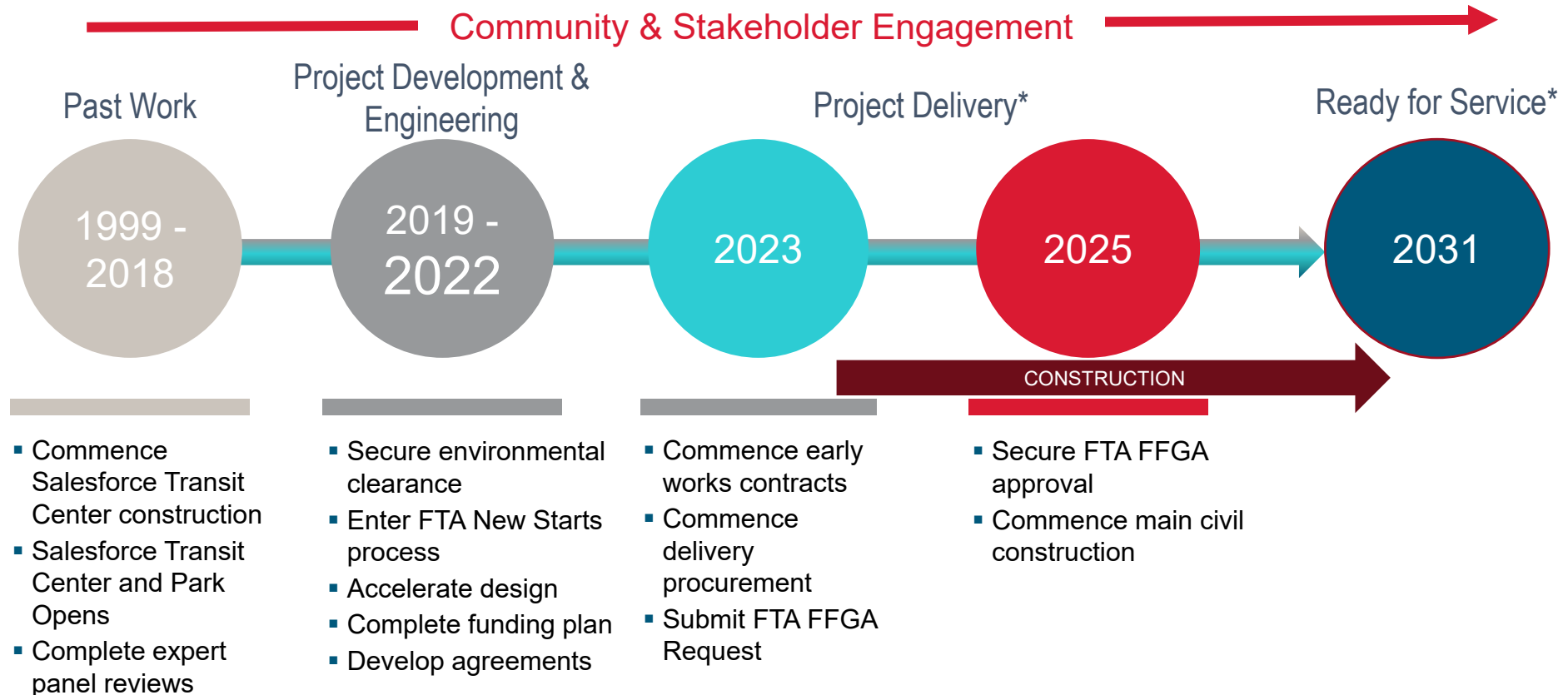


Overview

- Caltrain and the Transbay Joint Powers Authority (TJPA) have been working on a Master Cooperative Agreement (MCA) for the DTX project since May 2022
- The MCA is a complex process that will take up to a year to complete
- The most pressing issue is reimbursement of Caltrain's staff and consultant costs to support the DTX project due to the accelerated pace of the project following acceptance by FTA into the New Starts program in December 2021
- A Letter of Agreement (LOA) was developed as an interim measure to secure reimbursement



DTX's Key Milestone Schedule



* SUBJECT TO FUNDING

Current DTX activities

- Completing the Funding Plan (led by SFCTA)
- Completing the Ridership Analysis (led by SFCTA)
- Developing a re-brand/repositioning of project (led by TJPA)
- Developing a benefits case (led by SFCTA)
- Evaluating governing entity/organization options (led by SFCTA and MTC)
- Evaluating and select a project delivery method (led by SFCTA and TJPA)
- Completing the FTA New Starts Operations and Maintenance Plan (led by Caltrain and TJPA)
- Completing the FTA New Starts Financial Plan (led by TJPA and SFCTA, with Caltrain support)
- Completing the 30% design (led by TJPA, with Caltrain support)
- Negotiating a Master Cooperative Agreement (TJPA and Caltrain)



The Letter of Agreement (LOA)

- Agreement between Caltrain and TJPA
- Serves as an interim agreed payment arrangement until the MCA is executed
- Delivers reimbursement to Caltrain by TJPA for most Caltrain activities supporting the DTX project
- Due to TJPA budget constraints, Caltrain will be reimbursed for FY22 consultant costs only (up to \$437k)
- Caltrain will also be reimbursed for FY23 staff and consultant costs (up to \$2.88m)
- TJPA Board approved the LOA at its July 14, 2022, meeting

Why complete the LOA now?

- Caltrain has contributed executive level staff and planning time for many years, working with partner agencies to advance the DTX project out of planning.
- Now that the project is in the FTA New Starts Program it has entered a new phase, being led by TJPA per State law.
- Caltrain is expending a significant amount of both staff time, with consultant support.
- Caltrain does not have the resources to support externally-led capital projects in this manner on an ongoing basis



The use of reimbursement

- It is standard practice for Caltrain to be paid for its support for projects that are led by others on a cost-recovery basis.
- Paid support usually begins at conceptual planning/design phase.
- Caltrain typically establishes agreements with local jurisdictions and funding partners for these projects.
- Caltrain staff time and consultant costs are covered by the local jurisdictions via these agreements

Caltrain's DTX activities seeking reimbursement are to support a pre-engineering submittal to FTA anticipated in February 2023

Item #7.
8/4/2022

Current DTX activities

- Completing the Funding Plan (led by SFCTA)
- Completing the Ridership Analysis (led by SFCTA)
- Developing a re-brand/repositioning of project (led by TJPA)
- Developing a benefits case (led by SFCTA)
- Evaluating governing entity/organization options (led by SFCTA and MTC)
- Evaluating and select a project delivery method (led by SFCTA and TJPA)
- Completing the FTA New Starts Operations and Maintenance Plan (led by Caltrain and TJPA)
- Completing the FTA New Starts Financial Plan (led by TJPA and SFCTA, with Caltrain support)
- Completing the 30% design (led by TJPA, with Caltrain support)
- Negotiating a Master Cooperative Agreement (TJPA and Caltrain)



Staff recommendation

- Staff recommends that JPB authorize the Acting Executive Director to sign the LOA.
- This will ensure that Caltrain's costs for supporting the DTX are reimbursed.
- Having DTX costs reimbursed by TJPA will mitigate impacts to the balance of Caltrain's budget.



Thank you!

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard, Acting Executive Director
From: Casey Fromson, Chief Communications Officer
Subject: **Metropolitan Transportation Commission (MTC)/Regional Update**

Finance Committee
Recommendation

Work Program-
Legislative-Planning
Committee
Recommendation

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

Action

None

Significance

The Metropolitan Transportation Commission (MTC) provides planning, funding, coordination, and technical assistance to cities, counties, transit agencies, and other partners to bring the region together. The California Legislature created the MTC in 1970 to plan and provide a cohesive vision for the Bay Area's transportation system. The Commission's scope over the years has expanded to address other regional issues, including housing and development.

MTC is actively considering several key policy and funding decisions that affect Caltrain, and staff wants to ensure the Board is apprised of these decisions as well as other regional efforts

Budget Impact

No budget impact.

Key Regional Items this Month

Major Project Advancement Policy

The Major Project Advancement Policy (MAP) is currently being developed by MTC staff to serve as a regional policy to support implementation of Plan Bay Area 2050. It is aimed at delivering the next round of major transportation projects, building off the Bay Area's previous Regional Transit Expansion Program, MTC Resolution No. 3434. For large, regionally significant projects in Plan Bay Area 2050, the MAP will seek to achieve regional coordination on federal, state, and regional discretionary funding requests and develop MTC's role in risk management and ensuring consistency with regional policies.

**Citizens Advisory Committee (CAC)
Peninsula Corridor Joint Powers Board (JPB)
San Mateo County Transit District Administrative Building
Bacciocco Auditorium, 2nd Floor
1250 San Carlos Avenue, San Carlos CA 94070**

Draft Minutes Of July 20, 2022

MEMBERS PRESENT: A. Brandt, R. Jaques (Alternate), R. Kutler, P. Leung, B. Shaw (Chair), JP. Torres, M. Pagee (Alternate, arrived 5:42pm), E. Shapiro

MEMBERS ABSENT: D. Tuzman, L. Klein

STAFF PRESENT: C. Harvey, J. Lipps, J. Navarrete, A. Myles-Primakoff

Due to COVID-19, this meeting was conducted as a teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspends certain requirements of the Ralph M. Brown Act.

Chair Brian Shaw called the meeting to order at 5:40 p.m. and led the Pledge of Allegiance.

APPOINTMENT OF NOMINATING COMMITTEE 2022 VICE CHAIR

A nominating committee was established with three CAC members, Patricia Leung, Emilia Shapiro, and Jean Paul Torres, one from each county. Staff will coordinate a conference call, for the committee to meet and provide a recommendation for Vice Chair.

APPROVAL OF MINUTES OF JUNE 15, 2022

Motion/Second: Leung / Shapiro

Ayes: Brandt, Shaw, Tuzman

Abstain: Brandt, Kutler, Torres

Absent: Tuzman, Klein

PUBLIC COMMENT

Jeff Carter, Millbrae, via Zoom Q&A, suggested having express trains loading on separate platforms to avoid from only offering local service after special events. Jeff suggested the CAC request a report from staff regarding how decisions are made with special event trains. He then shared his experience with the SF Pride parade special event train and stated that the regular service train 225 blew through the Millbrae station without stopping. He then recommended Caltrain make it clear to passengers where and when to pay for parking.

CHAIRPERSON'S REPORT

Chair Brian Shaw reported that CAC members with expiring terms may remain on the committee until reconfirmed or replaced by the Board as the Board action has been delayed and will not see decisions made until September. Chair Shaw then reported that no JPB

meeting was held earlier this month. He then stated that staff is working on updating the Work Plan for future agenda items through the rest of this year. He also mentioned that the CAC meetings will remain online until a decision is made by the Board. Lastly, he shared his observations with fare enforcement. He said that he has noticed passengers without fare are being asked to alight the train, instead of issuing citations. He shared that there is no data reporting these instances and requested a response regarding the change in practice.

COMMITTEE COMMENTS

Member Rosalind Kutler also shared her observation in the change of fare enforcement practice and has seen passengers without fare being asked to alight, instead of being issued a citation. She wondered whether the reasoning had to do with equity. She requested staff to provide a reason for the change in practice.

Member Jean Paul Torres shared that SFMTA has moved away from citation fare enforcement and has adopted a fare compliance, where the passenger is asked to pay the fare.

Member Adrian Brandt shared information regarding fare enforcement practices with other agencies and is disappointed that Caltrain has moved away from the citation issuing practice and requested staff to provide additional details regarding the changes. Lastly, he reported a quiet zone study has been approved by the City of Menlo Park.

Chris Harvey, Manager, Rail Operations reported that the policy has not changed and will address the matter. He then stated that he will work with the Chair to agendize a Proof of Payment Policy presentation for a future meeting.

Chair Shaw shared that there are two important issues to consider; dealing with COVID exposure and equity concerns and understand the balance.

NEW CALTRAIN WEBSITE UPDATE

Jeremy Lipps, Manager - Digital, presented the New Caltrain Website presentation. The full presentation can be found on caltrain.com.

Committee Comments:

Chair Shaw stated that occasionally when using the schedule format, the page does not load and remains on the title page.

Member Patricia Leung finds the schedule page very handy. She suggested changing the color of the arrows on the live map page since they currently blend in.

Member Emilia Shapiro asked whether there will be future iterations. Mr. Lipps stated that the current version is mostly set, however invites feedback.

Member Kutler shared that the Twitter alerts are very helpful. She then reiterated Member Leung's suggestion to look at the visuals in the live map as it is difficult to see the visuals.

Member Brandt stated that there is no link to view the latest News Releases on the website.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, asked whether it is possible to indicate the train numbers on the live map. He then mentioned that it is more difficult to find reports, surveys, ridership, etc. and now needs to use the search function to find those items. Lastly, he stated that it is difficult to locate the meeting information as well. He then requested additional Clipper details on Key Performance Reports and ridership reports on the website.

Drew, via Zoom Q&A, asked whether he would need to resubscribe to the notification lists as he is not receiving any notifications. He then stated that under advisory committees, it should not be alphabetized and instead listed by what links are clicked on the most. He then mentioned that the way the meetings are listed are convoluted. Mr. Lipps reported that the notification lists are not ready to be resubscribed to and stated that he would look at the way the meetings are listed.

Chair Shaw requested Mr. Lipps to return to the CAC with updates next year.

STAFF REPORT UPDATE

Chris Harvey, Manager, Rail Operations reported (The full report can be found on caltrain.com):

Mr. Harvey reported an update to the staff report in the packet provided. Updates reflected below.

On-time Performance (OTP) –

- **June:** The June 2022 OTP was 85% compared to 91.5% for June 2021.
 - **Vehicle on Tracks** – There were three days, June 1, 28 and 30, with a vehicle on the tracks, of which two caused train delays.
 - **Mechanical Delays** – In June 2022 there were 1381 minutes of delay due to mechanical issues compared to 329 minutes in June 2021.
 - **Vehicle Strike** – There was a vehicle strike on June 19, resulting in a non-fatality.
- **May:** The May 2022 OTP was 78.1% compared to 90.2% for May 2021.

Mr. Harvey also reported that on Saturday, July 16, 2022, Caltrain successfully completed EMU clearance testing in segment four and will continue additional clearance testing through San Francisco.

Committee Comments:

Member Brandt asked about the grass fires that occurred in June. Mr. Harvey stated that the cause was due to debris caught under a truck. He reported that adjustments were made and anticipates this issue will not reoccur.

Chair Shaw noted that The Caltrain June 2022 Ridership Graphs are unavailable for this month.

Public Comments:

None

JPB CAC Work Plan

August 17, 2022

- Caltrain Service Planning Update
- Broadband Update

September 21, 2022

- Rail Safety Education & Suicide Prevention Update
-

October 19, 2022

- Rengstorff Grade Sep Project
-

November 16, 2022

-
-

December 21, 2022

-
-

Suggested Items:

- Go Pass cost per ride factors – requested by Chair, Brian Shaw on 6/19/19
- San Mateo County Climate Action Plan – requested by Member Rosalind Kutler on 10/16/19
- MTC Means-Based Discount Fare program update
- Caltrain connections with other agencies – requested by Member Rosalind Kutler on 12/18/19 and Alternate Member Rob Jaques on 12/15/21
- Update on grade crossing pilot six months after installation – requested by Member, Patrick Flautt on 12/18/19

- Operating Costs – requested by Member Adrian Brandt on 2/13/20
- Rail Corridor Use Policy – requested by Member Anna Dagum on 10/21/20
- Industry Safe Functionality
- Blue Ribbon Task Force
- Clipper Data Availability
- Construction Obstacles
- Wireless Solution Technology – requested by Member Adrian Brandt on 12/8/21
- Redwood City Station Development - requested by Member Adrian Brandt on 12/8/21
- Dual speed check installation/Constant Warning, Downtown Extension, elevated four track station, future Dumbarton Rail extension and the Google campus being planned at the Diridon station, PCEP project wireless overlay system and level boarding and the status of fully vaccinated staff - requested by Member Adrian Brandt on 12/15/21
- Transit Oriented Development & historic station preservation outreach - requested by Member Patricia Leung on 12/15/21
- Equity evaluation on the most recent schedule change and Go Pass qualification requirements - requested by Member Rosalind Kutler on 12/15/21
- Staffing structure, Governance Update, Visual Messaging Display rollout plan, Equity Plan implementation/update and periodic updates from Government Affairs regarding funding sources and how infrastructure bills may impact Caltrain - requested by Member David Tuzman on 12/15/21
- Caltrain Wayfinding improved, specifically with single tracking - requested by Member Jean-Paul Torres on 12/15/21
- Conductor’s communication tools and how they may interface with the public. Regional trip planning and availability for riders that do not have access to mobile devices - requested by Alternate Member Melody Pagee on 12/15/21
- Distance-based fares on Caltrain. Deep dive on it from a practical standpoint - requested by Chair, Brian Shaw on 12/15/21
- iPhones for Conductors
- Constant Warning
- Engineering Standards
- Brainstorming sessions for Conductor iPhone applications
- CAC role in Measure RR oversight update

DATE, TIME, AND LOCATION OF NEXT REGULAR MEETING:

The next meeting will be August 17, 2022, at 5:40 pm, via Zoom (additional location, if any, to be determined).

Adjourned at 6:43 pm.



Memorandum

Date: July 25, 2022
To: Board of Directors
From: Michelle Bouchard, Acting Executive Director
Subject: August 4, 2022, JPB Board Meeting Executive Director's Report

- **On-time Performance**

- **Through July 24:** The preliminary July 2022 OTP was 93.2% compared to 90.2% for July 2021.
 - **Trespasser Strikes** – There were two trespasser strikes on July 7 and July 23, both resulting in fatalities. The strike on the 7th caused 2 trains terminated, 3 trains annulled and 17 additional trains delayed. The strike on the 23rd caused 1 train terminated and 6 additional trains delayed.
- **June:** The June 2022 OTP was 85% compared to 91.5% for June 2021.
 - **Vehicle Strike** – There was a vehicle strike on June 19, resulting in non-fatalities.

- **CAC Meeting** – The Citizens Advisory Committee met on Wednesday, July 20, via teleconference. Jeremy Lipps, Digital Communications Manager provided a presentation on the Caltrain Website. Chris Harvey, Manager – Rail Operations, provided the Staff Report. The next CAC meeting is scheduled for Wednesday, August 17, via teleconference.

- **BATAC Meeting** – The Bicycle & Active Transportation Advisory Committee met on Thursday, July 21, via teleconference. Kim Wever, C/CAG provided a presentation on Micromobility Study. Malahat Owrang, Redwood City, provided a presentation on Redwood City's Active Transportation Updates. Lori Low, Government & Community Affairs Officer provided the Staff

Report. The next BATAAC meeting is scheduled for Thursday, September 15, via teleconference.

- **Special Event Service**

- **Services Performed:**

- Following is a summary of special event services provided.

- **San Francisco Giants** – The SF Giants hosted fourteen games in July.

- In June, average ridership per game, boarding and alighting at San Francisco station, was 4,852. Total ridership for June was 67,921.

- Caltrain will provide one post-game express train for evening games on weekdays and weekends. The train departs San Francisco 15 minutes after the last out or when full, making its first stop Millbrae followed by local stops to San Jose Diridon. Fans wishing to reach stations between San Francisco and Millbrae should take a regularly scheduled train. Staff will continuously monitor the service throughout the season and make adjustments to accommodate the crowds as needed.

- **Golden State Warriors Play-offs** – The Warriors hosted three NBA Finals games in June. Ridership boarding at San Francisco station was 2,289. Average gross ridership per game was 763.

- **Golden State Warriors Championship Parade** – On June 20, Caltrain operated a regular weekday schedule that accommodated the large crowds who came into San Francisco to participate in the Golden State Warriors Championship Parade. Total gross ridership, pre and post-event, was 17,936.

- **SF Pride Parade** – On June 26, Caltrain operated two additional pre-parade train service and deployed extra southbound service. Total gross ridership, pre and post event, was 11,096.

- **Independence Day Holiday** – On Monday, July 4, Caltrain operated a Weekend schedule in observance of the Independence Day holiday. Additional southbound post-fireworks train service were provided for those attending the festivities in San Francisco. The last southbound train departed San Francisco at 12:05 a.m.

Services Scheduled:

- **San Francisco Giants** – The SF Giants will host thirteen regular season games in August.
- **SF 49ers Pre-Season** – The 49ers will host one pre-season home game at Levi's Stadium on Saturday, August 12. Caltrain will operate a regular Weekend Schedule to and from the game.
- **Labor Day** – On Monday, September 5, Caltrain will operate a Weekend Schedule in observation of the Labor Day Holiday.

● **Capital Projects**

The Capital Projects information is current as of June 30, 2022, and is subject to change between June 30 and August 4, 2022 (Board Meeting).

- **South San Francisco Station Improvements:** This project replaces the existing side platforms with a new centerboard platform, construction of a new connecting pedestrian underpass to the two new plazas in downtown South San Francisco to the west and the shuttle area to east.

New Ramps, the West Plaza, and the pedestrian underpass were opened to passengers on January 13, 2022. Shuttle service was moved from the parking lot to its new permanent location on Poletti Way on January 24, 2022. The parking lot was patched, resealed and re-striped. The ribbon cutting ceremony that was delayed due to COVID precautions was held on April 8, 2022. Decorative stainless-steel panels will be installed when the material arrives, on the "Art Wall" within the pedestrian tunnel. Replacement variable message signs on the station platforms, to replace those that were water-damaged, will also be installed when the units arrive on-site. Other minor "punch list" work items remain which will be completed over the next several months to close out the project

- **Burlingame Broadway Grade Separation Project:** This project will grade separate the railroad alignment at Broadway, between Carolan and California Avenues, in the City of Burlingame and remove the current at-grade crossing. As part of this project, the Broadway Station will become elevated and the hold-out rule at this station will be eliminated, improving operational efficiency.

The City of Burlingame is the project sponsor with Caltrain acting as the lead agency for implementation. Currently, the project is funded for only the design phase through local funds (San Mateo County Transportation Agency Measure A and the City of Burlingame).

The current schedule forecasts advertisement for construction by late-2023. Construction is scheduled to occur from early 2025 to mid-2028. The team is evaluating the potential use of the Construction Manager/General Contractor (CM/GC) project delivery approach, to address project risk and site constraints. If CM/GC is chosen, the schedule for the

- **Guadalupe River Bridge Replacement:** JPB proposes to replace the MT-1 railroad bridge and extend and seismically retrofit the MT-2 railroad bridge over the Guadalupe River in the City of San Jose, Santa Clara County, California. The proposed project is located just north of Willow Street and east of State Route (SR) 87 between the Tamien and San Jose Diridon stations.

The total project cost is estimated at approximately \$52.2 million and has reached 100% design completion. Bid advertisement took place in June 2022 with expected Board award of contract in Fall 2022.

The primary issue facing this project is the resolution of budget issues with Union Pacific Railroad (UPRR). Per the Trackage Rights Agreement, a binding arbitration hearing was held in December 2021. A preliminary ruling was rendered by the Arbitration Panel with certain matters still pending resolution.

- **Rengstorff Avenue Grade Separation:** JPB in partnership with the City of Mountain View propose to grade separate the existing at-grade Caltrain tracks from the roadway crossing at Rengstorff Avenue in the City of Mountain View. This project will help improve public safety for pedestrians, cyclists, vehicles, and trains while improving the overall traffic flow and travel reliability.

The project entails constructing a new fully depressed intersection, major grading work, new paving and bicycle lanes with special barriers, retaining walls, new elevated railroad tracks and pedestrian bridges, utility relocation, drainage and pump station facilities, and landscaping.

The 35% design is currently under review after submittal in April 2022. An RFP for Final Design services and another potentially for a CM/GC contractor is anticipated in late 2022. The preliminary total budgeted cost is approximately \$280 million. Most of the funds will come from the City of Mountain View (thru VTA-Measure "B" sales tax), State, Federal, local, and other grants.

Construction is expected to start in early 2025, pending securing funds, with substantial completion forecasted in late 2027.

- **Ticket Vending Machine (TVM) Upgrade:** This project will upgrade the existing TVM Server and retrofit and refurbish existing TVM machines to include functions planned for the Clipper program. The new machines will be able to dispense new Clipper cards (excluding discount Clipper cards that require verification of eligibility) and allow customers to add value to existing Clipper cards. In addition, the scope was increased to include upgrades to the credit card reader and database.

Phase 1 was completed in October 2020 to develop a prototype Clipper TVM. Phase 2 for retrofitting 12 additional TVM's was completed in March 2021. Phase 3 for 21 TVM's that was delayed due to supply chain issues is now complete. Phase 4 for upgrading another 27 TVM's commenced in March 2022 with completion expected by the end of 2022. Phase 5 funds to upgrade the remaining 27 TVM's (contained in the FY22 Capital Budget) are not yet available.

- **Clipper Next Gen Validators Site Preparation:** This project will prepare the stations with electrical power for the installation of the Clipper Next Gen Validators to be installed by MTC/Cubic. The contract was awarded to BECI Electric at the February 2022 JPB Board meeting. The contractor completed the administrative period in late April 2022. Construction has started with an anticipated substantial completion by late 2022.
- **Mary and Evelyn Avenue Traffic Signal Preemption Project:** This project will perform upgrades to train approach warning systems at Mary Avenue and Evelyn Avenue crossings in Sunnyvale. The project will improve vehicle safety at the at-grade crossings by increasing traffic signal advance warning times for approaching trains in order to clear vehicles at the crossings.

JPB completed their portion of construction in June 2021. The City's contractor completed their construction at the end of April 2022. Integrated testing with the City of Sunnyvale's traffic controller began in May and was completed in June 2022.

- **Churchill Avenue Grade Crossing Improvements:** This project will improve safety, pedestrian and bicycle access to the Churchill Avenue crossing in the City of Palo Alto. The project scope includes widening sidewalks, associated relocation of pedestrian gates, and installing new vehicle pavement markings and markers. This project is coordinated with the City of Palo Alto's own design for the crossing.

The project began in December 2019. The 100% design was received in October 2021. JPB's Issue for Bid documents are awaiting the California Public Utilities Commission (CPUC) approval of the City of Palo Alto's portion

of the contract documents so that advertisement for bids can proceed. Construction forecasted to occur from January 2023 to December 2023.

- **Broadband Wireless Communications:** This project will provide wireless communication systems to enhance railroad operations and maintenance capabilities and provide Wi-Fi capability for passengers. This project is partially funded through a Transit and Intercity Rail Capital Program (TIRCP) grant as well as through a FY2023 capital budget allocation.

Proposals were received at the end of December 2021 and were reviewed by an Evaluation Committee at Caltrain and followed by interviews with shortlisted proposers. System demonstrations of their proposed systems within the Caltrain corridor were conducted in April and May 2022. Contract negotiations are in process. Contract award is anticipated in September 2022. Design and Construction is planned from October 2022 until June 2024.

- **Bayshore Station Bridge Painting:** This project will perform rehabilitation of the coatings of the existing steel pedestrian overpass bridge at the Bayshore Station in Brisbane. The bridge's paint coatings are in need of rehabilitation due to surface rust. This work combined with a complete repainting of the bridge will bring the structure to a state of good repair.

Bids were received on January 14, 2022, and an evaluation by JPB was completed. Award of the construction contract was completed in April 2022. The contractor is currently in the 60-day administrative period prior to commencement of construction. Construction is expected to commence in Spring/Summer 2022 and complete in late 2022.

- **Mountain View Transit Center Grade Separation and Access:** JPB Environmental Planning group obtained environmental clearance for the Project through the California Environmental Quality Act (CEQA). The Board adopted the CEQA Determination and awarded the Final Design Contract in June 2022.

In Summer 2022, staff will seek authorization from the Board to proceed with the Construction Manager/General Contractor (CM/GC) alternative contract delivery method that is expected to accomplish the following objectives: 1) reduce project costs, 2) expedite the project's schedule, and 3) provide contracting flexibility and options not available through a traditional design-bid-build method. Staff will also seek Board authorization to amend the existing cooperative agreement with the City of Mountain View and VTA to increase the budget for CM/GC pre-construction services and other associated items. Upon execution of the cooperative agreement, staff will

seek Board authorization to amend the project budget and FY23 capital budget.

- **Watkins Avenue Grade Crossing Improvements:** This project includes the design and construction of four quadrant (“quad”) gates at the Watkins Avenue Grade crossing located in Atherton, California. This project is related to the executed Memorandum of Understanding (MOU) regarding the ‘Town of Atherton Station Closure’ between the Town and Caltrain.

In July 2021, a work directive was issued to the design consultant to complete final design activities. JPB staff including, Engineering and Maintenance, conducted a kick-off meeting with Town of Atherton staff regarding scope, schedule, and input for the conceptual design. The 100% design is now in progress for completion in the Summer 2022.

The current schedule forecast reflects a construction period from January 2023 to December 2023, which complies with executed MOU terms. The Town of Atherton has submitted to the Federal Railroad Administration a Notice of Intent to expand the existing Fair Oaks Lane Quiet Zone to include Watkins Avenue

- **South Linden Avenue and Scott Street Grade Separation:** The South Linden Avenue and Scott Street Grade Separation Project is proposed to improve safety and decrease expected future traffic delays due to growth in vehicle traffic, greater frequency of Caltrain service, and the eventual addition of high-speed rail. South Linden Avenue is in South San Francisco; Scott Street is in San Bruno. Although located in different cities, the two grade separations are proposed to be undertaken as a combined effort. Since the two crossing locations are located only 1,850 feet apart, the grade separation of one crossing could affect the other.

Project began the Preliminary Engineering/Environmental Clearance (PE/EC) Phase. Continued drafting the RFP for Preliminary Engineering design consultant with expected award at December 2022 board meeting.

- **San Mateo Grade Crossing Improvements:** This project will install four quadrant (“quad”) gates at the grade crossings at 4th and 5th Avenues in San Mateo.

The 100% design is complete; awaiting the City of San Mateo to finish their design in Spring 2022. Procurement is scheduled to begin following integration of the City’s design into the bid documents for procurement with construction planned for 2023.

- **MP-36 Locomotive Mid-Life Overhaul Project:** This project involves performing mid-life overhaul of six MP-36-3C Locomotives. The mid-life overhaul includes complete disassembly of the main diesel engine, overhauling by reconditioning re-usable main frame components and re-assembly with new engine components and replacement of Separate Head-End Power (SEP-HEP) unit and all electrical components of the SEP-HEP compartment. All areas of the locomotive car body, trucks, wheels and electrical components shall be reconditioned to like-new condition or replaced with new material. The project work is occurring off-site at the contractor's facility location. The 6 locomotives to be overhauled are Locomotive #'s 923, 924, 925, 926, 927 & 928. In order to maintain daily service, only 1 to 2 of these locomotives are released at a time for overhaul work that is expected to take approximately 8 months per locomotive. Due to this restriction, the overall completion of this work is expected to take approximately 4 years.

The first vehicle #927 was shipped to the vendor's (Alstom) facility at Mare Island (Vallejo) in July 2020 for overhaul and was returned to Caltrain in December 2021. The 927 is now in full service. Vehicles #924 and #925 are at Mare Island and is undergoing rehabilitation. Vehicles # 923, 926 and 928 are scheduled for rehabilitation beginning in June 2022, November 2022 and April 2023, respectively.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard
Acting Executive Director
From: Pranaya Shrestha
Chief Officer, Caltrain Modernization Program
Subject: **Peninsula Corridor Electrification Project Monthly Progress Report**

Finance Committee Recommendation Work Program-Legislative-Planning Committee Recommendation Staff Coordinating Council Reviewed Staff Coordinating Council Recommendation

Action

Staff Coordinating Council recommends the Board receive the Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report (MPR).

No action required.

Significance

Staff prepares and submits a report covering the PCEP monthly.

Budget Impact

There is no impact on the budget.

Background

The MPR is intended to provide funding partners, stakeholders, and the public a PCEP overview and an overall update on project progress. This document provides information on the scope, cost, funding, schedule, and project implementation.

Prepared By: Pranaya Shrestha Interim Chief Officer 720.757.9191
Caltrain Modernization Program



Caltrain Modernization Program Peninsula Corridor Electrification Project (PCEP)



Executive Monthly Progress Report

June 30, 2022

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TABLE OF CONTENTS

1.0 Executive Summary1-1

 1.1 Introduction1-1

 1.2 Program Cost and Budget1-1

 1.3 Program Progress and Schedule1-1

 1.4 Change Management Board (CMB)1-1

 1.5 This Month’s Accomplishments1-1

 1.6 Upcoming work1-2

 1.7 Critical Items1-3

2.0 Safety2-1

3.0 Program Schedule3-1

 3.1 Introduction3-1

 3.2 Critical Path3-3

 3.3 Schedule Issues3-4

 3.4 Contract Milestones3-4

4.0 Cost and Budget4-1

 4.1 Introduction4-1

 4.2 Program Budget and Cost4-1

 4.3 Program Shared Risk Pool and Contingency4-2

 4.4 Electrification Design Builder Contract Incentives4-4

 4.5 Program Cash Flow and Funding4-5

 4.6 Issues4-5

5.0 Change Management5-1

 5.1 Introduction5-1

 5.2 Change Orders5-1

 5.3 Issues5-2

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1.0 EXECUTIVE SUMMARY

1.1 Introduction

The Peninsula Corridor Electrification Project (PCEP) will upgrade 51 miles of diesel service to electrified service from San Francisco to San Jose (Tamien Station). The PCEP scope of work includes design and construction of an overhead contact system, traction power facilities, modification of the existing signaling and grade crossing protection system to make it compatible with the electrified railroad, substation improvements at Pacific Gas and Electric (PG&E) substations, and modifications at existing tunnels and Caltrain's maintenance facility. It also includes the design, manufacturing, assembly, testing, and delivery of the Electric Multiple Units (EMUs).

Caltrain rebaselined the program budget and schedule in December of 2021. Caltrain completed a thorough assessment of all aspects of the program including cost, schedule, risks and organization. Caltrain is committed to deliver PCEP and achieve revenue service in September of 2024.

1.2 Program Cost and Budget

On December 6, 2021, the JPB adopted a new PCEP program budget of \$2,442,690,697. As of June 2022, the project is on budget:

- The current project total cost at completion (EAC) is the same as Board adopted budget of \$2.44 billion.
- As of June 2022, a total of \$756,460 has been drawn down from the Shared Risk Pool of \$50 million.
- As of June 2022, \$132,365 was drawn from project contingency of \$40 million.
- There is no new award of the Project incentive pool of \$18.5 million.

1.3 Program Progress and Schedule

As of June 30, 2022, the overall project completion is 72.65%. The current program schedule is still on track with PCEP's substantial completion date of April 2024 and Revenue Service by September 2024.

1.4 Change Management Board (CMB)

In June 2022, the following change order was submitted for CMB approval:

CMB approved:

- Drill Tech Foundation Issue Resolution Log Settlement in the amount of \$868,103 .
- Tree Trimming and Removal Allowance Adjustment and Conversion to Lump Sum Issue Resolution Log in the amount of \$900,000.

1.5 This Month's Accomplishments

The project team has completed the following notable activities for the month of June 2022:

- There were zero reportable injuries for this month. All contractors and subcontractors continue to have COVID-19 plans in place that meet federal, state and local requirements.

- Established safety special task force working group including TASI, Rail Operations and PCEP to address communications, process and procedure improvements.
- Continued to bring on experienced, qualified resources to fill key management positions for PCEP delivery. This month, the management team interviewed a Quality Assurance Manager and a Document Controls Manager.
- Submitted Single-Phase Study for TPS 2 to PG&E.
- TPS 2 battery was successfully tested on June 30, 2022.
- Performed scheduling workshop for program reforecast effort with focus on remaining OCS construction and energization of Segment 3 in spring of 2023.
- Held PCEP Executive and Project Team Partnering session.
- Completed Project Document Control assessment.
- Performed TPS 2 and PS7 punch list walkthrough and completion of Segment 4 completion joint walk-through and punch list.
- Continued Roadway Worker Protection (RWP) Safety rule and procedural training.
- Continued providing PCEP progress updates to funding partners, leadership, elected officials, citizens, and business community.
- Continued EMU Static Testing on the first two trains.

1.6 Upcoming work

For the next six months, the PCEP team has set additional goals as described below:

- Develop and finalize Segment 4 energized rail isolation and protection procedure.
- Rollout OCS awareness training for all Caltrain staff, TASI, and contractors prior to Segment 4 energization.
- Continue to hold CMB and PCEP partnering sessions and finalize procedures for the implementation of the Configuration Management Board from the Funding Partners Oversight Protocol.
- Continue to hold Executive and Project Team Partnering session.
- Finalize TPS 2 Single Phase Study.
- Execute transmission operating load agreement (TOLA) with PG&E.
- Finalize Program Management Plan (PMP) based on FTA/PMOC comments.
- Energize TPS 2 on August 27, 2022 and commence OCS testing under power.
- Segment 4 energization and commence System Integration Testing and EMU Trainset 3 commissioning.
- Implement joint task force quality audit findings.
- Continue pursuing federal and local grants to close the funding gap.
- Hold Monthly CMB meeting for program status and change order approval.
- Continue issues resolution practice and monitor shared risk pool.
- Perform project reforecast effort with Design Builder with focus on OCS installation and wiring sequences; energize Segment 3 by next spring to allow 24 miles track to be electrified for EMU testing for Caltrain.

The PCEP Project is currently on budget and on time for achieving Revenue Service in September of 2024.

1.7 Critical Items

As of June 2022, the top critical items and related actions are highlighted below.

Table 1-1. Critical Issues and Actions

Critical Issues	Actions
<p>Overhead Contact System (OCS) installation delay due to low productivity</p> <p>Note: The project OCS work was on hold from March 10, 2022, to March 28, 2022 during the safety stand down.</p>	<ul style="list-style-type: none"> • Additional BBII OCS crew training for regulation and variance in the OCS design / installation due to re-design & accommodations to resolve foundation Differing Site Conditions (DSC) issues. • Hiring additional BBII OCS staff members to prevent schedule slippage and help in future installation planning. • Hold OCS construction scheduling recovery workshop for remaining OCS installation and testing.
<p>Timely completion Traction Power Substation (TPS) 2 battery replacement, timely completion of Single-Phase Study and execution of PG&E Transmission Operating Load Agreement (TOLA) will impact Segment 4 energization to OCS/TPS Commissioning and EMU Testing (on target to complete this task; expected to retire this risk next month).</p>	<ul style="list-style-type: none"> • The technical team meets with PG&E weekly to finalize the number of cases required to complete the Single-Phase Study. It was submitted to PG&E for review – COMPLETED. • Expedite battery replacement effort, choose battery enclosure option, and completed PG&E witness testing on June 30, 2022 – COMPLETED. • Additional resources have been brought in to expedite Single-Phase Study effort. • Caltrain leadership met with PG&E representatives to outline the path forward. Both management teams meet weekly to track the status. • Caltrain and PG&E jointly reviewed TOLA comments and will finalize agreement by June 2022.
<p>Timely completion of Segment 2 Signal/2SC cutover</p>	<ul style="list-style-type: none"> • Perform comprehensive cutover planning; develop and track dashboard for each cutover, including design submittal, duct bank completion, flagger needs. • Work closely with Rail Operations to maximize track access. • Advance notification to the public on train schedule service changes for weekend shutdown.
<p>Funding of \$410 million program gap</p>	<ul style="list-style-type: none"> • Special task force is in place to identify federal and state grant opportunities to pursue. • Targeted advocacy is ongoing. • Prepare earmarks grant scope and application.
<p>Equipment procured and installed (e.g., wayside cubical batteries and TPS cables) are not in compliance with contractual requirement or not in compliance with issue for construction (IFC) design</p>	<ul style="list-style-type: none"> • Assigned focus group including technical lead and delivery director for issue resolution. • Commenced joint task force (designer, builder and PCEP Team) for quality audit with focus on wayside equipment and TPS; findings reported out and currently going through project QA process. • Timely address design change notice and design variance requests. • Perform root cause analysis and correction actions to avoid future mishaps.
<p>Lack of field railway worker in charge (RWIC) for increased work crews</p>	<ul style="list-style-type: none"> • Design-builder brought in more watchmen for off-track work. • TASI to expedite RWIC hiring and training. • Explore third party field resource procurement path. • Assess operational impact for expanding work limits with track and time.

2.0 SAFETY

There were zero reportable injuries for June, but we have not received the monthly hours for the month. The Reportable Injury Rate (RIR) for 2022 through May is at 2.08.

The Balfour Beatty Utility Strike Avoidance Policy and training program was implemented in June 2022 to mitigate future occurrences. The project team also investigated incidents during the month involving a Roadway Worker Protection rules violation, minor first aid injury, and EMU coupler damage sustained at the maintenance facility (CEMOF).

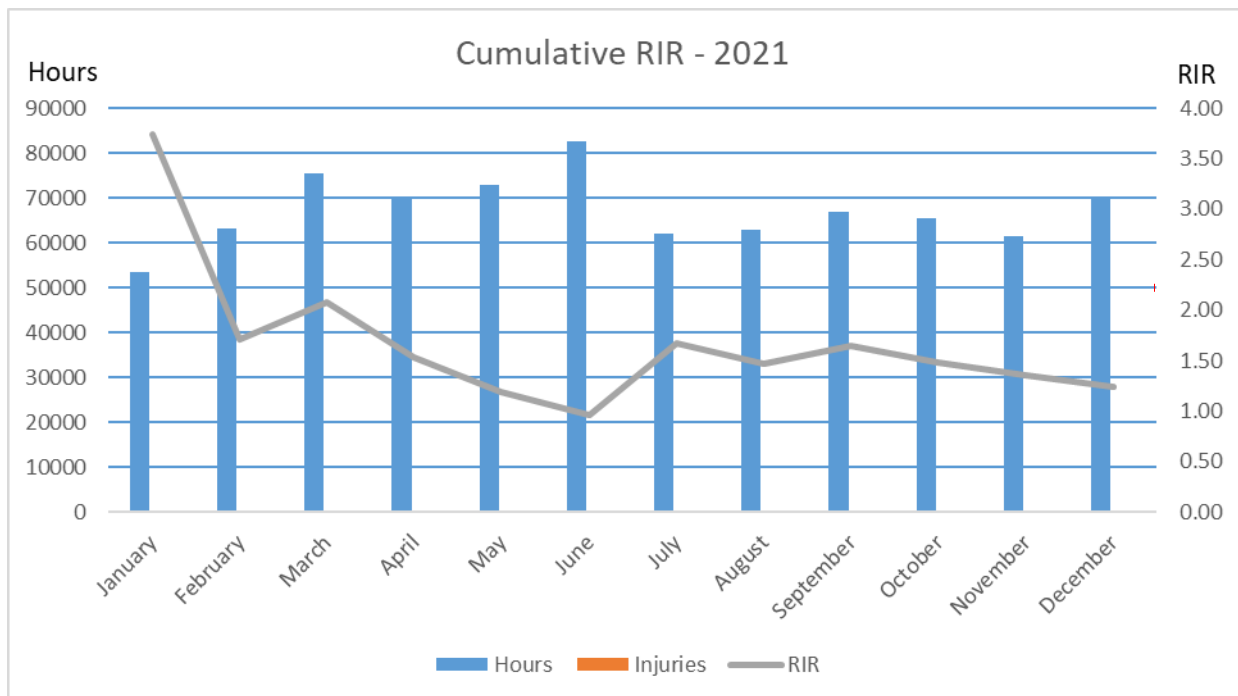


Figure 2-1. Cumulative project Reportable Injury Rate (RIR) for 2021

2.1.1 Completed Work

Safety staff continues to coordinate with contractors to identify opportunities to improve safety performance. Organizational-wide safety briefings are being performed to ensure staff understand the application of post incident mitigation measures including rules and procedural changes designed to enhance safety. Project Safety continues to reinforce jobsite safety practices throughout the Caltrain alignment, investigate incidents, and identify mitigation measures to prevent re-occurrences. Safety project coordination meetings continue to be conducted monthly to promote a clear understanding of project safety requirements.

2.1.2 Upcoming Work

The Fire/Life Safety Committee continues to work with the San Jose and Santa Clara Fire Departments on Emergency Preparedness in preparation for the energization of Segment 4. The safety team is coordinating with Operations and the EMU team to develop an emergency responder safety familiarization EMU presentation. Once completed, the presentation will be shared with emergency responder jurisdictions through the project Fire/Life Safety Committee.

3.0 PROGRAM SCHEDULE

3.1 Introduction

PCEP has a Master Program Schedule (MPS) which illustrates the timeline of majorelements of the PCEP program depicted in **Figure 3-1**.

The Electrification Substantial Completion Date is forecast by April 1, 2024 based on design-builder June 2022 progress schedule update. The Revenue Service Date (RSD) date remains on September 26, 2024, with 6 months schedule contingency.

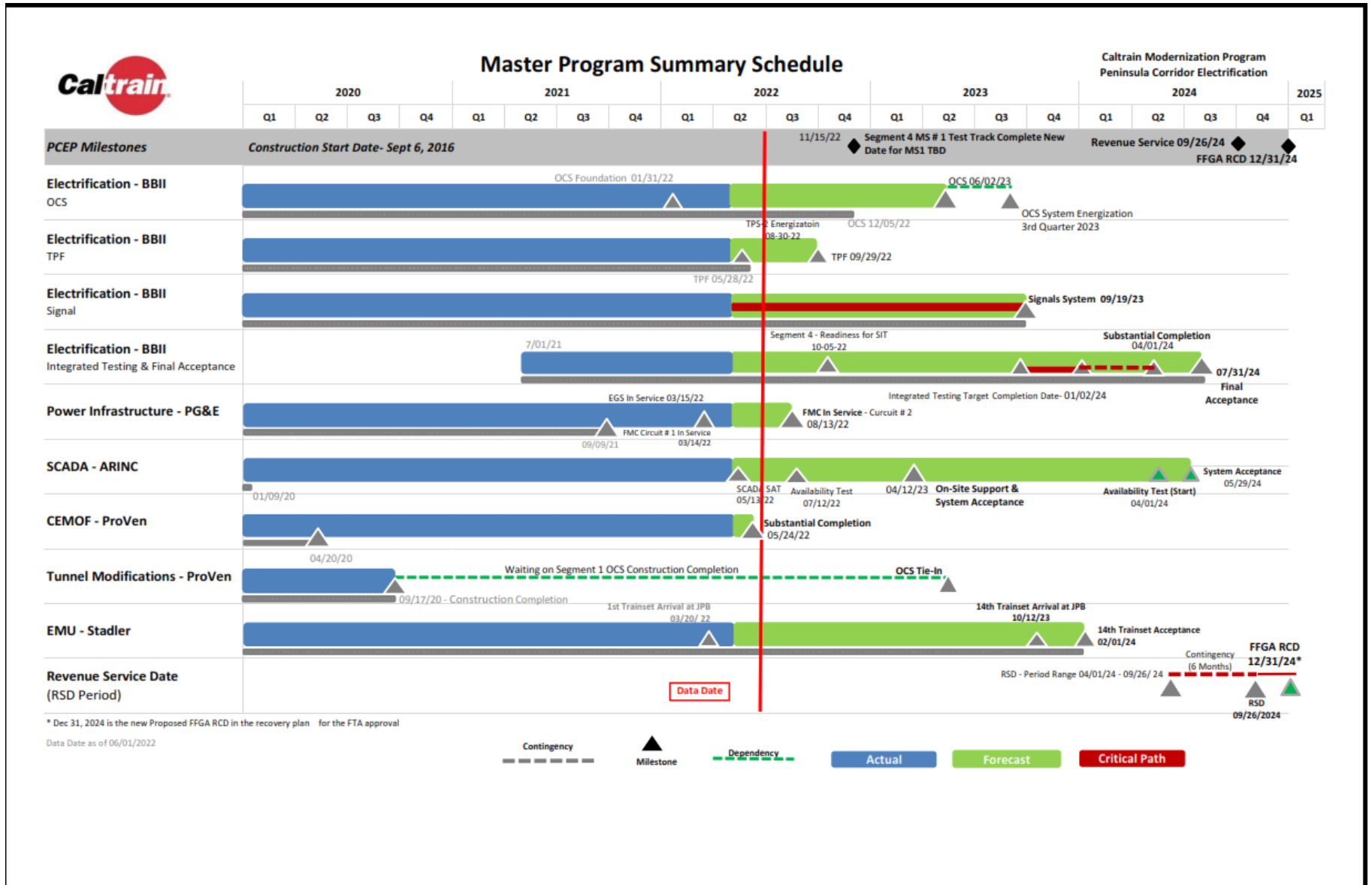


Figure 3-1. Master Program Summary Schedule

3.2 Critical Path

The current critical path for PCEP continues to run through the design, installation, and testing of the signal and crossing modifications required to make the signal system compatible with the electrified railroad, followed by integrated testing and cutover.

As of June 30, 2022, the overall delay to the critical path is 0 days compared to the project re-baseline schedule.

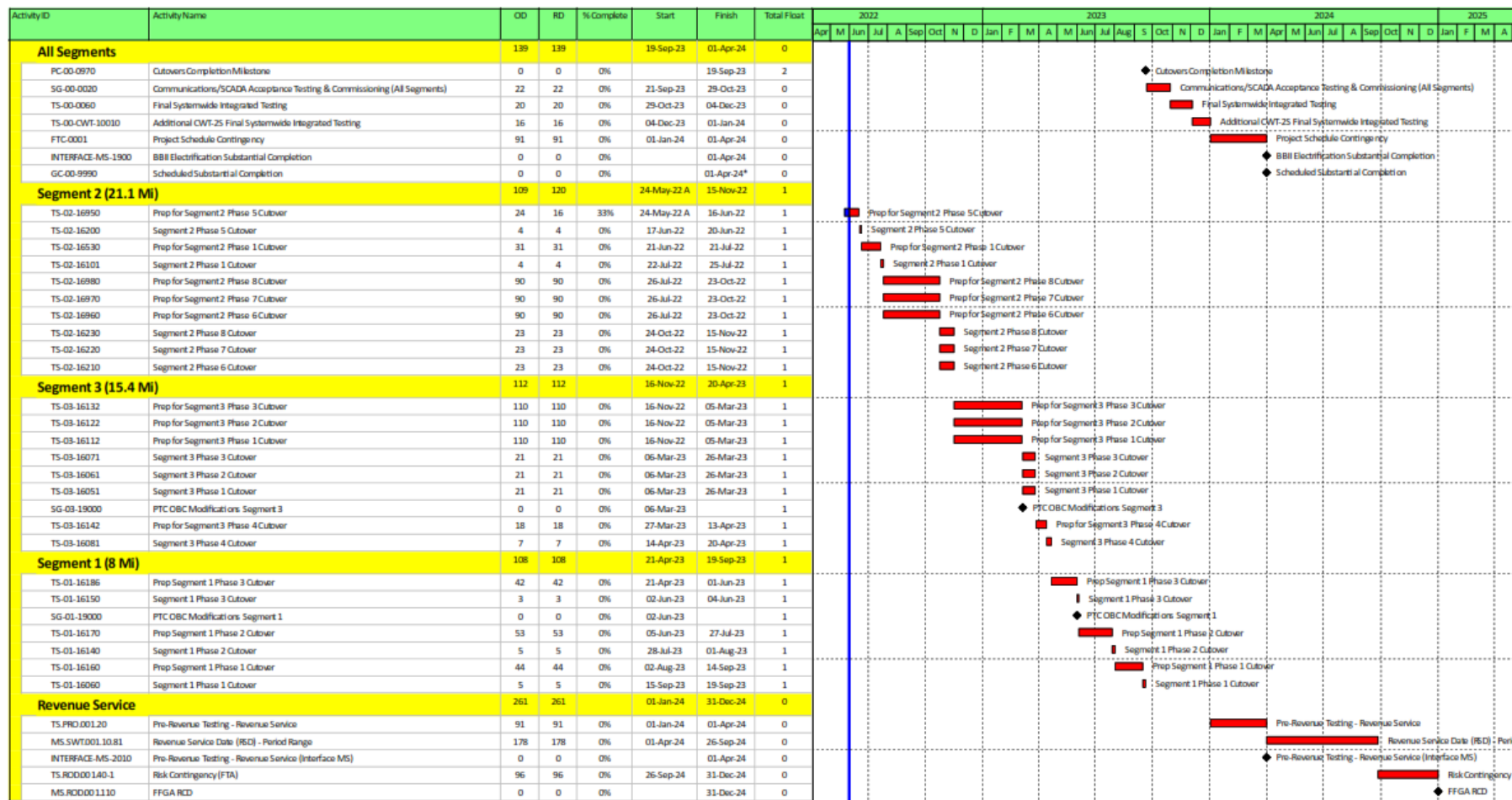


Figure 3-2. PCEP Critical Path Summary Schedule

3.3 Schedule Issues

Issues that may impact critical path or major milestones are identified in the table below as of June 2022.

Table 3-1. Schedule issues and actions

Issues	Actions
Construction work stoppage safety stand down due to the track safety incident which occurred on March 10, 2022.	<ul style="list-style-type: none"> • BBII developed a schedule recovery plan to mitigate the delay within Segment 2 signals cutover and avoid propagating the schedule slippage to Segments 3 and 1 signal cutovers.
OCS installation delay due to low productivity and the project OCS work was on hold from March 10, 2022 to March 28, 2022 during the safety stand down.	<ul style="list-style-type: none"> • Additional BBII OCS crew training for regulation and variance in the OCS design / installation due to re-design & accommodations to resolve foundation DSC issues. • Hiring additional BBII OCS staff members to prevent schedule slippage and help in future installation planning.
2SC application logic defects found will require new software release and regression test and may impact Segment 2 cutover completion.	<ul style="list-style-type: none"> • Assign technical task force for defect fixes. • Review with Rail Operations and FRA for approval. • Roll out new application logic and perform regression test for the crossings that were cutover previously. • Implement new allocation logic to the remaining crossings.

3.4 Contract Milestones

Table 3-2. Electrification Design-Build Contract Milestones

Milestone	Re- Baseline Dates	Current Forecast	Milestone Variance
Completion of Milestone #1 (PC-00-0980)	In the process of being redefined	November 10, 2022	TBD
Substantial Completion (GC-00-9990)	April 1, 2024	April 1, 2024	0
Final Acceptance (GC-00-9920)	July 31, 2024	July 31, 2024	0

Late completion TPS 2 single phase study, TPS 2 battery replacement, and TPS testing have caused delay of Segment 4 energization which impact Segment 4 substantial completion (Milestone 1). March 10, 2022 field work shutdown also contributes to the delay of Segment 4 OCS/TPS construction completion. There is no impact to full alignment substantial completion of April 1, 2024, and Revenue Service Date of September 2024.

4.0 COST AND BUDGET

4.1 Introduction

This section presents current program cost and budget. On December 6, 2021, the JPB adopted a new Program budget of \$2.44 billion. Table 3-1 depicts a summary level of program budget, costs, and estimate at completion based on the latest update of the Electrification and EMU projects as of June 30, 2022.

4.2 Program Budget and Cost

Table 4-1. Budget Summary by Project

Description of Work	Current Budget (A) ¹	Cost This Month (B) ²	Cost To Date (C) ³	Estimate To Complete (D)	Estimate At Completion (E) = (C) + (D)	Variance at Completion (F) = (A) – (E)
Electrification	\$1,749,139,438	\$44,386,403	\$1,365,808,760	\$383,330,678	\$1,749,139,438	\$0
EMU	\$693,551,258	\$35,109,494	\$442,791,929	\$250,759,330	\$693,551,258	\$0
PCEP TOTAL	\$2,442,690,697	\$79,495,897	\$1,808,600,689	\$634,090,008	\$2,442,690,697	\$0

1. Column A "Current Budget" includes executed change orders and awarded contracts.

2. Column B "Cost This Month" represents the cost of work performed this month.

3. Column C "Cost To Date" includes actuals (amount paid) and accruals (amount of work performed) to date.

Table 4-2 depicts program budget, costs, and estimate at completion summarized by major elements of work. This budget table provides additional detail for the program and is broken down by major contracts for Electrification and EMU, minor contracts, real estate, utilities, project management oversight and other indirect support costs.

Table 4-2. Budget Summary by Major Elements

Description of Work	Current Budget	Cost This Month	Cost To Date	Estimate To Complete	Estimate At Completion
Electrification	\$1,097,149,881	\$37,562,738	\$798,773,837	\$298,376,044	\$1,097,149,881
EMU Procurement	\$556,204,966	\$34,352,240	\$365,273,712	\$190,931,254	\$556,204,966
Minor Construction Contracts (SSF, 25th Grade, Tunnel, CEMOF, SCADA, Non-BBI OCS)	\$67,055,072	\$519,716	\$64,431,604	\$3,659,590	\$68,091,194
Real Estate Acquisition & Support	\$34,914,177	\$62,851	\$23,755,468	\$11,158,709	\$34,914,177
PG&E, Utilities	\$132,088,995	\$1,780,596	\$198,821,928	-\$66,732,933	\$132,088,995
Management Oversight & Support	\$312,699,697	\$2,806,252	\$241,688,217	\$71,011,480	\$312,699,697
TASI Support	\$114,488,767	\$2,327,377	\$80,034,700	\$34,454,067	\$114,488,767

Description of Work	Current Budget	Cost This Month	Cost To Date	Estimate To Complete	Estimate At Completion
Finance Charges	\$9,898,638	\$80,279	\$8,775,726	\$1,122,912	\$9,898,638
Insurance	\$6,581,851	\$0	\$4,581,851	\$2,000,000	\$6,581,851
Other Required Projects & Services	\$9,084,176	\$3,848	\$2,779,781	\$6,304,394	\$9,084,176
Environmental Mitigation	\$14,438,866	\$0	\$1,205,404	\$13,233,462	\$14,438,866
Caltrain Capital Overhead (ICAP)	\$48,217,887	\$0	\$18,478,460	\$29,739,427	\$48,217,887
Contingency	\$39,867,724	\$0	\$0	\$38,831,602	\$38,831,602
Total	\$2,442,690,697	\$79,495,897	\$1,808,600,689	\$634,090,008	\$2,442,690,697

4.3 Program Shared Risk Pool and Contingency

Caltrain and Balfour Beatty Infrastructure, Inc. (BBII) continue implementing new mechanisms to ensure a collaborative approach to Project delivery. The management team meets every week to review the issues log focusing on risk mitigation and issues resolution.

As part of global settlement, a shared risk pool of \$50 million was established to manage risks and mitigation proactively and collaboratively with the design-build contractor. Table 4-3 shows the current shared risk drawdown for the current month and to-date as well as the remaining balance of the shared Risk Pool by Risk Category. Any shared risk items that are above \$200,000 require Change Management Board (CMB) approval.

Table 4-3. Shared Risk Pool Status as of June 2022

Peninsula Corridor Electrification Project
Monthly Progress Report – June 2022

Item #10.
8/4/2022

Risk ID	Risk Description	Risk Amount	Current Month	Executed to Date	Remaining Balance
1	Permanent Power Availability	\$268,572	\$0	\$114,495	\$154,077
2	Different Site Condition for OCS Foundation	\$3,500,000	\$0	\$144,169	\$3,355,831
-*3	Different Site Condition for Duct bank	\$2,800,000	\$0	\$20,966	\$2,779,034
4	Condition of existing Fiber backbone infrastructure	\$3,150,000	\$0	\$42,175	\$3,107,825
5	Availability of TASI Resource	\$5,777,820	\$0	\$0	\$5,777,820
6	Signal Cutover access and work window	\$5,607,150	\$0	\$0	\$5,607,150
7	Condition of existing signal system	\$538,572	\$0	\$0	\$538,572
8	EMI Nonconformance by EMU Vendor	\$750,000	\$144,500	\$144,500	\$605,500
9	Reed Street Cutover	\$90,000	\$0	\$0	\$90,000
10	Availability of low voltage power for cutover testing	\$1,120,000	\$0	\$0	\$1,120,000
11	Third party Permits	\$150,000	\$0	\$0	\$150,000
12	SCADA integration for the entire alignment	\$159,524	\$0	\$0	\$159,524
13	Tunnel OCS Compatibility	\$167,500	\$0	\$0	\$167,500
14	Supply chain issue due to COVID 19	\$300,000	\$0	\$28,923	\$271,077
15	End to end Systems integration commissioning	\$2,100,000	\$0	\$0	\$2,100,000
16	Existing Caltrain Operating systems interface and integration	\$1,400,000	\$0	\$0	\$1,400,000
17	Third party Approval	\$150,000	\$0	\$0	\$150,000
18	Impact from Caltrain other capital or third-party projects	\$2,166,683	\$0	\$129,801	\$2,036,881
19	Track access delay for BBII Construction	\$1,800,000	\$0	\$0	\$1,800,000
20	Additional light Maintenance and Protection Needs	\$280,000	\$0	\$0	\$280,000
21	Crossing Protection	\$220,000	\$0	\$60,418	\$159,582
22	Power facilities	\$500,000	\$0	\$0	\$500,000
23	NCR's	\$0	\$0	\$0	\$0
24	Potholing	\$1,700,000	\$0	\$71,012	\$1,628,988
25	Pre-Revenue Service Operational Testing	\$250,000	\$0	\$0	\$250,000
26	TRO Contingency	\$3,000,000	\$0	\$0	\$3,000,000
27	Contingency	\$12,000,000	\$0	\$0	\$12,000,000
NA	Unidentified	\$54,179	\$0	\$0	\$54,179

**Peninsula Corridor Electrification Project
Monthly Progress Report – June 2022**

Item #10.
8/4/2022

Risk ID	Risk Description	Risk Amount	Current Month	Executed to Date	Remaining Balance
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7	Condition of existing signal system	\$538,572	\$0	\$0	\$538,572
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10	Availability of low voltage power for cutover testing	\$1,120,000	\$0	\$0	\$1,120,000
11	Third party Permits	\$150,000	\$0	\$0	\$150,000
12	SCADA integration for the entire alignment	\$159,524	\$0	\$0	\$159,524
13	Tunnel OCS Compatibility	\$167,500	\$0	\$0	\$167,500
14	Supply chain issue due to COVID 19	\$300,000	\$0	\$28,923	\$271,077
15	End to end Systems integration commissioning	\$2,100,000	\$0	\$0	\$2,100,000
16	Existing Caltrain Operating systems interface and integration	\$1,400,000	\$0	\$0	\$1,400,000
17	Third party Approval	\$150,000	\$0	\$0	\$150,000
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19	Track access delay for BBII Construction	\$1,800,000	\$0	\$0	\$1,800,000
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22	Power facilities	\$500,000	\$0	\$0	\$500,000
23	NCR's	\$0	\$0	\$0	\$0
24	Potholing	\$1,700,000	\$0	\$71,012	\$1,628,988
25	Pre-Revenue Service Operational Testing	\$250,000	\$0	\$0	\$250,000
26	TRO Contingency	\$3,000,000	\$0	\$0	\$3,000,000
27	Contingency	\$12,000,000	\$0	\$0	\$12,000,000
NA	Unidentified	\$54,179	\$0	\$0	\$54,179
	BBII Risk Pool Total	\$50,000,000	\$144,500	\$756,460	\$49,243,540

In addition to the established Risk Pool with BBII, the Re-Baseline Budget includes a program contingency of \$40 million to cover non-BBII potential changes and unknowns. Table 4-4 provides a detailed status of approved transfers from contingency due to executed Contract Change Orders and approved Budget Transfers.

Table 4-4. Program Contingency Drawdown Balance

Change Order	Description	Current Budget Contingency	EAC Contingency
Project Contingency		Previously Reported Balance	
		\$39,867,724	\$39,867,724
CCO-STA-039	Stadler – Multiple No Cost/No Schedule Impact Changes-Group 9	\$0	
ARINC-061-CCO-005	Traction Power Facility SCADA Database Changes Support	\$0	(\$1,036,122)
	PROJECT CONTINGENCY REMAINING BALANCE	\$39,867,724	\$38,831,602

Note: EAC Contingency reflects forecast contingency.

The total Program Contingency as of the December 2021 Re-Baseline Budget totaled \$90M including Allocated and Unallocated Contingency, and BBII Risk Pool. Table 4-5 summarizes the current remaining and forecasted contingency balance as of the monthly update.

Table 4-5. Overall Program Contingency

	Total E = (A+D)	Shared Risk Pool with BBII	Program Contingency		
		BBII Risk Pool (A)	Allocated (B)	Unallocated (C)	Subtotal D = (B+C)
PCEP Contingency	\$90,000,088	\$50,000,000	\$24,115,581	\$15,884,507	\$40,000,088
Drawn Contingency	(\$888,825)	(\$756,460)	\$0	(\$132,365)	(\$132,365)
Remaining Contingency	\$89,111,263	\$49,243,540	\$24,115,581	\$15,752,142	\$39,867,723
CMB July 2022 Approved	(\$2,804,224)	(\$1,768,102)	(\$500,000)	(\$536,122)	(\$1,036,122)
Forecasted Remaining Contingency	\$86,307,039	\$47,475,437	\$23,615,581	\$15,216,020	\$38,831,601

4.4 Electrification Design Builder Contract Incentives

The Global Settlement with BBII also includes incentives based on Milestone completions and remaining contract incentives. Table 4-6 provides a status of Design-Build Contractor incentives Budgeted, Awarded, and remaining Balance.

Table 4-6. BBII Incentives

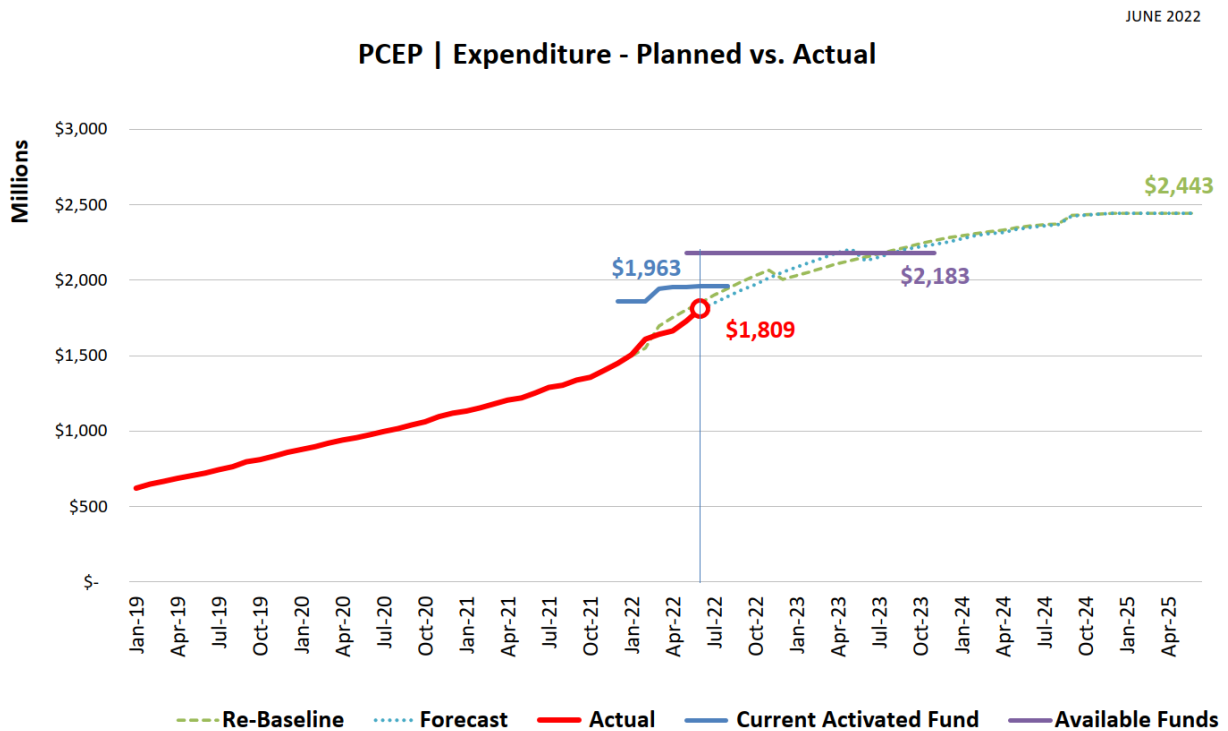
Incentives	Budgeted	Awarded	Balance
Contract Incentive:			
Quality	\$1,250,000	\$1,000,000	\$250,000
Safety	\$2,500,000	\$875,000	\$1,625,000
Community Outreach	\$2,500,000	\$1,750,000	\$750,000
DBE	\$900,000	\$0	\$900,000

Total Contract Incentive	\$7,150,000	\$3,625,000	\$3,525,000
Milestone Incentive:			
Early Signal and Crossing Cutover	\$4,000,000	\$0	\$4,000,000
Early Project Substantial Completion (NTE)	\$8,000,000	\$0	\$8,000,000
Early Revenue Service	\$3,000,000	\$0	\$3,000,000
Total Milestone Incentive	\$15,000,000		\$15,000,000

4.5 Program Cash Flow and Funding

The remaining program expenditures are cash flowed in Figure 4-1 to illustrate by April 2023 additional funding will be needed to complete the program.

Figure 4.1 Expenditure – Funding Cash Flow



4.6 Issues

Table 4-6. Cost and Funding issues identified, and actions taken for June 2022

Issues	Actions
Additional funding setup for \$410M Funding Gap.	<ul style="list-style-type: none"> Actively pursuing additional State and Federal funding sources. Dedicated task force has been established at the

	<p>executive level.</p> <ul style="list-style-type: none">• Prepare earmarks grant scope and application for April submission.
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5.0 CHANGE MANAGEMENT

5.1 Introduction

The change management process establishes a formal administrative work process associated with the initiation, documentation, coordination, review, approval, and implementation of changes during the design, construction, or manufacturing of PCEP. The change management process accounts for the impacts of the changes and ensures prudent use of contingency.

5.2 Change Orders/SROs

5.2.1 Executed Change Orders/SROs

The following change orders/SROs were issued in June 2022:

- BBII SRO #12 Rail Imbalance and Working Level Immunity Testing in the amount of \$144,500 was executed on June 27, 2022.
- Stadler CCO-039 “LOA Category: 2 Changes to Ind. Emissions Limits and revision to payment schedule” was executed on June 3, 2022.

5.2.2 Approved Change Orders/SROs

- BBII SRO Various – Drill Tech Foundation Issue Resolution Log Settlement for \$868,000 was approved by CMB on June 22, 2022 and is being routed for JPB signatures and execution.
- BBII SRO 098 – Tree Trimming and Removal Allowance Adjustment and Conversion to Lump Sum for \$900,000 was approved by CMB on June 22, 2022 and is being routed for JPB signatures and execution.

5.2.3 Upcoming Change Orders/SROs

- Negotiation of ARINC office SCADA time extension and remaining segments field points change.
- Stadler Change Order 039 for “Multiple No Cost / No Schedule Impacts Group 9” to modify Inductive Emissions Limits per RFC-079 and Payment Schedule per RFC-079 is pending signatures in Aconex.
- BBII SROs 013, 014, 023, 036, 118, 132, 136, 137, 152, 153, 168, 175, and 176 are being routed for approval.

5.3 Issues

Table 5-1. Change Management issues identified and actions taken for June 2022

Issues	Actions
ARINC Contract Time Extension	<ul style="list-style-type: none"> • Discussions were held with ARINC management team to confirm the site support period to align the new baseline schedule, including a 1,000-hour availability test to be performed when the system is in production for the entire alignment. Team has finalized the scope of work, and the proposal request has been sent to ARINC.
Segment 4 Maintenance Option in the existing BBII Contract was never exercised. Maintenance of OCS/TPS for Segment 4 will be needed post Segment 4 substantial completion once Caltrain is using it for EMU testing under 25kV.	<ul style="list-style-type: none"> • Prepare Scope of work and define Segment 4 maintenance needs. • Define EMU testing and burn in work schedule. • Seek a proposal from BBII for the maintenance option as existed in the current contract. • Evaluate the resource and price proposal. • Execute Segment 4 maintenance option.