



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Due to COVID-19, this meeting will be conducted via teleconference only (no physical location) pursuant to [Assembly Bill 361](#) (Gov. Code section 54953).

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 <http://www.caltrain.com/about/bod/video.html>

Public Comments: 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 in the Board’s weekly correspondence and posted online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html.

Oral public comments will also be accepted during the meeting through *Zoom or via the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Use the Raise Hand feature to request to speak. For public 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 the Hand feature for public comment and press *6 to accept being unmuted when recognized to speak for two minutes or less. Each commenter will be automatically notified when they are unmuted to speak for two 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.

January 6, 2022 – Thursday

PART I OF MEETING (CALL TO ORDER): 9:00 am

- | | |
|--|---------------|
| 1. Call to Order / Pledge of Allegiance | |
| 2. Roll Call | INFORMATIONAL |
| 3. Adopt Findings of a Proclaimed State Of Emergency, Recommendations for Social Distancing, and Imminent Risks to Health and Safety from In-Person Meeting and Approve Meeting Remotely for 30 Days | RESOLUTION |

Note: All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board

b. Resolution of Appreciation for Former Chair Dev Davis

RESOLUTION

11. Correspondence
12. Board Member Requests
13. Date/Time of Next Regular Meeting: Thursday, February 3, 2022, at 9:00 am via Zoom (additional location, if any, to be determined)
14. Adjourn

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 Finance Committee: Fourth Monday of the month, 2:30 pm; JPB WPLP Committee: Fourth Wednesday of the month, 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 http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html 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 http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html. 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 two 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 OF A PROCLAIMED STATE OF EMERGENCY,
RECOMMENDATIONS FOR SOCIAL DISTANCING, AND IMMINENT RISKS TO
HEALTH AND SAFETY FROM IN-PERSON MEETING AND APPROVE MEETING
REMOTELY FOR 30 DAYS**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff recommends that the Board:

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.
2. Approve meeting remotely via teleconference for the next 30 days, pursuant to AB 361 (Government Code section 54953).

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:

- A. State or local officials have imposed or recommended social distancing.
- B. 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.
- C. 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.

The Board of Directors previously adopted Resolution, 2021-52 on October 7, 2021, finding that there was a proclaimed state of emergency in California, that local public health officials had recommended measures for social distancing, and that meeting in person would pose imminent risk to the health and safety of attendees. The Board renewed this finding on November 4, 2021, and December 2, 2022 through the adoption of Resolutions 2021-57 and 2021-62, respectively. The 30-day period following the adoption of Resolution 2021-62 will end on January 1, 2022 and therefore, the Board must adopt new findings that the criteria described in Government Code section 54953(e)(1) for holding open meetings remotely have been met.

The Governor's declared state of emergency is still in place and transmission in the three JPB member counties continues to be moderate according to CDC metrics while the recent discovery of a new COVID-19 variant has led to renewed efforts to prevent and reduce transmission of COVID-19, including recommendations by federal, state, and local health officials for social distancing particularly when members of multiple households are congregating and the vaccination status of the attendees is unknown.

Given these conditions, staff recommend that the Board renew the resolution for Advisory, Committee, Regular and Special meetings to be conducted via teleconference for the next 30 days following this January 6, 2022 meeting pursuant to Government Code section 54953(e)(3).

BUDGET IMPACT

There is no budget impact associated with receiving this report.

BACKGROUND

The California Department of Public Health continues to refer California residents to guidance from the Center for Disease Control (CDC) on to prevent the spread of COVID-19. The CDC continues to recommend social distancing as a way for 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). Following the amendments to the Brown Act described above, 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.

Prepared by James C. Harrison, General Counsel, Olson Remcho LLP

RESOLUTION NO. 2021-

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

* * *

RENEWING RESOLUTION 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 PENINSULA CORRIDOR JOINT POWERS BOARD AND COMMITTEES FOR THE PERIOD OF JANUARY 6, 2022 TO FEBRUARY 5, 2022

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

WHEREAS, 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 previously 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, and renewed this finding on November 4, 2021, and December 2, 2021 through the adoption of Resolutions 2021-57 and 2021-62, respectively; and

WHEREAS, it has now been more than 30 days since the Board's last renewal of this resolution, and therefore to continue to meet remotely, the Board must adopt new findings that there is a proclaimed state of emergency and that one of the following criteria described in section 54953(e)(1) of the Brown Act has been met: (a) state or local officials have imposed or recommended social distancing; or (b) 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; or (c) 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; 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 have recently increased and continue to pose imminent risks for health of attendees at indoor gatherings involving individuals from different households with unknown vaccination status; 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; 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 hereby adopts findings that pursuant to the Governor's State of Emergency Declaration, issued on March 4, 2020, there is a proclaimed State of Emergency in the State of California; and

BE IT FURTHER RESOLVED that the Board adopts findings that local officials continue to recommend measures to promote social distancing and meeting in person in the next 30 days would pose imminent health and safety risks to attendees; 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 6th day of January 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: James C. Harrison
General Counsel

SUBJECT: **RECORDS FOR PUBLIC INSPECTION – NOTICE AND CLAIMS TO BE DISCUSSED
IN CLOSED SESSION (CONFERENCE WITH LEGAL COUNSEL:
ANTICIPATED LITIGATION)**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

No further Board action is required.

SIGNIFICANCE

The following records, which are attached hereto, will be discussed in closed session during the conference with legal counsel regarding anticipated litigation at the January 6, 2022 meeting:

- A. Agenda Item 4(a)(i): City of Millbrae Notice of Decision to Appraise
 - i. Letter from City of Millbrae to Abigail Thorne-Lyman and Brian Fitzpatrick regarding the Notice of Decision to Appraise (Sept. 1, 2021)
 - ii. Millbrae City Council Meeting Agenda: Conference with Real Property Negotiators regarding APN 093-352-020 (Dec. 14, 2021)

- B. Agenda Item 4(a)(ii): Claims Regarding May 2, 2021 Fire on Dumbarton Line
 - i. Letter from the San Mateo County Transit District regarding claims related to the May 2, 2021 Dumbarton Tie Fire (Sept. 14, 2021)
 - ii. Letter from Xercorp on behalf of Old Republic Insurance Company and SKS Management, LLC (Aug. 20, 2021)
 - iii. Federal Insurance Company on behalf of insured SKS Management, LLC (SafKeep) Filed Claim Form (Sept. 14, 2021)
 - iv. Amended Travelers A.S.O. Leary Filed Claim Form (Oct. 18, 2021)

BUDGET

There is no budget impact associated with receiving this report.

BACKGROUND

Pursuant to the Ralph M. Brown Act (the "Brown Act"), local government agencies may meet in closed session with their legal counsel when discussing significant exposure to litigation. Gov. Code. §54956.9(b). The Brown Act permits local government agencies to meet in closed session when there are facts and circumstances, including transactional occurrences that might result in litigation against the agency, and that are known to a potential plaintiff or plaintiffs. Gov. Code § 54956.9(e)(2). When meeting in closed session under this exception, the facts or circumstances giving rise to the meeting must be "publicly stated on the agenda or announced." *Id.* The Notice of Decision to Appraise from the City of Millbrae and related City Council Meeting Agenda constitute significant exposure to litigation pursuant to the Brown Act. Therefore, these records are included as the public statement of facts and circumstances, as required by Government Code section 54956.9(e)(2).

Furthermore, claims that have been received by a local government agency and are the subject of a closed session conference with legal counsel regarding anticipated litigation are records subject to public inspection unless an exception applies. Gov. Code § 54956.9(e)(3). Specifically, Government Code section 54956.9(e)(3) provides that such facts and circumstances include: "The receipt of a claim pursuant to the Government Claims Act...or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5." Accordingly, the claims arising out of the May 2, 2021 fire on the Dumbarton line are required to be disclosed as public records.

Prepared By: James C. Harrison
General Counsel



City of Millbrae

621 Magnolia Avenue, Millbrae, CA 94030

ANN SCHNEIDER
Mayor

ANNE OLIVA
Vice Mayor

GINA PAPAN
Councilmember

ANDERS FUNG
Councilmember

REUBEN D. HOLOBER
Councilmember

September 1, 2021

Notice of Decision to Appraise

Via U.S. Mail and Email

Abigail Thorne-Lyman
Acting Director of Real Estate & Property
Development
San Francisco Bay Area Rapid Transit
District (BART)
P.O. Box 12688
Oakland CA 94612-2688

2150 Webster Street
Oakland, CA 94612
AThorne@bart.gov

Via U.S. Mail and Email

Brian W. Fitzpatrick
Director, Real Estate & Development
Caltrain c/o:
San Mateo County Transit District Planning &
Development
P.O. Box 3006
San Carlos, CA 94070

1250 San Carlos Avenue
San Carlos, CA 94070
fitzpatrickb@samtrans.com

Re: Project: TOD #1/Millbrae Serra Station Project – Extension of California Drive
Site Address: 200 El Camino Real, Millbrae, CA 94030
APN: 093-352-020

Dear Ms. Thorne-Lyman and Mr. Fitzpatrick:

The City of Millbrae is considering acquiring property for the TOD #1/Millbrae Serra Station Project (Project). Attached are maps indicating the proposed property rights required for the proposed Project. It is our understanding that while BART currently holds title to the property, such title is due to be transferred to Caltrain under the Real Property Transfer and Exchange Agreement (RPTA) between BART, SamTrans, and the Peninsula Corridor Joint Powers Board (PCJPB). The property is within this area.

California law requires that a public entity give an owner a written notice of its decision to appraise real property being considered for acquisition for a public use. The purpose of this letter is to advise you of the City's decision to appraise your property. No decision has yet been made by the City to acquire your property. Before that decision can be made, the law provides that the property first be appraised. Without authority from the City Council, staff has no authority to commit the City to the acquisition of your property.

Associated Right of Way Services, Inc., (AR/WS) has been retained by the City of Millbrae to appraise a portion of your property for possible acquisition. Please call Erik Woodhouse at (925) 691-2826 to arrange a mutually acceptable appointment for an inspection of your property. Mr. Woodhouse will be available to answer any questions you may have with regard to the appraisal process.

City Council/City Manager/City Clerk
(650) 259-2334

Building Division/Permits
(650) 259-2330

Community Development
(650) 259-2341

Finance
(650) 259-2350

Fire 1652113115286.2
(650) 558-7600

Police
(650) 259-2300

Public Works/Engineering
(650) 259-2339

Recreation
(650) 259-2360

A booklet generally explaining the rights and benefits of a property owner with regard to the City's property acquisition procedures is enclosed. The City's process is conducted in accordance with Title VI of the Civil Rights Act of 1964 (42USC 2000d et. seq.) which sets forth the policy of the United States, within constitutional limits, to ensure that all services and/or benefits will be administered without regard to race, color, national origin, or sex.

Please note that California law provides that, under certain circumstances, the City of Millbrae will reimburse you up to a maximum of \$5,000 in reasonable costs for you to hire an independent appraiser should you disagree with the appraisal report prepared by AR/WS for the City. With this Notice of Decision to Appraise, the City of Millbrae is offering this conditional reimbursement to you as the property owner. The reimbursement is subject to the following:

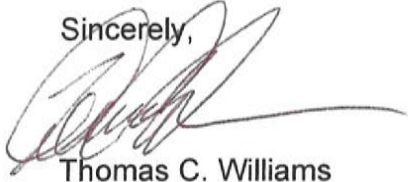
1. You must be the owner of record of the property. Approved reimbursements are limited to one payment of up to a total of \$5,000 regardless of the number of owners on title.
2. The written appraisal contract must be between you and your selected appraiser.
3. Your appraiser must be licensed with the Bureau of Real Estate Appraisers (BREAs). Reimbursement will not be made unless your appraiser shows written verification that he/she is licensed and that the license is current and in good standing at the time of the appraisal.
4. This is a reimbursement program. You are responsible for paying your appraiser. If you wish to seek reimbursement under this program, you will be expected to provide a copy of your contract with your appraiser as well as a copy of the applicable invoice that confirms payment. While this reimbursement program has a maximum amount of \$5,000, the costs must be reasonable and justifiable. Any appraisal charges for an appraisal report in excess of \$5,000 are not eligible for reimbursement.
5. The City must receive your claim for reimbursement with adequate supporting documentation no later than sixty (60) days after your appraisal has been completed. If your appraiser does not complete the appraisal you have ordered, there will be no reimbursement. (Written verification from the appraiser that the appraisal was completed and delivered and payment in full received will be required). This reimbursement is not payable for partial appraisal completion or appraisal consultation. It is a one-time payment of up to a maximum of \$5,000 of reasonable costs regardless of changes which may occur during the course of planning, design or engineering for the project. A copy of the completed appraisal report may be submitted as evidence for reimbursement but this is not required.

The appraisal of real property in connection with planned acquisition for a public project can be a complex effort. If you do plan to retain your own appraiser, you are encouraged to interview professionals who are experienced in this particular specialized area of appraisal. Some sources of information to consult for more information about appraisers and appraisals related to proposed government acquisitions for public projects are:

- Bureau of Real Estate Appraisers www.orea.ca.gov
- International Right of Way Association www.irwaonline.org
- Appraisal Institute of California www.appraisalinstitute.org

For questions regarding the project design and schedule, please contact me at (650) 259-2467. Any questions regarding the appraisal process, please contact Erik Woodhouse at (925) 691-2826. This notice does not constitute an offer to purchase your property. After completion of the appraisal and the City's authorization to proceed, you will be contacted by an acquisition representative of the City.

Sincerely,



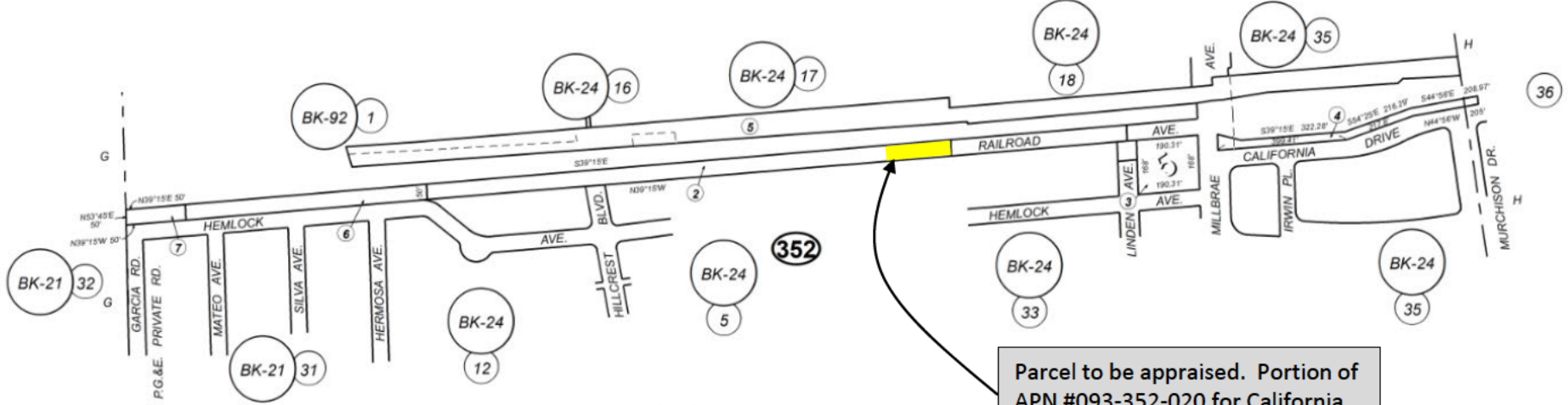
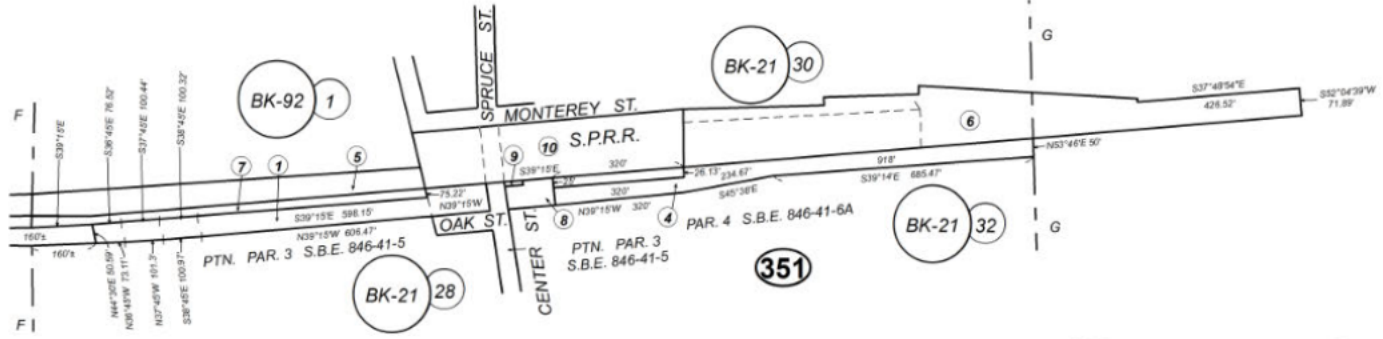
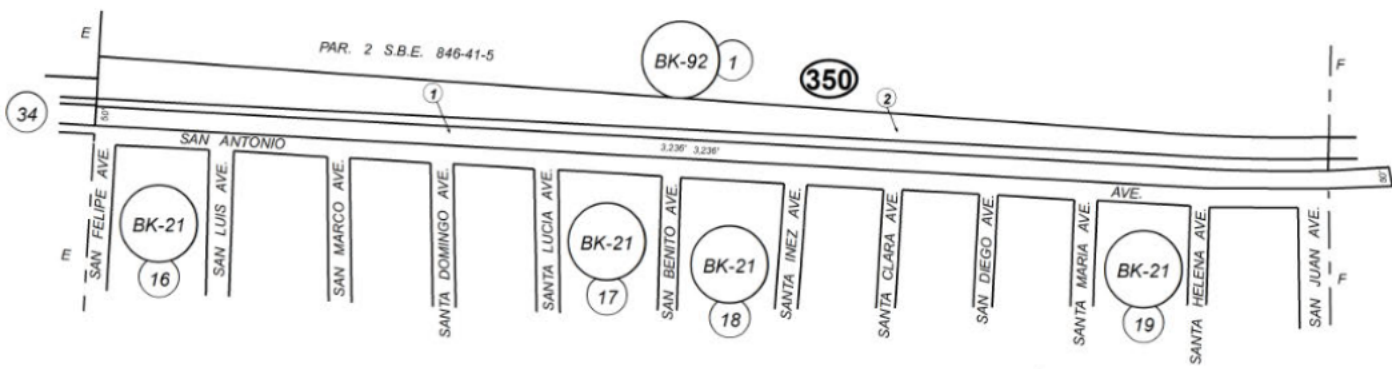
Thomas C. Williams
City Manager

Enclosures

cc: Erik Woodhouse, MAI, R/W-AC – Associated Right of Way Services, Inc.,
ewoodhouse@arws.com (via email only)
Michelle Bouchard, Acting Executive Director, Caltrain, *mbouchard@samtrans.com*
(via U.S. Mail and email)
Barbara Inaba, Principal Engineer, BART Real Estate and Property Development,
binaba@bart.gov (via email only)

93-35

1" = 300'



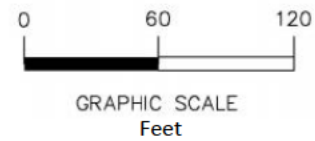
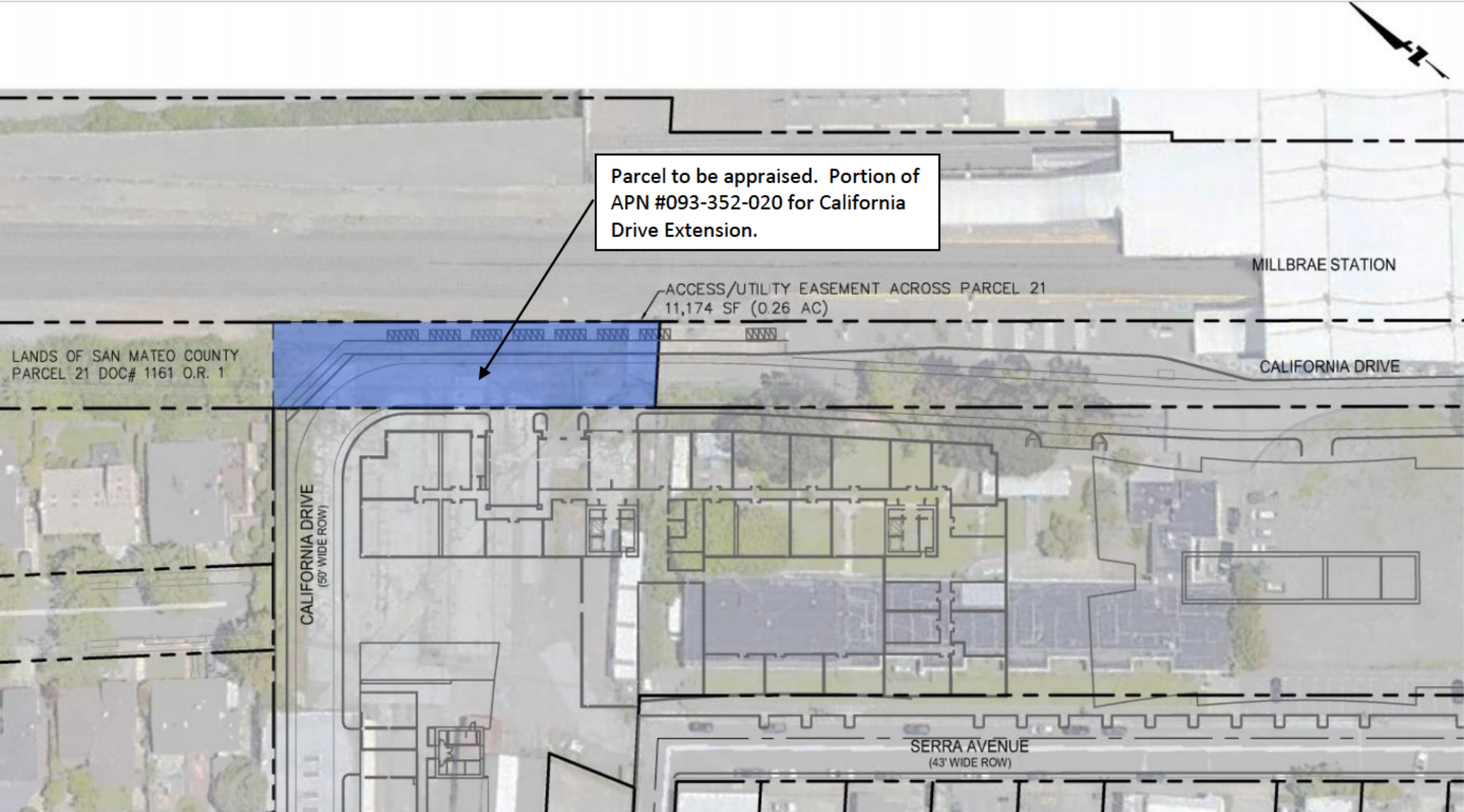


Exhibit 2 – Appraisal Map

Property Owner Information Handbook

Regarding Property Acquisition Efforts



City of Millbrae
621 Magnolia Avenue
Millbrae, CA 94030

This is an informational pamphlet only. It is not intended to give a complete statement of all State and Federal laws and regulations pertaining to the City of Millbrae's efforts to purchase your property for public use, the relocation assistance program, technical legal definitions, or any form of legal advice.

Introduction:

This informational handbook is provided by the City of Millbrae ("the City") to give you general information about property acquisitions for projects. It is not intended to be a definitive summation of the law or to provide specific advice. For such purposes, the City recommends consulting your personal attorney or other advisor of your choice.

Please note that property acquisitions for projects may include the acquisition of either permanent (e.g. fee simple, easements) or temporary rights (e.g. construction easements, access easements), or both.

What Right Does the City Have to Acquire My Property?

Every public agency has certain powers which are necessary for it to operate effectively. For example, States have the power to levy taxes and the power to maintain order. Another power is the power to acquire private property for public purposes. This is known as the power of eminent domain.

The rights of each of us are protected, however, by laws such as the Fifth and Fourteenth Amendments to the United States Constitution, the State Constitution, and eminent domain laws. These laws guarantee that if a public agency takes private property it must pay "just compensation" to the owner. Further, the owner may have additional protections, some of which are explained in this informational handbook.

Title VI of the Civil Rights Act of 1964 (42USC 2000d et. seq.) sets forth the policy of the United States, within constitutional limits, to ensure that all services and/or benefits will be administered without regard to race, color, national origin, or sex.

Pursuant to California regulations, property leasebacks will generally not be offered if the property is scheduled to be used within two years of its acquisition.

How Will the City Determine How Much to Offer Me for My Property?

Before making an offer of compensation to you, the City will obtain at least one appraisal by a competent real property appraiser who is familiar with local property values. The appraiser will inspect your property and provide the City with an appraisal report stating his or her opinion of the fair market value of the property rights to be acquired by the City. The appraisal report will be reviewed by the City to confirm that the estimate of value is fair.

The City is required to offer you just compensation for your property. This amount, with limited exceptions, is the fair market value of the property rights to be acquired.

What is “Just Compensation”?

“Just compensation” is generally considered to be fair market value. The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

How Does an Appraiser Determine Fair Market Value of My Property?

Each parcel of real property is different and, therefore, no single formula can be devised to appraise all properties. Among the factors an appraiser typically considers in estimating the value of real property are:

- How it compares with similar properties in the area that have been sold recently;
- How much it would cost to reproduce the buildings and other structures, less any depreciation;
- How much rental income it could produce;
- Other factors affecting use of the property.

Will I Have A Chance to Talk to the Appraiser?

YES. You must be contacted and given the opportunity to accompany the appraiser on his inspection of your property. You may then inform the appraiser of any special features which you believe may add to the value of your property. It is in your best interest to provide the appraiser with all the useful information you can in order to ensure that nothing of allowable value will be overlooked. If you are unable to meet with the appraiser, you may wish to have a person who is familiar with your property represent you.

How Soon Will The City Give Me a Written Purchase Offer?

Generally, you should receive a purchase offer within 60 days of the approved appraisal. The timing of a purchase offer depends on the following factors:

- The amount of work required to appraise your property;
- The availability of funding; and
- Possible project delays caused by factors outside the control of The City.

What is in the City's Statement of the Basis for Its Determination of Just Compensation?

The City's statement of the basis for its determination of just compensation must be provided to you with the written purchase offer. Among other things, this statement will include:

- A general statement of the City's proposed use for the property.
- An accurate description of the property to be acquired.
- A list of the improvements covered by the offer and any conditions.
- The amount of the offer.
- An indication that the offer does not reflect any relocation payments or other relocation assistance which you may receive under other regulations.
- The recognized definition of the term "fair market value".

Can I Have My Own Appraisal Done?

YES. You may decide to obtain your own appraisal of the property in negotiating the fair market value with the City. At the time of making its initial offer to you, the City must offer to reimburse you the reasonable costs, not to exceed \$5,000, of an independent appraisal of your property. To be eligible for reimbursement, the independent appraisal must be conducted by an appraiser licensed by the California Bureau of Real Estate Appraisers. Please discuss the reimbursement process with the City's acquisition representative.

Does the City Consider Buildings, Structures, and Improvements?

Sometimes buildings, structures, or other improvements considered to be real property are located on the property to be acquired. If this is the case, the City must offer to acquire buildings, structures, or other improvements if they must be removed or if the City decides that the improvements will be adversely affected by the public program or project.

When an improvement can be considered real property if owned by the owner of the real property on which it is located, then this improvement will be treated as real property.

Does the City Consider Tenant-Owned Buildings, Structures and Improvements?

Sometimes tenants lease real property and build or add improvements for their use. Frequently they have the right or obligation to remove the improvements at the expiration of the lease term. If, under State law, the improvements are considered to be real property, the City must make an offer to the tenants to acquire these improvements.

In order to be paid for these improvements, the tenant-owner must assign, transfer, and release to the City all right, title, and interest in the improvements. Also, the owner of the real property on which the improvements are located must disclaim all interest in the improvements.

Just compensation for an improvement will be the amount that the improvement contributes to the fair market value of the whole property, or its value for removal from the property (*salvage value*), whichever is greater.

May I Keep Any of the Buildings or Other Improvements on My Property?

Very often, many or all improvements on a property are not required by the City. This might include such items as a fireplace mantel, your favorite shrubbery, or even an entire house. If you wish to keep any improvements, please let the City know as soon as possible. Retention of improvements by the property owner will require an appropriate adjustment to the purchase price.

Must I Accept the City's Initial Offer?

NO. You are entitled to present your evidence as to the amount you believe is the value of your property and to make suggestions for changing the terms and conditions of the offer. The City must make reasonable efforts to consider and respond to your evidence and suggestions.

May I Have Someone Represent Me During Negotiations?

YES. If you would like an attorney, real estate agent, or anyone else to represent you during negotiations, please so inform the City in writing. However, state law does not require the City to pay the costs of any such representation.

If I Agree to Accept the City's Offer, How Soon Will I Be Paid?

If you reach a voluntary agreement to sell your property and your ownership (*title*) is clear of encumbrances, payments will be made at the earliest possible date or a mutually acceptable time. Generally, this should be possible within 90 days after you sign a purchase contract. If your ownership is not clear, you may have to pay the cost of clearing title sufficiently to convey clear title on your property. (*Title evidence is basically a legal record of the ownership of the property. It identifies the owners of record and lists any restrictive deed covenants and recorded mortgages liens, and other instruments affecting your ownership of the property.*)

What Happens if I Don't Agree to the Purchase Offer by the City?

If you are unable to reach a voluntary agreement with the City, a public hearing of the Millbrae City Council will be held to determine the need and necessity for the acquisition of your property. You will be notified of the action and given reasonable advance notice of your right to attend the hearing. After the hearing, assuming need and necessity have been determined, the City will file a suit in court to acquire your property through a condemnation proceeding.

What Happens if the City Condemns My Property?

Condemnation proceedings are procedures through a court to acquire real property under the power of eminent domain. Beginning with a necessity hearing and during the condemnation proceedings and trial, you will be provided an opportunity to introduce your evidence as to the need for acquisition and the value of your property to be acquired by the City. Of course, the City will have the same opportunity. After hearing the evidence of all parties during the trial, the court or jury will determine the right to acquire and the amount of just compensation. To help you in presenting your case in a condemnation proceeding, you may wish to consider employing an attorney and other experts. However, the costs of these professional services and other costs which you incur in presenting your evidence to the court may be your responsibility.

If construction must begin prior to the condemnation trial, the City may obtain a court's order of immediate possession.

What is an Order for Possession?

An order for possession is a procedure within a condemnation proceeding. The order for possession issued by the court allows the City to have the use of the portion of your property which is the subject of the proceeding prior to an award of just compensation in court. This procedure is used typically only where the use of your property is necessary to accomplish timely construction of the project for which your property is required.

To obtain an order for possession, the City must deposit with the State Treasurer an amount not less than its appraisal of the fair market value of the property to be acquired. Sometimes, the owner is then permitted to withdraw a portion of or all of this amount, depending upon the individual circumstances. It is recommended that you have the help of an attorney if you intend to do this. Should the court award exceed the amount deposited by the City, you will be paid the difference, plus any interest that may be provided by State Law.

What Can I Do If I Am Not Satisfied With the Court's Determination?

If you are not satisfied with the court's determination of the amount for just compensation, you may file an appeal with the appropriate appellate court for the area in which your property is located. The City may also file an appeal if it believes the amount of the court judgment is too high.

Will I Have to Pay any Settlement Costs?

You will not be responsible for the reasonable and necessary costs of typical services required to complete the sale, recording fees, transfer taxes, and any similar expenses which are incidental to transferring ownership of your property to the City.

Can the City Take Only A Part of My Property?

YES. But, if the purchase of only a part of your property reduces the value of the remaining part(s), you must be paid for the loss in value. The determination of any loss in value is an appraisal problem involving variables in which a brief explanation might not adequately cover all situations. Should this situation be involved, the City's representative will fully explain the effect of a part purchase on your remaining property.

If The City Does Acquire My Property, How Soon Must I Move?

Every reasonable effort will be made to give you ample time to relocate after the acquisition of your property. In most cases, a mutually satisfactory arrangement can be worked out. Except in an unusual instance where there is an urgent need for your property, you cannot be required to move from your residence or to move your business or farm operation without at least 90 days advance written notice of the date by which your move is required.

If you reach a voluntary agreement to sell your property, you cannot be required to move before you receive the agreed purchase price. In the case of a condemnation, you cannot be required to move before the estimated fair market value of your property has been deposited with the court (or into escrow) so that you can withdraw your share.

If you are being displaced from your residence, decent, safe and sanitary replacement housing must be available before you can be required to move.

Will I Receive Assistance with Relocation?

YES. If eligible and, in addition to any compensation paid through the property acquisition process, the City will provide relocation referral assistance and cash payments for eligible moving expenses. The amount of relocation expense is determined on a case-by-case basis in accordance with the Federal Uniform Act and State Guidelines. A Relocation Assistance Program brochure describing relocation benefits will be available from the City, if the project proceeds.

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code of 1954.

I'm A Veteran, How About My GI Loan?

After your GI home mortgage loan has been repaid, you may be permitted to obtain another GI loan to purchase another property. Check on such arrangements with your nearest VA office.

Will I Be Compensated for the Loss of Goodwill for My Business?

If you own a business located and conducted on the real property to be acquired, you may have a right to claim compensation for loss of goodwill. See your acquisition representative.

If My Property, Which the City is Acquiring, is Worth More Now than When I Bought it, Must I Pay Capital Gains Tax on the Increase?

It is recommended that you consult your tax advisor or the appropriate tax agencies if you have questions concerning these issues. Also, Internal revenue Service (*IRS*) Publication 544, "Sales and Other Dispositions of Assets", is available from the IRS. (*NOTE: The number of this publication may change from time to time.*) It explains how the Federal income tax would apply to a gain or loss under the threat of condemnation for public purposes. If you have any questions about the IRS rules, you should discuss your particular circumstances with your personal tax advisor or your local IRS office. The State of California Franchise Tax Board should be able to provide information regarding any State tax due, if any, resulting from the purchase by the City.

Won't My Property Taxes Increase Substantially When I Purchase A New Home Because of the Proposition 13 Re-Assessment Formula?

NO. Not as long as the replacement property's purchase price does not exceed 120% of the sales price for the acquired property. Section 2(d) of Article XIII A of the California Constitution provides that property tax relief shall be granted to any real property owner who acquires comparable replacement property after having been displaced by the City. If the full cash value of the comparable replacement property does not exceed 120% of the purchase price or the court judgment of the property acquired or taken, then the adjusted base year value of the property acquired or taken shall be transferred to the comparable replacement property. An application for this property tax relief adjustment must be filed with the County's Office of Assessor as soon as possible after the settlement of the purchase of the replacement property, governmental acquisition or condemnation proceedings. Contact the County Assessor's office and/or your tax advisor with questions you may have regarding this real property tax relief provision.

Is it Possible to Donate My Property to the City?

YES. However, prior to accepting a donation, the City must inform the owner in writing of the amount it believes to be just compensation for the property to be acquired. The property owner must indicate in writing that although he/she understands he/she cannot be required to sell his/her property for less than just compensation, he/she voluntarily agrees to do so or to contribute the property without payment of compensation. You are advised to consult with a tax advisor and lender(s) prior to making a donation.

Definitions

The language used in relation to eminent domain proceedings may be new to you. These are some terms you may hear. Please note that these definitions are general and are provided to assist in the discussion related to the proposed acquisition. They are not intended to be legal definitions.

Acquire – To purchase.

Answer – The property owner's written reply, in appropriate legal form, filed with the court in response to the complaint and as requested by the summons.

Compensation – The amount of money to which a property owner is entitled under the law for the purchase or damage to the property.

Complaint – The document filed with the court by the acquiring public agency which initiates an eminent domain proceeding.

Condemnation – The legal process by which a proceeding in eminent domain is accomplished.

Counsel – An attorney or attorneys.

Eminent Domain – The right of government to purchase private property for public use.

Final order of condemnation – The instrument which, when recorded, transfers title to public ownership.

Judgment – The court's formal decision based on applicable law and the verdict.

Loss of goodwill – A loss in the value of a business caused by the public agency's acquisition of property that cannot be reasonably prevented by relocation of the business or the owner adopting prudent or reasonable steps that preserve the value of the business goodwill.

Market value – The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.

Parcel – Usually means the property that is being acquired.

Plaintiff – The public agency that desires to purchase the property.

Possession – Legal control; to have the right to use.

Property – The right or interest which an individual has in land, including the rights to use or possess. Property is ownership; the exclusive right to use, possess or dispose of a thing.

Summons – Notification of filing of a lawsuit in eminent domain and of the necessity to file an answer or other responsive pending.

Title – Legal ownership.

Trial – The hearing of facts from plaintiff and defendant in court, either with or without a jury.

Verdict – The amount of compensation to be paid for the property.



NOTICE OF SPECIAL CLOSED SESSION MEETING MILLBRAE CITY COUNCIL

AGENDA
6:00 PM
December 14, 2021
Video Conference

Pursuant to Government Code Section 54953(e), THIS MEETING WILL BE VIA VIDEO CONFERENCE ONLY

CALL TO ORDER MILLBRAE CITY COUNCIL

Conference with Real Property Negotiators: Tom Williams, City Manager, and Celia W. Lee, Special Legal Counsel
Property: APN: 093-352-020
Party: BART
Under Negotiation: Price and Terms

ADJOURN CITY COUNCIL

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CITY CLERK AT (650) 259-2414. NOTIFICATION IN ADVANCE OF THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.

LANGUAGE INTERPRETERS: LANGUAGE SERVICE IS AVAILABLE IN CHINESE AT ALL REGULAR AND SPECIAL COUNCIL MEETINGS IF MADE AT LEAST 48 HOURS IN ADVANCE OF THE MEETING TO HELP ENSURE AVAILABILITY. FOR MORE INFORMATION OR TO REQUEST SERVICE, PLEASE CALL (650) 259-2414.

所有常規及特別市議會會議（COUNCIL MEETINGS）都可以提供中文的語言翻譯服務。需要翻譯服務的人士，必須在會議前最少48小時提出申請。如想了解更多資訊或申請有關服務，請致電 (650) 259-2414 聯絡陳姑娘。

MATERIALS RELATED TO AN AGENDA ITEM THAT ARE SUBMITTED TO THE CITY COUNCIL AFTER DISTRIBUTION OF THE AGENDA PACKET ARE AVAILABLE FOR PUBLIC INSPECTION IN THE CITY CLERK'S OFFICE AT 621 MAGNOLIA AVENUE, MILLBRAE, CA 94030, MONDAY-FRIDAY FROM 8:30 A.M. TO 5:00 P.M.

CITY COUNCIL AGENDAS MAY BE PREVIEWED ON MILLBRAE COMMUNITY TELEVISION CABLE CHANNEL 27 AND THE CITY WEB SITE [www.ci.millbrae.ca.us]

City of Millbrae Mission Statement: "Enhancing the quality of life in our shared community, providing great services, encouraging community engagement, fostering economic growth, and embracing cultural diversity in a safe environment."



BOARD OF DIRECTORS 2021

CHARLES STONE CHAIR
PETER RAITO VICE CHAIR
MARINA FRASER
JEFF GEE
CAROLE GROOM
ROSE GUILBAULT
RICO E. MEDINA
DAVE PINE
JOSH POWELL

CARTER MAU
ACTING GENERAL MANAGER/CEO

September 14, 2021

VIA E-MAIL

Peninsula Corridor Joint Powers Board
c/o Michelle Bouchard
Acting Executive Director
1250 San Carlos Avenue
San Carlos, CA 94070
bouchardm@samtrans.com

Re: Tender of Defense and Indemnification of San Mateo County Transit District with respect to claims related to the May 2, 2021 Dumbarton Tie Fire

Dear Michelle:

As you may already know, on May 2, 2021, a fire ignited on property beside the Peninsula Corridor Joint Powers Board's ("JPB") right-of-way in Redwood City. To date, the San Mateo County Transit District ("District") has been presented with two claims seeking reimbursement for property damage that occurred during, or as a result of, that fire. The JPB has also been named in these claims. Copies of the claims the District has received to date are enclosed. Given the extensive nature of the damage, the District anticipates that it will receive additional claims related to the fire in the future.

Generally, the claims allege that, on May 2, 2021, a fire ignited on property beside the JPB's right of way behind a Saf Keep Storage Building at 2480 Middlefield Road in Redwood City. The claims further allege that there were timbers stacked against an exterior building in violation of California Fire Code, Section 304, which prohibits accumulation of combustible materials nearby or in the premises of buildings or structures. Thus, the placement of the stacked timbers allegedly exacerbated the spread and fire damage to the Saf Keep Storage facility.

We understand that the timbers which ignited/exacerbated the fire belonged to the JPB and that either the JPB or its contractor, Transit America Services, Inc. ("TASI") placed and stored the railroad ties, which were purportedly saturated with combustible chemicals, on the District's property. In so doing, either the JPB or TASI improperly placed the railroad ties too close to the Saf Keep Storage Building which resulted in extensive property damage.

The JPB must indemnify the District for these and any additional fire-related claims arising from the JPB or TASI's negligent storage of combustible materials pursuant to principles of equitable indemnity as well as pursuant to Section 16 of the Joint Powers Agreement ("JPA"). Accordingly, the District hereby tenders the enclosed claims to the JPB for defense, indemnification, and all other rights to which the District is entitled. As the JPB is obligated to defend and indemnify the District against any and all future similar claims, lawsuits, and/or proceedings arising out of, or

SAN MATEO COUNTY TRANSIT DISTRICT
1250 San Carlos Ave. – P.O. Box 3006
San Carlos, CA 94070-1306 (650) 508-6200

Michelle Bouchard
September 14, 2021
Page 2 of 2

based upon the fire, we will continue to forward any such claims, lawsuits and/or proceedings to the JPB if any are received.

Please confirm as soon as possible the JPB's acceptance of the District's tender. Please also inform us of the attorneys that will defend the District in these matters. Should you have any questions or need additional information, please do not hesitate to contact us.

Very truly yours,



Carter Mau

Cc: Joan Cassman (jcassman@hansonbridgett.com)
Alexandra Atencio (aatencio@hansonbridgett.com)
Derek Hansel (hanseld@samtrans.com)
Marshall Rush (rushm@samtrans.com)
James Harrison (jharrison@olsonremcho.com)

Encls.



8435 Keystone Crossing, Ste 240
Indianapolis, IN 46240

1-844-769-2904
www.xercor.com

August 20, 2021

CalTrain and/or SAM TRANS
Attn: Marshall Rush
1250 San Carlos Ave.
San Carlos CA 94070

Our File #: 1.11819

Loss Location: Saf Keep Storage – Redwood City, 2480 Middlefield Rd, Redwood City, CA 94063

Insured: SKS Management, LLC

Insurance Policy No.: MWE 309117 and MWE 314760

Date of Loss: May 2, 2021

Payment Amount: \$79,199.93

Dear Mr. Rush:

Xercor Insurance Services LLC is the third-party administrator handling claims on behalf of Old Republic Insurance Company and their insured SKS Management, LLC. We are contacting you regarding a fire loss that occurred on May 2, 2021, at the Saf Keep Self Storage property located next to your insured's railroad property. The facts of the loss indicate CalTrain and/or SAM TRANS may be liable for payments that Xercor Insurance Services LLC, made to its claimants on behalf of Old Republic Insurance Company. Enclosed is the supporting documentation for your review. Below is a summary of expenses for your convenience.

- Total Claims payment expenses: \$71,121.10
 - Property Claim Payment: \$68,021.10
 - Deductible Reimbursement: \$3,100
 - Claims administration expenses: \$5,084.05
 - Travel Expenses: \$2,994.78
- Total : \$79,199.93**

Please note that all payments should be made payable to Xercor Insurance Services, LLC. Please include our file number. Our payment information is below.

Xercor Insurance Services, LLC
8435 Keystone Crossing, Suite 240
Indianapolis, IN 46240



8435 Keystone Crossing, Ste 240
Indianapolis, IN 46240

1-844-769-2904
www.xercor.com

Should you have any questions, please feel free to contact me at 317-734-3346.

Kind Regards,

Kimberly Kellams | Claims Supervisor

Xercor Insurance Services LLC

8435 Keystone Crossing, Suite 240

Indianapolis, IN 46240

kimberly.kellams@xercor.com | xercor.com

p: (317) 734-3346

f: 317-405-9459

PENINSULA CORRIDOR JOINT POWERS BOARD ("CALTRAIN") CLAIM FORM

Please provide the following information by printing clearly. Attach separate sheets, if necessary.

1. Claimant's Name and Post Office Address (Street Address or P.O. Box):	2. Send Official Notices and Correspondence to the following Person and Post Office Address (Street Address or P.O. Box):
Name: Federal Insurance Company	Name: Steven H. Yuster; Armijo & Garcia
Address:	Address: 555 S. Flower St., Suite 600
City: State: Zip:	City: Los Angeles State: CA Zip: 90071
Phone: ()	Phone: (213) 612-5335

3. Claimant's Date of Birth:	4. Date and Time of Incident, Occurrence or Transaction:	5. Location of Incident, Occurrence, or Transaction:
	May 2, 2021	2480 Middlefield Road, Redwood City, CA 94063

6. Basis of Claim: *State in detail all facts and circumstances of the incident, occurrence, or transaction. Identify all persons, entities, property and CALTRAIN employees involved. State why you believe CALTRAIN is responsible for the alleged indebtedness, obligation, injury, damage or loss.*

There was a fire at the railroad owned and operated by Caltrains / Peninsula Corridor Joint Powers Board. The adjacent building owned by Federal Insurance Company's insured SKS Management was damaged by the fire. The fire also triggered the fire sprinkler system in the building.

Name, Address, and Telephone Nos. of Witnesses:

Name and I.D. Number of CALTRAIN Employee, if known, who caused injury, damage or loss:

Type of CALTRAIN Vehicle and Identification No., if applicable:

Type of Vehicle and License Plate Number of Claimant's Vehicle, if applicable:

7. Description of Claimant's injury, damage or loss as of the date of this claim:

Federal Insurance Company's insured SKS Management was damaged by the fire that started at the railroad. The adjustment is ongoing.

8: Amount of Claimant's injury, damage or loss and method of computation. Attach any supporting documents.

Total Amount \$ TBD (if less than \$10,000)

If more than \$10,000, please indicate whether the claim would be a: Limited civil case (\$25,000 or less) _____

Unlimited civil case (over \$25,000) _____

I understand that if my claim is successful, any monies paid to me may be offset by any monies I owe CALTRAIN. I also understand that there may be civil or criminal penalties for presenting a fraudulent claim or making a false statement, and those penalties may include imprisonment or a fine, or both.

9. <u>/s/ Steven Yuster</u> Signature of Claimant or Representative	10. <u>September 14, 2021</u> Date
---	--

PENINSULA CORRIDOR JOINT POWERS BOARD ("CALTRAIN") CLAIM FORM

Please provide the following information by printing clearly. Attach separate sheets, if necessary.

1. Claimant's Name and Post Office Address (Street Address or P.O. Box):	2. Send Official Notices and Correspondence to the following Person and Post Office Address (Street Address or P.O. Box):
Name: Mary Ann Leary	Name: Eric Szatkowski - Recovery Specialist
Address: [REDACTED]	Address: PO Box 5076, Hartford CT
City: [REDACTED] State: CA Zip: [REDACTED]	City: State: Zip:
Phone: ()	Phone: (262-957-2423

3. Claimant's Date of Birth:	4. Date and Time of Incident, Occurrence or Transaction:	5. Location of Incident, Occurrence, or Transaction:
Not known	May 2, 2021	2480 Middlefield Road, Redwood City CA

6. Basis of Claim: *State in detail all facts and circumstances of the incident, occurrence, or transaction. Identify all persons, entities, property and CALTRAIN employees involved. State why you believe CALTRAIN is responsible for the alleged indebtedness, obligation, injury, damage or loss.*

See attached subrogation supports

Name, Address, and Telephone Nos. of Witnesses:

Name and I.D. Number of CALTRAIN Employee, if known, who caused injury, damage or loss:

Type of CALTRAIN Vehicle and Identification No., if applicable:

Type of Vehicle and License Plate Number of Claimant's Vehicle, if applicable:

2021 OCT 25 P 1:46
 INSURANCE
 CLAIMS

7. Description of Claimant's injury, damage or loss as of the date of this claim:

See attached subrogation supports

8: Amount of Claimant's injury, damage or loss and method of computation. Attach any supporting documents.

Total Amount \$ _____ (if less than \$10,000)

If more than \$10,000, please indicate whether the claim would be a: Limited civil case (\$25,000 or less) _____

Unlimited civil case (over \$25,000) _____

I understand that if my claim is successful, any monies paid to me may be offset by any monies I owe CALTRAIN. I also understand that there may be civil or criminal penalties for presenting a fraudulent claim or making a false statement, and those penalties may include imprisonment or a fine, or both.

9. <u>Eric Szatkowski</u> Signature of Claimant or Representative	10. <u>October 18, 2021</u> Date
--	-------------------------------------

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

DRAFT MINUTES OF DECEMBER 2, 2021

MEMBERS PRESENT: C. Chavez, D. Davis (Chair), J. Gee, S. Heminger (Vice Chair), G. Hendricks, D. Pine (arrived 9:02am), C. Stone, S. Walton, M. Zmuda

MEMBERS ABSENT: None

STAFF PRESENT: M. Bouchard, D. Hansel, S. Petty, J. Harrison, A. Myles-Primakoff, K. Yin, P. Shrestha, A. Brandt, D. Santoro, C. Fromson, S. Bullock, C. Mobley-Ritter, R. McCauley, A. Simmons, R. Barnard, R. Cheung, D. Seamans, S. Wong

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Dev Davis called the meeting to order at 9:01 am and led the pledge of allegiance.

2. ROLL CALL

District Secretary Dora Seamans called the roll and a quorum was confirmed.

3. GENERAL COUNSEL REPORT – CLOSED SESSION:

- a. Closed Session: Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One case**
- b. Closed Session: Conference with Legal Counsel – Anticipated Litigation. Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4): One potential case**

Roland Lebrun, San Jose, commented on the long term implications of the lack of mechanical independence between north and southbound designs.

4. GENERAL COUNSEL REPORT – REPORT OUT FROM ABOVE CLOSED SESSION

*The Board convened in closed session at 9:00 am
The Board reconvened in regular session at 11:00 am*

General Counsel James Harrison stated that there were no reportable actions.

5. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Aleta Dupree, Oakland, commented on long closed sessions, hearing public commenters, and new officers welcoming the public.

Roland Lebrun, San Jose, commented on a simultaneous BART (Bay Area Rapid Transit) meeting and two speed check.

Richard Mehlinger commented on restoring baby bullet service to Sunnyvale, calling it a major employment and business hub with bi-directional baby bullets being essential.

Jeff Carter, Millbrae, commented on the length of the closed session and needing public comment time.

Vaughn commented on the opportunity to listen to another meeting, high speed trains in China carrying more than airlines in China and North America combined, trains carrying less than 10 percent of the traffic between Alameda and Santa Clara, and the need for better rail coordination.

6. CONSENT CALENDAR

- a. Approve Regular Meeting Minutes of November 4, 2021 and Special Meeting Minutes of October 22, 2021**
- b. Renew Resolution Finding a Proclaimed State of Emergency, Recommendation for Social Distancing, and Imminent Risks to Health and Safety from In-Person Meeting and Approve Meeting Remotely for 30 Days**
- c. Receive Caltrain Key Performance Statistics – October 2021**
- d. Authorize Execution of a Contract with CDW Government LLC for Caltrain Rail Network Virtualization Project**
- e. Report of the Chief Financial Officer (CFO)**
- f. Accept Statement of Revenues and Expenses for the Period Ended October 31, 2021**
- g. Award of Contract with Hobbs Investments, Inc. dba Am-Tran to Provide Mail Courier Services**
- h. Declaration of Intent of the JPB (Financing Reimbursement)**
- i. Fuel Hedging Update**
- j. State and Federal Legislative Update**
- k. San Francisco Railyards Preliminary Business Case (PBC) - Project Update**
- l. Capital Projects Quarterly Status Report – 1st Quarter Fiscal Year 2022**
- m. 2022 Draft Legislative Program**
- n. 22nd Street Station Americans with Disabilities Act (ADA) Access Improvement Feasibility Study**
- o. Metropolitan Transportation Commission (MTC)/Regional Update**

Public Comment

Aleta Dupree, Oakland, commented on the 22nd Street presentation and acting sooner rather than later.

Jeff Carter, Millbrae, commented on the 22nd Street ADA, station usage and building these ramps.

Motion/Second: Hendricks/Zmuda

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

Noes: None

Absent: None

7. UPDATE ON CALTRAIN GOVERNANCE

Michelle Bouchard, Acting Executive Director, clarified that while this item was agendized as a motion, in the event the Board may want to provide additional direction to staff.

Sebastian Petty, Deputy Chief of Planning, provided the presentation which included the following:

- Staff Activities to solicit feedback and input from Board members and JPA partner agencies' staff with final feedback to be received by December 8th
- Feedback on Draft Straw Proposal language, including appoint of the Executive Director and direct services
- Details of Right of Way (ROW) repayment
- Next steps included using the January 6 meeting for discussion and potential action

Public Comment

Adina Levin, Friends of Caltrain, commented on resolving governance issues, managing capital projects, elevating the customer experience, and equity strategies.

Aleta Dupree, Oakland, commented on principles, owing money, and paying back debt.

Vaughn commented on finishing governance, completing projects, getting half the population off the freeways, and needing a modern rail system.

Jeff Carter, Millbrae, commented on moving ahead with governance, have the JPB select the executive director, supported by SamTrans staff, and wanting to see the railroad electrified.

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

- Electrification work on Caltrain is important and continuing
- Reaching out to members, before the December 8th deadline

8. REPORTS

a. Report of the Citizens Advisory Committee (CAC)

Adrian Brandt, member, reported on the following topics:

- Appointing a nominating committee and making a recommendation at the next meeting

- Menlo Park Rail Committee reviewing draft language on the request for proposal for a quiet zone study for the entire city
- Public comment on quad gates, trains still needing to sound their horns, and 22nd Street ADA access
- Receiving Brown Act training and having public meetings in safe space
- Metropolitan Transportation Commission (MTC) implementing Clipper 2.0
- Incentives for transit agencies that do not participate

b. Report of the Chair

Chair Davis announced the Nominating Committee for 2022 Officers as Directors Zmuda, Pine, and Hendricks.

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

Director Jeff Gee reported that the Federal Transit Administration (FTA) is currently reviewing the TJPA's application for the New Starts Program and the Executive Director would be appointed next week.

d. Report of the Executive Director

i. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report – October, including Change Management Board Process Overview

Michelle Bouchard, Acting Executive Director, reported on the following:

- Holiday train returning Dec 4 and 5th with the opportunity to give donations and reminded everyone to wear face coverings
- Free rides after 8 pm on New Year's Eve and special late night service from San Francisco
- Staff strategizing on the Infrastructure bill passed this year
- November 14th emergency preparedness with a full-scale drill simulating an electrified environment

Luis Zurinaga, CMB (Change Management Board) Chair, provided updates, which included the following:

- Change Management Board membership and overview
- Funding partners MOU (Memorandum of Understanding)
- Topics reviewed monthly
- Action on changes over \$200,000
- Scope, quantity, and work directive change examples

Pranaya Shrestha, CalMod Chief Officer, provided updates, which included the following:

- Construction updates on Segment 4- used for testing trains (critical segment), Overhead Contact System (OCS), and traction power facilities
- Electric trains and two speed check
- Signal optimization (wireless) and electric locomotive tests
- Safety campaign and schedules with key milestones and project costs
- Top risks included contractual issues, outstanding change orders, part delays
- Seeking funding, next steps, and general project update

ii. Update on Effect of Public Employees' Pension Reform Act (PEPRA) on Federal Funding for Caltrain Agencies

James Harrison, General Counsel, provided the report, which included the following:

- 2013 PEPRA affected the way benefits were calculated for employees to participate in the public pension programs and California transit agencies that did not comply with federal labor laws were not having their applications certified.
- Determination was made that Caltrain was not affected by PEPRA (Public Employees' Pension Reform Act) because it does not have its own employees
- The Department of Labor confirmed that Caltrain applications are currently being processed by FTA (Federal Transit Administration)

Public Comment

Aleta Dupree, Oakland, commented on finishing foundations, the paint schemes, and having to "stay on hard construction", including electrical substations wires and power generation.

Jeff Carter, Millbrae, commented on progress, other parts of the world getting this done faster, cheaper, advocated for electrification, and completion before September 2024.

Roland Lebrun, San Jose, commented on the PCEP presentation, Mayor Ricardo not funding cost overrun and asked for confirmation for a special meeting on December 6.

Vaughn asked about a backup strategy for electric power, the age and makeup of the workforce, including the number of engineers and potential shortage of plumbers and electricians to do the work.

9. CORRESPONDENCE

Correspondence was available online.

10. BOARD MEMBER REQUESTS

There were none.

11. DATE/TIME OF NEXT REGULAR MEETING:

Thursday, January 6, 2022 at 9:00 am via Zoom (additional location, if any, to be determined).

12. ADJOURN

The meeting adjourned at 12:13 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 DECEMBER 6, 2021

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

MEMBERS ABSENT: None

STAFF PRESENT: M. Bouchard, D. Hansel, S. Petty, J. Harrison, P. Shrestha, D. Santoro, C. Fromson, S. Bullock, D. Seamans, S. Wong

1. CALL TO ORDER / ROLL CALL

Chair Dev Davis called the meeting to order at 10:01 am. District Secretary Seamans called the roll and a quorum was confirmed.

2. Consideration of Amendment to Peninsula Corridor Electrification Project (PCEP)

Budget, Project Change Orders and Increase in Contract Authority

- a. Approve Amendment of Peninsula Corridor Electrification Project (PCEP) Budget
- b. Authorize Execution of Change Orders for Balfour Beatty Infrastructure, Inc. (BBII) for PCEP
- c. Approve Increase in Contract Authority for Jacobs Project Management Company for On-Call Construction Management Services for PCEP

Chair Davis noted that there will need to be three motions and staff could make one presentation.

Michelle Bouchard, Acting Executive Director, provided the introduction noting that program is at an inflection point with respect to the transition point from civil to systems work with steady progress and only 59 out of 3,000 foundations left. There have been commercial issues with the prime contractor.

Pranaya Shrestha, Chief Officer CalMod, provided the presentation on the project overview including project elements, benefits, long-term service vision, and context. He reviewed the BBII negotiations, options to the signal work dispute, priority considerations, analysis, and recommended path forward. Mr. Shrestha also reviewed the updated project cost and schedule, budget scrub, contract implications, and schedule milestone changes.

Derek Hansel, Chief Financial Officer, provided the presentation on project funding, including project cost increase, federal funding to date, cashflow, and additional state and federal funding needs to complete the project. He reviewed the funding strategy that included FTA/CHSRA (Federal Transit Administration/California High Speed Rail Authority) Recovery Plan and additional funding sources for the project increase from various state and federal programs.

Casey Fromson, Acting Chief Communications Officer, presented on stakeholder outreach that included meetings with members or their staff at the federal and state levels, funding partners and other key stakeholders. She noted that the feedback received has been positive and everyone appreciated that this project would have significant greenhouse gas reduction and has the foundation for future capacity.

James Harrison, General Counsel, provided detailed information and the reasons for the three staff recommended actions: \$2.44 billion project budget approval, \$346.68 million BBII change order approval (that included changes orders for the 2 speed check, global project cost and time resolutions), and \$18.5 million Jacobs contract authority approval.

Public Comment

Greg Greenway, a board member on the Chamber of San Mateo County and chair of the Transportation and Housing Committee, stated that they are a voice for small, medium, and large organizations that also includes nonprofit government members. The Chambers has been supporters of Caltrain electrification and CalMod for over ten years, the benefits of this project are indisputable for all three counties, supports the staff recommendations, and appreciates the Board work and leadership.

Larisa Ocaña, SAMCEDA (San Mateo County Economic Development Association), noted they have been a supporter of electrification from the earliest days and urged approval of the updated budget and contract changes and for project completion as soon as possible.

Aleta Dupree spoke in support of the basic staff recommendation for the earliest completion timeframe and commented on the cost escalation, 59 foundations remaining, commuter railroads in other states, and asked for approval of the three items.

Adina Levin, Friends of Caltrain, spoke in support of stable funding, successful modernization of Caltrain in the context of a regionally integrated public transportation system, finishing the project, and working together regionally on mega projects.

Vince Rocha, Silicon Valley Leadership Group, Silicon Valley Leadership group, spoke in support of Caltrain funding, especially for transit electrification as being important for employers in the region.

Roland referred to his prior correspondence to the Board and commented on the cost increases and time for completion, the need for best practices, 2 speed check, and questioned expanding Caltrain funding.

Adrian Brandt spoke in support of the staff recommendations and the project being done as soon as possible. He also commented on finding something better than the 2 speed check solution, the wireless solution, dual speed check, gate down time, and constant warning time solution.

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

- 2 speed check solution as a required back up/backstop, minimizing gate downtime, having a wireless solution in the corridor as part of positive train control, and future reports to the Board in January
- Funding planning if there were no new federal or state grant funding and alternatives could include falling back on member agencies, additional funding financing secured by some combination of Measure RR and additional sales of low carbon fuel standards credits, and four party agreement
- Measure RR revenue stream would not cover the budget shortfall and would still be about 30 million short
- The project needs to be finished as soon as possible to ultimately spend less while also letting funding partners know that their assistance and support are needed
- Provide future reports as the project moves forward to ensure milestones are met
- Fiduciary responsibility, accountability, and contractors need to meet expectations going forward

Motion/Second: Zmuda/Heminger to Approve Amendment of Peninsula Corridor Electrification Project (PCEP) Budget as amended to add “whereas that the CMB (Change Management Board) review and approve the funding plan, including the use of incentive and shared risk pool funding”.

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

Noes: None

Absent: None

Motion/Second: Gee/Stone to Authorize Execution of Balfour Beatty Infrastructure, Inc. (BBII) Change Orders for the Peninsula Corridor Electrification Project (PCEP)

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

Noes: None

Absent: None

Motion/Second: Zmuda/Chavez to Authorize increase of Contract Authority for Jacobs Project Management Company for On-Call Construction Management Services for the Peninsula Corridor Electrification Project by \$18,500,00

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

Noes: None

Absent: None

8. ADJOURN

The meeting adjourned at 11:53 am

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
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Joe Navarro
Deputy Chief, Rail Operations

SUBJECT: **CALTRAIN KEY PERFORMANCE STATISTICS – NOVEMBER 2021**

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 November 2021.

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

November 2021

	FY2020	FY2021	FY2022	FY21 to FY22 % Change
Total Ridership	1,472,693	91,699*	296,065	222.9%
Average Weekday Ridership	69,607	3,760*	11,787	213.5%
Total Farebox Revenue	\$ 8,718,421	\$ 3,033,810	\$ 3,013,861	-0.7%
On-time Performance	93.3%	96.0%	96.4%	0.5%
Average Weekday Caltrain Shuttle Ridership	8,773	1,064	281	-73.6%

Fiscal Year to Date

	FY2020	FY2021	FY2022	FY21 to FY22 % Change
Total Ridership	8,159,969	471,112*	1,425,685	202.6%
Average Weekday Ridership	70,881	3,645*	10,632	191.7%
Total Farebox Revenue	\$ 45,334,073	\$ 14,979,355	\$ 12,837,815	-14.3%
On-time Performance	93.5%	96.6%	94.5%	-2.2%
Average Weekday Caltrain Shuttle Ridership	8,876	1,082	254	-76.5%

* Adjusted after thorough review of data from past Fiscal Years

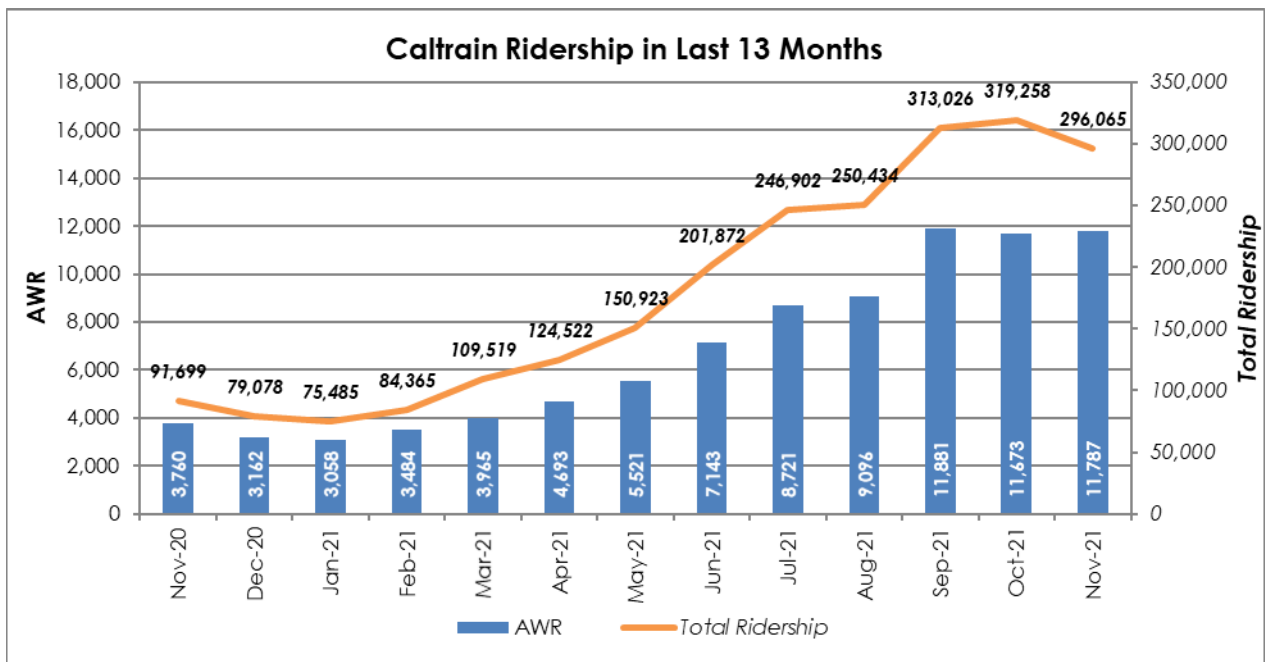
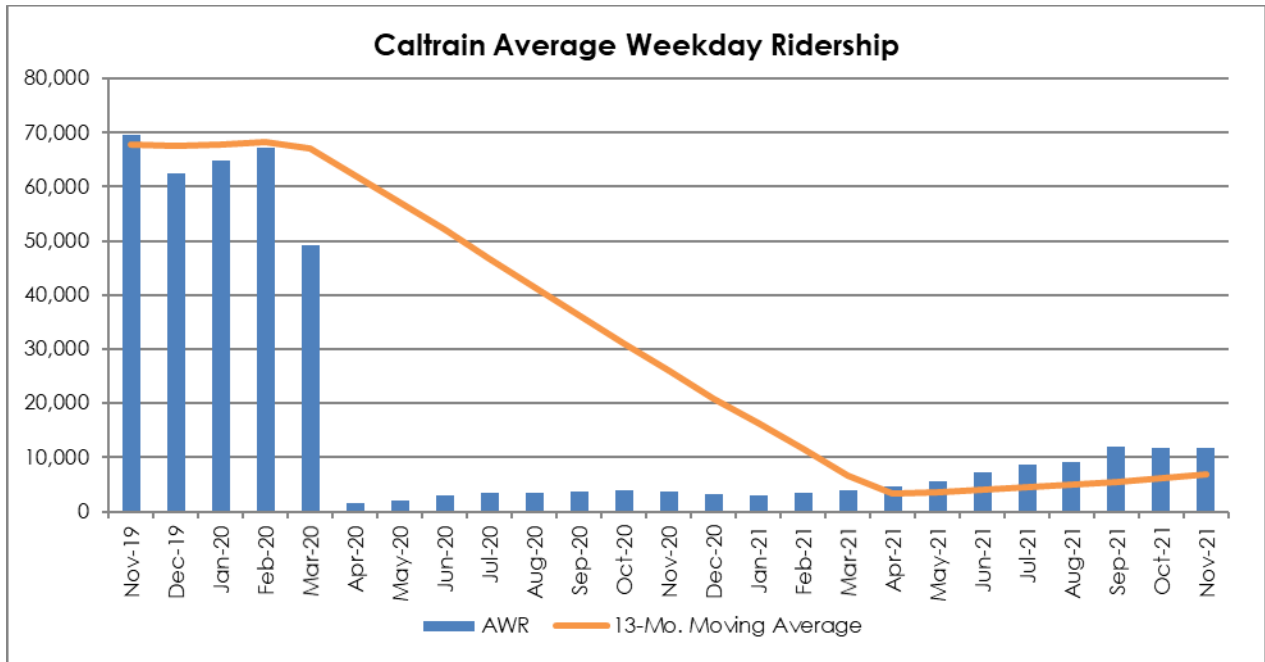
RIDERSHIP

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.

Likely reasons for the significant increase in ridership from a year ago include:

- Significant improvements of the COVID-19 pandemic;
- Easing of COVID-19 restrictions;
- Resumption of special events such as professional sports games played with spectators at the venues, and;
- Service increase implemented in the August 30th, 2021 timetable.

Ridership recovery continues to be stronger on weekends compared to weekdays. Average Saturday ridership increased by 231.7 percent to 7,217 from 2,176 from November 2020. Average Sunday ridership increased by 233 percent compared to 5,505 from 1,653 from November 2020.



SHUTTLE AVERAGE RIDERSHIP

Shuttle AWR ridership for November 2021 was 281, a decrease of 73.6 percent compared to November 2020 (1,064). As of November 2021, eleven shuttle routes are operating. Additionally, the employer suspends two routes and six services that have been removed from the shuttle program since January 2021 due to operational, partner, or granting changes/losses.

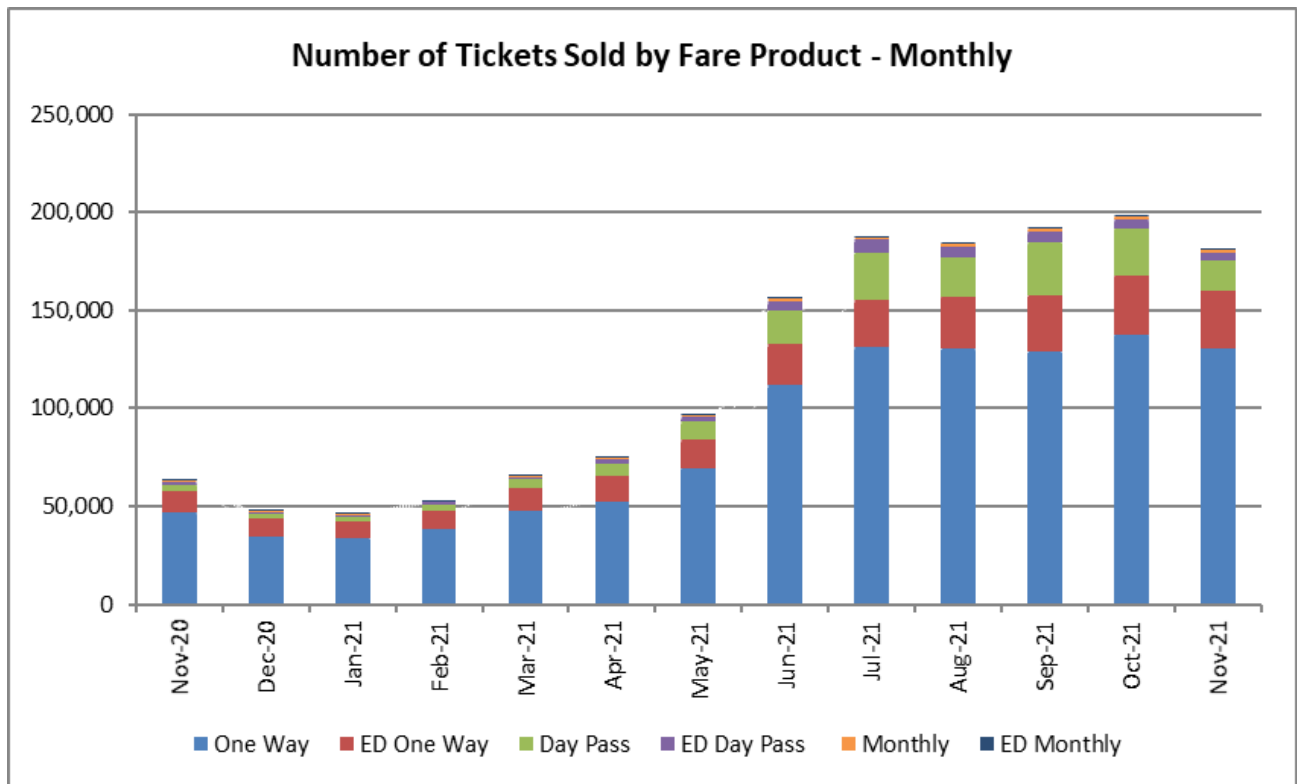
TICKET SALES

Other ticket sales and farebox revenue statistics trended as follows:

- Eligible Go Pass Employees decreased to 57,719 from November 2020 (87,116).
- The participating Go Pass Companies decreased to 43 from November 2020 (117).
- Total Farebox Revenue decreased by 0.7 percent to \$3,013,861 from November 2020 (\$3,033,810).

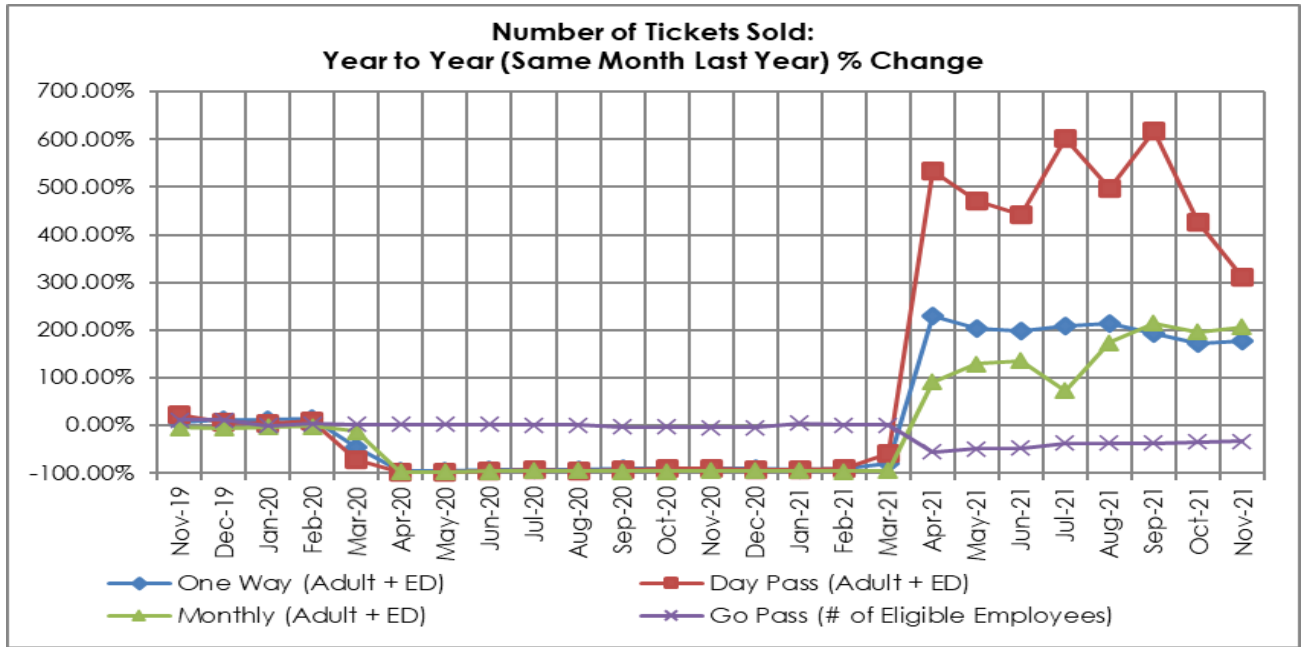
This is the second month that observed a significant decrease of year-to-year growth in number of Day Passes sold. Likely reasons for this include:

- Decrease in number of occasional riders, especially after the end of the 2021 Major League Baseball season, and;
- The continued recovery of Monthly Pass sales by the number of Passes sold even though the number of Monthly Passes sold in this month was far fewer than that during the pre-pandemic era.



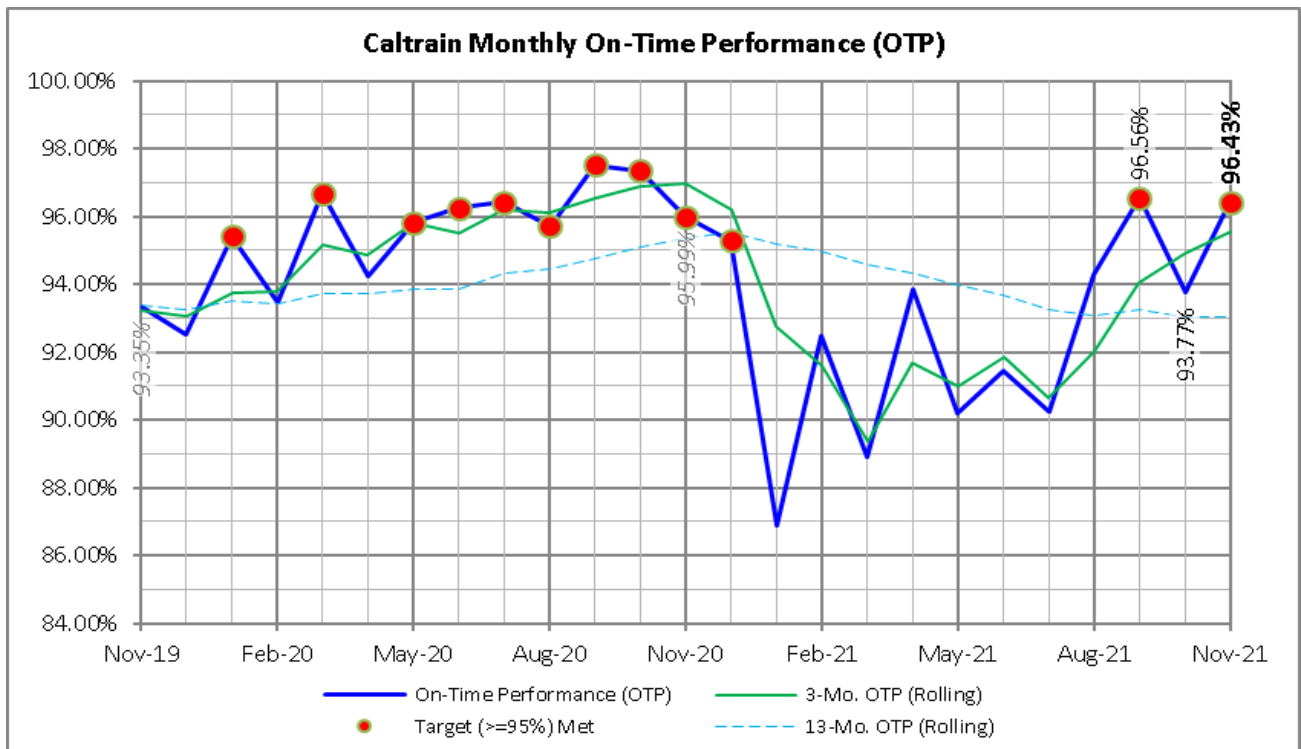
Note:

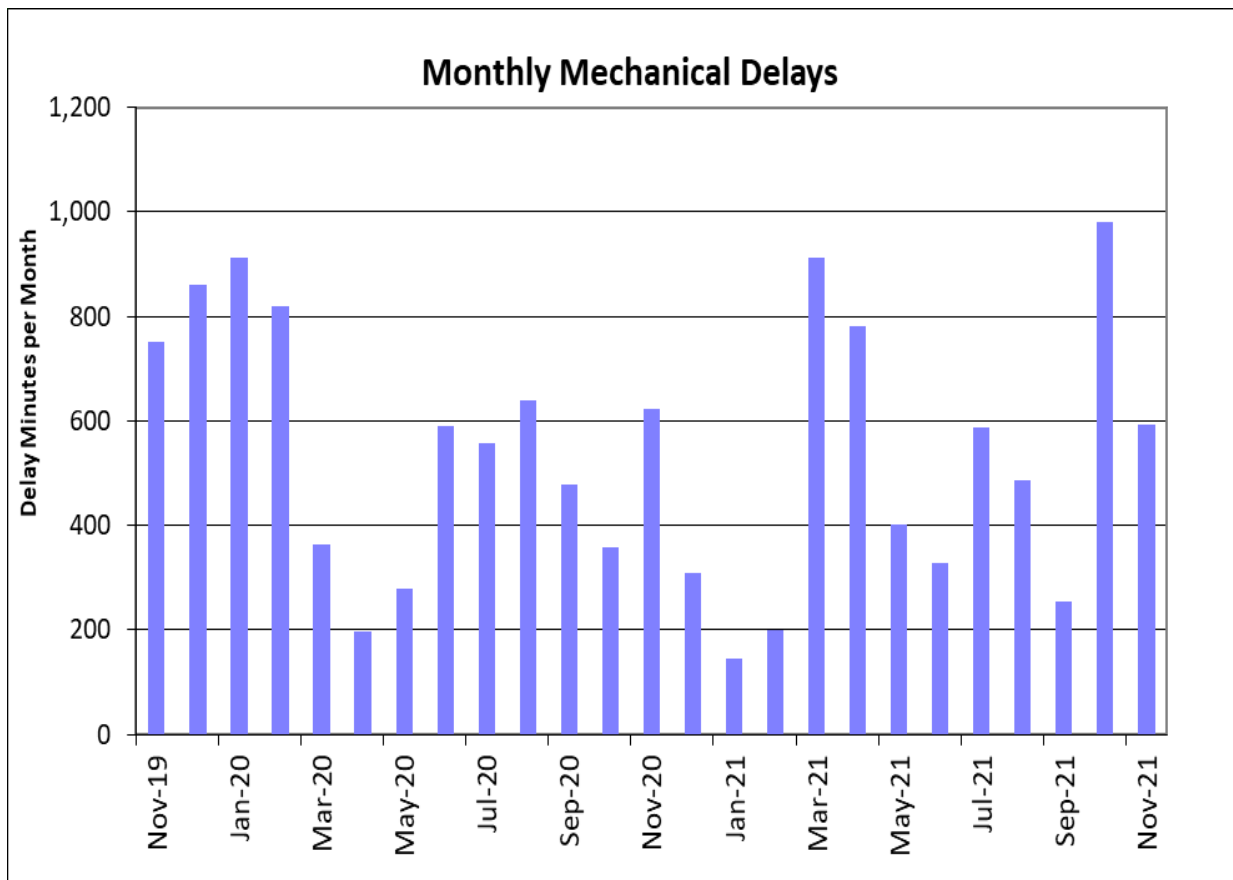
1. Go Passes tracked by Monthly Number of Eligible Employees (not by Sales)
2. Starting in September 2021, ticket sales are derived from the Business Intelligence (BI) system that corrected One-Way ticket sales. The correction reduced total tickets by about 10%-15% when compared to the former methodology.



ON-TIME PERFORMANCE (OTP)

In November 2021, OTP was 96.4 percent compared to 96 percent in November 2020. The OTP trend improved significantly after the August 30th, 2021 timetable change because of schedule optimization for construction-induced single tracking during weekday off-peak periods and weekends.





Caltrain Communication and Marketing Campaigns for November 2021:

- Take Caltrain to the Game - Stanford Football, 49ers Football, San Jose Sharks Hockey (ongoing)
- Clipper Mobile (ongoing)
- 20% Off Caltrain Monthly Pass (ongoing)
- Clipper Start (ongoing)
- "Face Coverings Required" messaging to customers (ongoing)
- Press Release: "U.S. Department of Transportation Representatives Visit Dynamic Testing of Caltrain's All-New Stadler Multilevel EMU Trainsets"
- Press Release: "Caltrain Runs Service to Stanford vs. Notre Dame Game Saturday"
- Press Release: "Caltrain Changes Schedule for Thanksgiving Holiday"
- Press Release: "Holiday Train Returns to Help Kick-off the Season of Giving"
- Press Release: "Caltrain Runs Service to Stanford vs. Cal Game Saturday"
- Press Release: "Bay Area Transit Agencies Cheer Infrastructure Bill Passage"
- Press Release: "Caltrain to Deliver Fans to See Enrique Iglesias and Ricky Martin at SAP Center"
- Press Release: "Caltrain Runs Service to SAP Center for Jo Koy"
- Press Release: "As a Sign of the Times, Caltrain Runs Service to Harry Styles at SAP Center"

Notable Mention:

Engagement and reach continue growing on the Instagram, TikTok, and Twitter accounts.

Digital Communications Report:

The month of November brought in a lot of different messaging. Caltrain was constantly messaging and reminding people to take the train to the remaining sport events like Stanford Football. Caltrain took a chance with more pop culture references on Twitter, including a viral tweet Re: Elon Musk, continued the (welcome back series), messaging of masks on board.

November 2021 Highlights:

- Stanford Football & “Big Game”
- Holiday Train Promotion
- Rider Survey
- Elon Musk Tweet
- Thanksgiving Service Tweets

Website:

Caltrain.com Sessions: 397K log-ons to our site in November. This is down slightly from October (420K), the first dip in web traffic since the pandemic recovery and likely follows an annual dip in holiday ridership.

Website Replacement Project:

In November, the Web Team met with Caltrain to present progress and accommodate some scope changes. The launch is scheduled for mid-March 2022.

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**

DATE: December 30, 2021

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Derek Hansel
Chief Financial Officer

SUBJECT: December 30, 2021 JPB Board Report of the Chief Financial Officer

HIGHLIGHTS

- Staff continues to work with the JPB's financing team on developing the PCEP bond issue. We are currently targeting rating agency meetings in January, and bringing the financing plan to the Finance Committee for its recommendation in January with a February 2022 Board approval. Staff will bring updated projections for Measure RR revenue at that time.
- In the Finance Division, we have now turned attention to the preparation of the Fiscal Year 2023 Operating and Capital Budgets. While the Operating Budget may continue to have limited reliance on Federal funding (subject to final needs in Fiscal Year 2022), we anticipate that it will largely need to be supported with "self-generated" revenue (particularly Measure RR revenue and farebox revenue, including Go Pass). More information on this will be shared, particularly as we have a better sense of the ability of fare revenues to provide meaningful support to Caltrain operations.

Recently, the Budgets Department has received the "Distinguished Budget Presentation Award" from the Government Finance Officers Association for their work in preparation of the Fiscal Year 2022 budget and the corresponding "Budget Book."

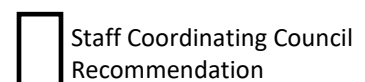
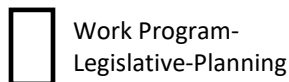
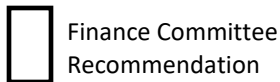
**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Derek Hansel
Chief Financial Officer

SUBJECT: **ACCEPT STATEMENT OF REVENUES AND EXPENSES FOR THE PERIOD ENDING
NOVEMBER 30, 2021**



ACTION

Staff proposes that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) accept and enter into the record the Statement of Revenues and Expenses for the month of November 2021.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through November 30, 2021. 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

Year to Date Revenues: As of November year-to-date actual, the Grand Total Revenue (page 1, line 19) is \$2.7 million more than the approved budget. This is primarily driven by Measure RR (page 1, line 13) and ARPA fund (page 1, line 15), 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 November year-to-date actual, the Grand Total Expense (page 2, line 54) is \$10.1 million lower than the approved budget. This is primarily driven by Rail Operator Service (page 2, line 24), 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).

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 November 2021.

Prepared By: Thwe Han, Accountant II

650-508-7912

Jennifer Ye, Acting Director, Accounting

650-622-7890

PENINSULA CORRIDOR JOINT POWERS BOARD

STATEMENT OF REVENUE AND EXPENSE

Fiscal Year 2022

November 2021

								% OF YEAR ELAPSED	41.7%
				JULY TO NOVEMBER		ANNUAL			
		CURRENT	APPROVED	\$	%	APPROVED			
		ACTUAL	BUDGET	VARIANCE	VARIANCE	BUDGET	FORECAST	\$	
				VARIANCE	VARIANCE			VARIANCE	
REVENUE									
OPERATIONS:									
1	Farebox Revenue	12,837,815	12,397,000	440,815	3.6%	34,639,000	34,639,000	-	1
2	Parking Revenue	431,076	640,000	(208,924)	(32.6%)	1,536,000	1,536,000	-	2
3	Shuttles	541,861	668,290	(126,429)	(18.9%)	1,603,900	1,603,900	-	3
4	Rental Income	373,401	496,860	(123,459)	(24.8%)	1,192,466	1,192,466	-	4
5	Other Income	603,495	660,250	(56,755)	(8.6%)	1,584,608	1,584,608	-	5
6									6
7	TOTAL OPERATING REVENUE	14,787,649	14,862,400	(74,751)	(.5%)	40,555,974	40,555,974	-	7
8									8
9	CONTRIBUTIONS:								
10	AB434 Peninsula & TA Shuttle Funding	79,167	466,375	(387,208)	(83.0%)	1,119,300	1,119,300	-	10
11	Operating Grants	2,677,280	2,777,280	(100,000)	(3.6%)	6,525,471	6,525,471	-	11
12	JPB Member Agencies	-	-	-	.0%	-	-	-	12
13	Measure RR	40,235,597	36,073,716	4,161,881	11.5%	86,576,919	86,576,919	-	13
14	CRRSAA*	-	27,115,922	(27,115,922)	(100.0%)	27,115,922	-	(27,115,922)	14
15	ARPA	41,098,334	14,849,883	26,248,451	176.8%	14,849,883	41,098,334	26,248,451	15
16									16
17	TOTAL CONTRIBUTED REVENUE	84,090,378	81,283,176	2,807,202	3.5%	136,187,495	135,320,024	(867,471)	17
18									18
19	GRAND TOTAL REVENUE	98,878,027	96,145,576	2,732,451	2.8%	176,743,469	175,875,998	(867,471)	19
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

November 2021

								% OF YEAR ELAPSED	41.7%
				JULY TO NOVEMBER		ANNUAL			
		CURRENT	APPROVED	\$	%	APPROVED	\$		
		ACTUAL	BUDGET	VARIANCE	VARIANCE	BUDGET	FORECAST	VARIANCE	
21	EXPENSE								21
22									22
23	DIRECT EXPENSE:								23
24	Rail Operator Service	38,145,096	39,702,678	(1,557,582)	(3.9%)	97,353,730	97,353,730	-	24
25	Security Services	2,863,740	2,114,509	749,231	35.4%	7,486,512	7,486,512	-	25
26	Shuttle Services	717,230	976,115	(258,885)	(26.5%)	2,723,200	2,723,200	-	26
27	Fuel and Lubricants	4,042,669	4,347,855	(305,186)	(7.0%)	10,434,846	10,434,846	-	27
28	Timetables and Tickets	11,999	22,915	(10,916)	(47.6%)	55,000	55,000	-	28
29	Insurance	5,528,473	5,857,210	(328,737)	(5.6%)	5,857,210	5,857,210	-	29
30	Claims, Payments, and Reserves	457,570	341,670	115,900	33.9%	820,000	820,000	-	30
31	Facilities and Equipment Maintenance	1,364,296	3,262,655	(1,898,359)	(58.2%)	7,734,353	7,734,353	-	31
32	Utilities	903,668	1,063,585	(159,917)	(15.0%)	2,552,600	2,552,600	-	32
33	Maint & Services-Bldg & Other	329,499	686,240	(356,741)	(52.0%)	1,674,250	1,674,250	-	33
34									34
35	TOTAL DIRECT EXPENSE	54,364,239	58,375,432	(4,011,193)	(6.9%)	136,691,701	136,691,701	-	35
36									36
37	ADMINISTRATIVE EXPENSE								37
38	Wages and Benefits	4,626,657	5,884,695	(1,258,038)	(21.4%)	12,435,945	12,435,945	-	38
39	Managing Agency Admin OH Cost	1,537,760	1,447,570	90,190	6.2%	3,470,871	3,470,871	-	39
40	Board of Directors	7,781	20,110	(12,330)	(61.3%)	48,275	48,275	-	40
41	Professional Services	1,842,548	3,602,540	(1,759,992)	(48.9%)	8,737,561	8,737,561	-	41
42	Communications and Marketing	119,721	135,830	(16,109)	(11.9%)	322,750	322,750	-	42
43	Other Office Expenses and Services	509,861	1,540,135	(1,030,274)	(66.9%)	3,654,614	3,654,614	-	43
44									44
45	TOTAL ADMINISTRATIVE EXPENSE	8,644,328	12,630,880	(3,986,552)	(31.6%)	28,670,016	28,670,016	-	45
46									46
47	TOTAL OPERATING EXPENSE	63,008,567	71,006,312	(7,997,745)	(11.3%)	165,361,717	165,361,717	-	47
48									48
49	Measure RR Ballot Costs	5,357,846	7,000,000	(1,642,154)	(23.5%)	7,000,000	7,000,000	-	49
50	Governance	194,420	833,335	(638,915)	(76.7%)	2,000,000	2,000,000	-	50
51									51
52	Debt Service Expense	1,100,231	992,395	107,836	10.9%	2,381,752	2,381,752	-	52
53									53
54	GRAND TOTAL EXPENSE	69,661,064	79,832,042	(10,170,978)	(12.7%)	176,743,469	176,743,469	-	54
55									55
56	NET SURPLUS / (DEFICIT)	29,216,962	16,313,534	12,903,428	79.1%	-	(867,471)	(867,471)	56

* Fuel and Lubricants costs were reduced by a realized gain of \$578,449 from the fuel hedge program.



PENINSULA CORRIDOR JOINT POWERS BOARD
INVESTMENT PORTFOLIO
AS OF NOVEMBER 30, 2021

BOARD OF DIRECTORS 2021
 DEVORA "DEV" DAVIS, CHAIR
 STEVE HEMINGER, VICE CHAIR
 CINDY CHAVEZ
 JEFF GEE
 GLENN HENDRICKS
 DAVE PINE
 CHARLES STONE
 SHAMANN WALTON
 MONIQUE ZMUDA
 MICHELLE BOUCHARD
 ACTING EXECUTIVE DIRECTOR

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	0.203%	88,141	88,141
County Pool (Unrestricted)		Liquid Cash	0.867%	559,220	559,220
Other (Unrestricted)		Liquid Cash	0.050%	127,971,784	127,971,784
Other (Restricted)	**	Liquid Cash	0.050%	11,487,705	11,487,705
				\$ 140,106,851	\$ 140,106,851

Interest Earnings for November 2021 \$ 4,297.22
 Cumulative Earnings FY2022 \$ 15,635.39

* 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.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Anthony Simmons
Director, Systemwide, Stations, and Capital Planning

Lawrence Leung
Manager, Rail Contracts & Budget

SUBJECT: **ACCEPT ON-CALL TRANSPORTATION PLANNING AND CONSULTANT SUPPORT SERVICES UPDATE**

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

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 September 4th, 2021 thru December 3rd, 2021. 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:	Anthony Simmons	650.622.7831
	Director, Systemwide, Stations, and Capital Planning	
	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:		\$9,492,927
Remaining Capacity:		\$15,507,073

Table 2

Contract Days	Days Elapsed	% Time Elapsed	Capacity Used
1825	520	28%	38%

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	\$2,340,324	\$1,055,988	\$2,609,172	\$1,033,094	\$2,354,439	\$99,909
Previous Reporting Period	\$1,895,466	\$981,354	\$2,609,172	\$1,033,094	\$2,339,439	\$99,909
Current Reporting Period	\$444,858	\$74,634	\$0	\$0	\$15,000	\$0

Table 5

WD#	Title	Description (Updates in Bold)	Vendor	Updated	Start	(Revised) End	Current Value
10335	¹ 22nd St Station ADA Access Feasibility Study	Completion of the ADA Access Feasibility study for the 22nd Street Caltrain Station including background research; stakeholder engagement; conceptual designs; constructability and funding analysis; alternative screening; and final report. Extended from 10/31/21 to 12/31/21.	HNTB	11/16/2021	9/1/2020	12/31/2021	\$146,780.31
10299	Business Plan - Business Modeling Support	Business modeling support including the evaluation of potential service and operating scenarios and the development of business modeling tools. Added \$22k for additional support and extended from 12/31/21 to 6/30/22.	Fehr & Peers	11/12/2021	8/1/2020	6/30/2022	\$116,310.00
10447	Caltrain Go Pass Donation Program Support	Consultant support for the Go Pass Donation Program. Added \$15k to partially fund Phase 2.	Mott	11/10/2021	6/14/2021	6/30/2022	\$65,942.33
10338	Caltrain Governance Support	Support on the governance and other contractual matters related to the discussion of establishing the Peninsula Corridor Joint Powers Board (JPB)/Caltrain as an entity fully independent of the San Mateo County Transit District (District).	HNTB	11/8/2021	9/8/2021	6/30/2022	\$74,634.78
10304	² DISC Plan – PM & Outreach Support	Technical and outreach program management for the remainder of Phase I of the Diridon Station Concept Plan. Extended from 10/31/21 to 2/28/22.	Kimley-Horn	11/5/2021	9/3/2020	2/28/2022	\$404,443.00
10305	² DISC Plan – Technical Support & Analysis	Technical management and support and organizational, governance and funding analysis and strategy for the remainder of Phase I of the Diridon Station Concept Plan. Extended from 10/31/21 to 2/28/22.	Kimley-Horn	11/5/2021	9/3/2020	2/28/2022	\$594,682.00
10309	Caltrain Governance Support	Support for Caltrain’s governance process including the following tasks: assisting with designing and structuring meetings, providing meeting facilitation services, developing and producing visual communications and graphics, and providing notetaking services during meetings. Added \$92k for additional support.	Fehr & Peers	10/28/2021	2/22/2021	6/30/2022	\$239,658.75
10310	Caltrain Policy, Strategy and Communications Support	Support to Caltrain in the areas of policy and strategy on a number of key issues including the Caltrain governance process as well as other areas.	Fehr & Peers	10/13/2021	9/1/2021	6/30/2022	\$271,333.94
10308	Internal Support for Interim Executive Director Transition	Internal support for the Interim Executive Director transition for the JPB and includes the following tasks: Development of Internal Action Plan for Transition Period, Support for Implementation of Internal Action Plan, Manage Special Projects as Identified by COO/ED, and Support Recruitment of Chief of Staff including Transitioning Internal Action Plan Tasks as Needed. Extended from 9/30/21 to 11/30/22.	Fehr & Peers	9/24/2021	3/15/2021	11/30/2021	\$328,338.00
10311	Caltrain Service Restoration: Post-Implementation Monitoring and Analysis	Obtain consultant support and expertise regarding the evaluation of Caltrain’s recent service restoration plan, with recommendations for future adjustments, enhancements, and improvements. Obtain an ongoing market analysis through research and outreach to affected communities regarding future travel patterns and behaviors.	Fehr & Peers	9/22/2021	10/1/2021	1/30/2022	\$59,617.20

¹ Transferred from old contract #13-PCJPB-P-023

² Multi-agency Endeavor - City of San Jose, VTA, and HSR

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Casey Fromson
Chief Communications Officer

SUBJECT: **ADOPT 2022 LEGISLATIVE PROGRAM**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff proposes the Board adopt the attached Legislative Program to guide Caltrain's legislative, policy, and advocacy efforts over the course of calendar year 2022.

SIGNIFICANCE

The 2022 Program establishes the principles that will guide Caltrain's legislative and regulatory advocacy efforts through the 2022 calendar year, including the second half of the 2021-2022 State legislative session and second session of the 117th Congress. The program is intended to be broad enough to cover the wide variety of issues that are likely to be considered during that time and flexible enough to allow Caltrain to respond swiftly and effectively to unanticipated developments. Adoption of the Program provides our legislative delegation and our transportation partners with a clear statement of Caltrain's priorities.

The 2022 Program is organized to guide Caltrain's actions and positions in support of three primary objectives:

1. Maintain and enhance funding opportunities to support Caltrain's programs, projects, and services.
2. Seek a regulatory environment that streamlines project delivery and maximizes Caltrain's ability to meet public transportation service demands.
3. Reinforce and expand programs that build and incentivize public transportation ridership.

The Program is structured to apply these core objectives to a series of issues detailed in the 2022 Legislative Program.

Should other issues surface that require Caltrain's attention, actions will be guided by the three policy objectives listed above. If needed, potential action on issues that are unrelated to these policy goals will be brought to Caltrain's Board of Directors for consideration.

Caltrain and its legislative consultants will employ a variety of engagement tools to support the 2022 Legislative Program, including:

- 1. Direct Engagement
Engage policymakers directly and sponsor legislation, submit correspondence and provide public testimony that communicates and advances Caltrain's legislative priorities and positions.

- 2. Coalition-based Engagement
Engage local and regional stakeholders to build awareness about specific issues and participate in local, regional, statewide and national coalitions organized to advance positions that are consistent with the 2022 Program.

- 3. Media Engagement
Build public awareness and communicate legislative priorities by issuing press releases, organizing media events, and through the use of social media and other electronic media.

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

Staff actively monitors legislative and regulatory activity and will seek Board positions on selected bills as appropriate to further Caltrain's legislative objectives and to provide support for our advocacy efforts. Staff will supply updated reports summarizing relevant legislative and regulatory activities, allowing the Board to track legislative developments and providing opportunities to take appropriate action on pending legislation.

Prepared By: Jadie Wasilco
Government & Community Affairs Manager

650.465.6301

Caltrain

2022 Legislative Program

Purpose

Legislative and regulatory actions have the potential to significantly benefit Peninsula Corridor Joint Powers Board / Caltrain (Agency) programs and services. They also have the potential to present serious challenges that threaten the Agency's ability to meet the county's most critical transportation demands.

The 2022 Legislative Program establishes the principles that will guide the Agency's legislative and regulatory advocacy efforts through the 2022 calendar year, including the second half of the 2022 State legislative session and second session of the 117th Congress. The program is intended to be broad enough to cover the wide variety of issues that are likely to be considered during that time and flexible enough to allow the Agency to respond swiftly and effectively to unanticipated developments.

Objectives

The 2022 Legislative Program is organized to guide the Agency's actions and positions in support of three primary objectives:

- Maintain and enhance funding opportunities to support the Agency's programs and services;
- Seek a regulatory environment that streamlines project delivery and maximizes the Agency's ability to meet transportation service demands; and
- Reinforce and expand programs that build and incentivize public transportation ridership, improve quality transportation choices, and better incorporate [SamTrans Caltrain](#) service with other agencies in the Bay Area.

Issues

The Legislative Program is structured to apply these core objectives to a series of Regional, State and Federal issues falling in these categories:

- Budget and Transportation Funding Opportunities
- Transportation Projects Funding Requests and Needs
- Regulatory, Legislative, and Administrative Issues

Within these categories are a detailed list of specific legislative initiatives and corresponding set of policy strategies.

Should other issues surface that require the Board's attention, actions will be guided by the three policy objectives listed above. If needed, potential action on issues that are unrelated to these policy goals will be brought to the Board for consideration.

Advocacy Process

Staff will indicate on each monthly legislative update recommended positions for pending bills. Once the Board has an opportunity to review the recommended position, staff will communicate the position to the relevant entity (such as the bill author, agency, or coalition). In rare circumstances, should a position on a bill be needed in advance of a Board meeting, staff will confer with the Board Chair. If legislation falls outside of the scope of the Board's adopted Legislative Program, Board approval will be required prior to the Agency taking a position.

Public Engagement Strategies

Staff, led by the Communications Division and its legislative consultants, will employ a variety of public engagement strategies to support the 2022 Legislative Program, including:

- Direct Engagement
Engage policymakers directly and sponsor legislation, submit correspondence and provide public testimony that communicates and advances the Agency's legislative priorities and positions.
- Coalition-based Engagement
Engage local and regional stakeholders to build awareness about specific issues and participate in local, regional, statewide and national coalitions organized to advance positions that are consistent with the 2022 Legislative Program.
- Media Engagement
Build public awareness and communicate the Agency's legislative priorities by issuing press releases, organizing media events, and through the use of social media.

The adopted legislative program will guide the Agency's legislative advocacy efforts until approval of the next program.

State and Regional

Funding Opportunities and Challenges

Issue / Background

Strategy

General Funding

In 2020 and 2021, transit agencies were hit hard by the loss of ridership and revenue due to the COVID-19 pandemic. Caltrain ridership remains significantly lower than pre-pandemic levels, and significant additional funding is still needed to mitigate the pandemic’s impact for transit agencies.

In 2021, Governor Newsom as part of his May Revise, proposed significant new funding for transportation. An agreement between the Governor and State Legislature was not reached in 2021 but the transportation funding conversation will continue in 2022.

In 2017, the State enacted SB1, which provides \$5.2 billion to maintain local streets and roads and highways, ease traffic congestion, and provide mobility options through investments in public transportation and bicycle and pedestrian programs.

In 2014, the Legislature called for, via SB 1077, a pilot program to study a road charge model as an alternative to the gas tax. The nine-month pilot began in July 2016, with over 5,000 participating vehicles statewide. The California State

- Direct advocacy for additional resources to secure state funding for transit systems, especially if there is a new state transportation package.
- Ensure that COVID relief funding suballocated through the region is based primarily on revenue losses, balanced with the needs of transit dependent riders.
- Protect against the elimination or diversion of any State or regional funds that support the agency’s transportation needs.
- Support State funding allocation requests for investments that benefit the Agency’s transportation programs and services.
- Work with legislative delegation, regional agencies, transit systems and transit associations to identify and advance opportunities for funding that would support the Agency’s transportation priorities.
- Support efforts to provide funding for the deployment of zero emission transit vehicles and infrastructure.

<p>Transportation Agency (CalSTA) reported its findings from the Legislature to the CTC and the Legislature in 2018.</p>	
<p>Formula Funding In 2021, transit formula funding suffered due to the COVID-19 pandemic as fuel consumption declined.</p> <p>After years of diversion to support the State’s General Fund, funding for the State Transit Assistance (STA) program has remained stable over the last few budget cycles thanks to successful legal, legislative and political efforts on behalf of the transportation community. Still, more revenue is needed in order to meet the demand of increased ridership, reduce highway congestion and adhere to the State’s mandate of reducing greenhouse gas emissions, and creating livable communities.</p> <p>In 2019, the California Transit Association convened a working group, at the request of the Senate and Assembly Transportation Committees to review and provide potential changes to the Transportation Development Act (TDA). The CTA effort resulted in temporary relief in meeting farebox recovery ratio requirements to access LTF, STA, LCTOP and SOGR funds as well as several more significant and permanent changes to TDA such as adding additional exemptions for on-demand service, cost of security, transitioning to zero-emission operations, and more. In 2022, the TDA conversation will continue to assess more</p>	<ul style="list-style-type: none"> ● Support the full funding of the STA program at levels called for in the 2011 reenactment of the 2010 gas-tax swap legislation. ● Advocate for the regularly scheduled issuance of State infrastructure bonds that support the Agency’s services and programs. ● Support full and timely allocation of the Agency’s STIP share. ● Participate in the CTA’s TDA taskforce and support CTA efforts to engage the Legislature on TDA reform and the review of performance measures for transit.

<p>holistic changes to TDA to maximize flexibility for maintaining and expanding service. The Agency is part of the working group.</p>	
<p>Cap-and-Trade Revenues In 2012, the State began implementing the cap-and-trade market-based compliance system approved as a part of the California Global Warming Solutions Act of 2006 (AB 32). Since the program began selling allowances, the program has generated billions of dollars. In 2014, legislation was enacted creating a long-term funding plan for cap-and-trade which dedicates 60 percent of cap-and-trade revenues to transportation. The remaining 40 percent is subject to annual appropriation through the state budget process. In 2017, the legislature extended the program from 2020 to 2030.</p> <p>The programs require a certain percentage of funds be expended in state defined “disadvantaged communities” (as defined by CalEnviroScreen). This can prove difficult in jurisdictions with a small number of disadvantaged communities.</p>	<ul style="list-style-type: none"> ● Work with the Administration and like-minded coalitions to secure the appropriation of additional cap-and-trade revenues to support the Agency’s transportation needs. ● Support legislation and regional action that makes a broad array of the Agency’s emissions-reducing transportation projects, programs and services eligible for investment. ● Protect existing cap-and-trade appropriations for transit operations, capital projects and sustainable communities strategy implementation. ● Support efforts to revise the State’s definition on “disadvantaged communities” to encompass a larger proportion of disadvantaged communities on the Peninsula.
<p>Voter Threshold Legislation has been considered in recent years that provide a framework for lowering the thresholds for the State or a city, county, special JPB or regional public agency to impose a special tax.</p>	<ul style="list-style-type: none"> ● Support efforts to amend the State Constitution to reduce the voter threshold required for the State or a city, county, special district or regional transportation agency to impose a special tax for transportation projects or programs.
<p>Other State or Local Funding Options Local and regional governments continue to seek methods for funding new infrastructure, facility needs, sustainability initiatives, and projects that will</p>	<ul style="list-style-type: none"> ● Advocate for legislation that would create new local funding tools to support transportation infrastructure and services. ● Support innovative local and regional funding options that will provide financial support for the agency.

<p>support ridership growth through a variety of methods such as managed lanes and local ballot measures.</p> <p>In 2020, there was the potential for a regional transportation measure (called FASTER Bay Area), led by the Bay Area Council, Silicon Valley Leadership Group and SPUR. MTC is kicking off a listening tour regarding a potential future regional ballot. Many details about the timing, funding mechanism and expenditure plan are still being discussed.</p> <p>In 2014, the Federal Aviation Administration’s (FAA) issued a rule called the “Policy and Procedures Concerning the Use of Airport Revenue, proceeds from Taxes on Aviation Fuel.” The rule would require that local taxes on aviation fuels must be spent on airports is contrary to states’ rights to control their general application sales tax measures. The State of California has been active in addressing this issue.</p>	<ul style="list-style-type: none"> ● Advocate for funding sources that would assist transit agencies in obtaining funds for sustainability initiatives including water conservation, waste reduction, long-term resource efficiency of facilities and equipment, and greenhouse gas reductions. ● Support funding for workforce development, retention, and housing to attract and retain quality personnel. ● Support efforts that allow for public private partnerships that benefit the implementation of capital projects, efficient operation of transit services, or enhanced access to a broad range of mobility options that reduce traffic congestion. ● Work to ensure the agency is at the table and appropriately funded as part of any potential regional funding measure. ● Support efforts to ensure sales tax revenues generated from aviation fuel continue to fund planned transportation projects. Support the State of California in its efforts to respond and address FAA’s requests.
<p>Transportation & Housing Connection Given the housing shortage crisis, there have been efforts at the State and regional level to link housing and zoning with transportation funding.</p>	<ul style="list-style-type: none"> ● Evaluate state or regional efforts that directly link transportation funding to housing and provide for higher density housing projects near transit stations. ● Advocate for solutions that appropriately match decision making authority with funding (i.e – An agency shouldn’t be financially penalized for decisions that are outside the authority of the agency). ● Monitor the implementation of the Surplus Lands Act and advocate for clarifying language on the disposition of properties subject to the Act.

Transportation Projects	
<p>General Pre-pandemic, as the Bay Area’s population continued to grow, the region’s transportation infrastructure was strained. Although transit ridership remains far below pre-pandemic levels, we expect riders to return to public transit once major employers along the corridor bring their employees back to the office. We are already seeing highways, local streets and roads becoming heavily congested. Despite the pandemic, the demand for housing with easy access to public transit continues to grow.</p>	<ul style="list-style-type: none"> • Work with partners in the region to bring business, community, and transportation stakeholders together to enhance, support and advocate for transportation and mobility in the Bay Area.
<p>Transit-Oriented Development / First and Last Mile First and last mile projects, as well as transit-oriented development projects are an important part of the broad transit ecosystem that will help support robust ridership in the corridor.</p>	<ul style="list-style-type: none"> • Support efforts to provide commuters with easy and convenient options to travel to and from major transit centers to their final destination. • Support the development of new and innovative first and last mile options. • Support increased funding opportunities for first and last mile projects. • Advocate for policies that promote transit-oriented developments in ways that with compliment transit services. • Support state funding incentives and streamlining processes for transit-oriented development.
<p>Transportation Demand Management (TDM) TDM is the application of strategies and policies to reduce travel demand of single-occupancy vehicles or to redistribute this demand in space or time.</p>	<ul style="list-style-type: none"> • Support efforts that provide more TDM tools and funding opportunities. • Support policies that encourage use of TDM.
<p>Electrification Project In 2012, the State Legislature appropriated Prop 1A high-speed rail funds to modernize the Caltrain corridor and lay the foundation for future high-speed rail service. Under a multi-party regional funding agreement, this investment was matched with a variety of local, regional, state and federal funding sources to electrify the corridor, install an advanced signaling</p>	<ul style="list-style-type: none"> • Direct advocacy to support allocation of one-time general fund money, TIRCP, cap-and-trade, or other State funding, to fill the funding gap for the Electrification project to ensure timely completion of the project by 2024. • Work with state, local and regional partners to advance policies and actions that will help secure funding needed to fulfill local, regional and state commitments to the Electrification Project.

system and replace 75% of Caltrain's aging diesel trains with electric trains that will dramatically improve service between San Francisco and San Jose. The Project has a funding gap that requires additional financial resources.

The Electrification Project is a transformational first step in the realization of a larger future for Caltrain that will be guided by the Caltrain 2040 Business Plan efforts.

Caltrain 2040 Business Plan In October 2019, the Caltrain Board adopted a long-term 2040 Service Vision, defining an ambitious plan for growing service over the next 20-plus years. The service vision outlines the capital and operating needs to achieve the vision and includes projects such as longer EMU fleet, longer platforms, level boarding, passing tracks, grade separations and station upgrades. It also identified needs to prepare the railroad to expand and integrate into a regional rail network. While the Plan is close to final, Caltrain turned its attention to COVID recovery in 2020 and plans to close out the Business Plan in 2022.

Caltrain Equity and Growth Framework In 2020, Caltrain developed a policy to advance equity within the system and neighboring communities. The policy will help address systemic inequality by taking steps to ensure the Caltrain system is accessible and useful to all. The policy also advances efforts to improve Caltrain connections to the regional transit network and provide direction on service priorities during and after the COVID-19 pandemic.

- Advocate for the sale and allocation of Proposition 1A bonds to meet the commitments specified in SB 1029 with respect to the Caltrain corridor and work to include funding for Caltrain in any future Proposition 1A appropriations.
- Work to address regulatory challenges that limit the implementation of solutions that will maximize Caltrain capacity and service benefits.
- Advocate for funding and policies to support grade separation projects.
- Support the allocation of cap-and-trade or other state / regional funding to advance implementation of Caltrain projects.
- Work to address regulatory actions or policies that negatively impact Caltrain future capacity or service improvements.
- Support the implementation of the Caltrain Business Plan associated projects and policies. Continue to educate the Caltrain legislative delegation and key members of the Administration on the Plan.
- Ensure relevant state and regional agencies incorporate relevant elements of the Caltrain Business Plan in their long-term plans.
- Support funding and regulations that are consistent with Caltrain's equity and growth policy.
- Consistent with existing agreements between JPB and CHSRA, support efforts to plan, engage stakeholders, and implement the Blended System project on the Caltrain corridor.

<p>High-Speed Rail Blended System In 2016, a new round of HSR Blended System planning, outreach and environmental clearance work kicked-off in the corridor. While this project is not being led by the JPB, the agency owns the right-of-way and has a significant interest in the process and success of the project that will “blended” with Caltrain service. In 2022, HSR will likely finalize the EIR for the northern Caltrain corridor and request additional allocation of Prop 1A resources for the Central Valley work.</p>	
<p>Legislative, Regulatory and Administrative Issues</p>	
<p>General Every year a variety of legislation or regulatory action is pursued that would affect regulations governing transportation-related service operations, administration, planning and project delivery. In addition, opportunities exist to reform or update existing regulations that are outdated, or can be improved to address potential burdens on transportation agencies without affecting regulatory goals. Recently, there have been calls for a more coordinated and streamlined transit system in the Bay Area.</p> <p>The State is providing guidance on COVID related transit measure to protect the public health and reduce virus transmission during the pandemic.</p>	<ul style="list-style-type: none"> • Support opportunities to remove barriers to, and improve the ability to conduct, safe, efficient transportation operations, administration, planning and project delivery efforts, including alternative project delivery methods that provide flexibility to the agency. • Oppose efforts to impose unjustified and burdensome regulations or restrictions on the Agency’s ability to conduct efficient transportation operations, administration, planning and project delivery efforts. • Engage with MTC, the Legislature, and stakeholders on policies stemming from MTC’s Blue Ribbon Transit Recovery Task Force’s Bay Area Transit Transformation Action Plan, and the “Seamless” Bay Area efforts. • Ensure that new requirements impacting transit agencies support improved connections with other transit system and don’t result in tradeoffs that have unintended consequences for key transit riders and stakeholders. • Work with the Administration to ensure guidance considers impacts on transit operations and the ability to meet transit rider mobility needs.
<p>California Environmental Quality Act (CEQA) Several regional and statewide transportation organizations continue working to modernize CEQA and minimize unnecessary delays during the</p>	<ul style="list-style-type: none"> • Closely monitor efforts to modernize CEQA. Without compromising CEQA’s effectiveness as an environmental protection policy, support proposals that advantage transportation projects, including bicycle, pedestrian and transit-oriented development projects.

<p>environmental review process. In 2020, legislation was passed (SB 288) providing a series of statutory exemptions for transit and active transportation projects under CEQA.</p>	<ul style="list-style-type: none"> • Monitor the implementation and opportunities related to SB 288 (Wiener), and support the extension of the provisions included in SB 288.
<p>Public Employees’ Pension Reform Act (PEPRA) In 2021, the United States Department of Labor issued new policy asserting that the implementation of PEPRA by California transit agencies precludes the department from certifying federal transit grants owed to California transit agencies. This policy, if implemented fully by USDOL, would lead to the withholding of potentially billions of dollars in federal funding to California transit agencies, including the Agency.</p>	<ul style="list-style-type: none"> • Engage the State of California, delegation, sister agencies and transportation associations to prevent the withhold the certification of federal transit grants owed to the Agency due to the implementation of PEPRA by transit agencies.
<p>Sustainable Communities Strategies Implementation In conjunction with AB 32 and SB 32 implementation, the Sustainable Communities and Climate Protection Act (SB 375) requires regions to develop Sustainable Communities Strategies (SCS) with integrated housing, land-use and transportation policies that will accommodate population growth and reduce regional greenhouse gas emissions by specific amounts. In 2017, regional authorities in the Bay Area approved the update to Plan Bay Area. The final Plan Bay Area 2050 was adopted in 2021.</p>	<ul style="list-style-type: none"> • Advocate for policies that provide adequate and equitable funding to support increased demand and dependence on the Agency’s transportation services associated with the implementation of SB 375 and Plan Bay Area. • Ensure any planning, development, or policy proposals are consistent with the Agency’s policies and planning. • Support efforts to provide ensure transit agencies are eligible for climate resiliency program funding.
<p>Executive Orders Related to GHG Emissions: Since taking office, Governor Newsom has issued two Executive Orders – N-19-19 and N-79-20 – calling for reduced emissions from the transportation sector and larger, coordinated investments in</p>	<ul style="list-style-type: none"> • Work to ensure state and federal funds are made available transportation agencies to achieve the goals outlined in the orders. • Engage in the State’s effort to address the transit-specific goals outlined in the executive orders.

<p>transit, active transportation and land-use. The executive orders highlight the need for expanding clean transportation options.</p> <p>Building on the executive orders above, in 2021, CalSTA adopted the Climate Action Plan for Transportation Infrastructure (CAPTI), which details how the state recommends investing billions of discretionary transportation dollars annually to aggressively combat and adapt to climate change while supporting public health, safety and equity.</p>	<ul style="list-style-type: none"> • Protect transit agencies from any negative impacts stemming from the executive orders (e.g. additional mandates without funding, changes to funding guidelines that might disadvantage transit projects).
<p>CARB In-use Loco Regulation: To meet Executive Order N-79-20 and achieve 100% zero emissions from off-road vehicles and equipment operations in the state by 2035, CARB anticipates adopting an In-Use Locomotive Regulation. As currently drafted, it would require all owners, operators, sellers, leasers, renters or manufacturers to create spending accounts (based on emissions level and amount of work performed in California) for zero-emission loco purchases as early as 2023. In 2030, it would ban all locomotives 23 years or older from operating in the state.</p>	<ul style="list-style-type: none"> • Work to ensure funding programs are available to support transition to new technology • Participate in CARB’s rulemaking effort to help shape the final regulation. • Support efforts for an alternative pathway with individualized agency plans.

Federal

Funding Opportunities and Challenges

<i>Issue / Background</i>	<i>Strategy</i>
<p>Federal Appropriations In 2021, transit agencies continued to be hit hard by the loss of ridership and revenue due to the COVID-19 pandemic. We expect the same in 2022. While federal emergency relief funding (CARES Act, CRSSA, and the American Rescue Plan) have provided some relief in the near-term, significant additional funding is needed to mitigate the pandemic’s long-term impact.</p> <p>Every year, Congress adopts several appropriations bills that cover 12 major issue areas, including the Transportation, Housing and Urban Development bill. These measures provide the authority for federal agencies to spend money during the upcoming fiscal year for the programs they administer.</p> <p>Congress passed a series of continuing resolutions (CRs) to keep federal agencies funded at the same level as the previous fiscal year, through February 18, 2022.</p>	<ul style="list-style-type: none"> • Advocate for funding for the Caltrain Electrification Project in the FY22 Appropriations bill. • Partner with local, regional, State and national coalitions to advocate appropriation of the maximum authorized amount for programs that benefit the Agency’s transportation services and needs. • Work with local and regional coalitions to support requests for funding from discretionary programs, • Communicate frequently with the Agency’s federal delegation and key appropriators on the needs or concerns of pending appropriation bills.
<p>Tax and Finance Congress considers legislation that governs tax and finance issues that impact transit agencies.</p>	<ul style="list-style-type: none"> • Support efforts to ensure tax provisions that benefit the agency’s priorities are included in any tax or finance proposal. • Protect against the elimination or diversion of any tax policies that support the agency’s transportation needs.

Transportation Projects	
<p>General Support Agency projects and the efforts of partnering agencies to obtain federal funding for the Agency’s related transit projects.</p>	<ul style="list-style-type: none"> • Work with federal delegation members, as well as local, regional, and state coalitions to support the federal funding requests for Agency projects and for our partner transit agencies on projects that provide complimentary services for the agency.
<p>Caltrain Electrification Project The current Project funding plan includes funding from several federal funding sources including the FTA Capital Investments Grant Core Capacity Program. The Project has a funding gap that requires additional financial resources.</p> <p>Positive Train Control (PTC) is a federal mandate. The current Caltrain Positive Train Control (PTC) project includes some funding from the Federal Railroad Administration (FRA).</p> <p>The Electrification program is a transformational first step in the realization of a larger future for Caltrain that will be guided by the Caltrain 2040 Business Plan efforts.</p> <p>Caltrain 2040 Business Plan In October 2019, the Caltrain Board adopted a long-term 2040 Service Vision, defining an ambitious plan for growing service over the next 20-plus years. The service vision outlines the capital and operating needs to achieve this vision and includes projects such as longer EMU fleet, longer platforms, level boarding, passing tracks, grade separations and station upgrades. It also identified needs to prepare the railroad to expand and integrate into a regional rail network. While the Plan is close to final, Caltrain turned its attention to COVID</p>	<ul style="list-style-type: none"> • Work with federal delegation members, as well as local, regional, and state coalitions to fill the Electrification Project funding gap. • Advocate for the Caltrain Electrification Project FTA Core Capacity funding to be included in the President’s budget request and in the annual THUD Appropriations bills. • Advocate for additional PTC funding for operating expenses. • Support efforts to streamline regulatory administrative hurdles to supporting full PTC operations. • Support the allocation of federal funding to advance implementation of Caltrain-related projects. • Advocate for funding and policies to support grade separation projects. • Work to address regulatory actions or policies that negatively impact future capacity or service improvements. • Support the implementation of the Caltrain Business Plan associated projects and policies. Continue to educate the Caltrain legislative delegation and key members of the Administration on the Plan. • Support funding and regulations that are consistent with Caltrain’s equity and growth policy. • Consistent with existing agreements between JPB and CHSRA, support efforts to plan, engage stakeholders, and implement the Blended System project on the Caltrain corridor.

<p>recovery in 2020 and plans to close out the Business Plan in 2022.</p> <p>Caltrain Equity and Growth Framework In 2020, Caltrain developed a policy to advance equity within the system and neighboring communities. The policy will help address systemic inequality by taking steps to ensure the Caltrain system is accessible and useful to all. The policy also advances efforts to improve Caltrain connections to the regional transit network and provide direction on service priorities during and after the COVID-19 pandemic.</p> <p>High-Speed Rail Blended System In 2016, a new round of HSR Blended System planning, outreach and environmental clearance work kicked-off in the corridor. While this project is not being led by the JPB, the agency owns the right-of-way and has a significant interest in the process and success of the project that will “blended” with Caltrain service. In 2022, HSR will likely finalize the EIR for the northern Caltrain corridor and request additional allocation of Prop 1A resources for the Central Valley work.</p>	
Legislative, Regulatory and Administrative Issues	
<p>General Every year a variety of legislation or regulatory action is pursued that would affect regulations governing transportation-related service operations, administration, planning and project delivery. In addition, opportunities exist to reform or update existing regulations that are outdated, or can be improved to address</p>	<ul style="list-style-type: none"> • Support opportunities to remove barriers to, and improve the ability to conduct, safe, efficient transportation operations, administration, planning and project delivery efforts, including alternative project delivery methods that provide flexibility to the agency.

<p>potential burdens on transportation agencies without affecting regulatory goals.</p>	<ul style="list-style-type: none"> • Oppose efforts to impose unjustified and burdensome regulations or restrictions on the Agency’s ability to conduct efficient transportation operations, administration, planning and project delivery efforts.
<p>Infrastructure Investment and Jobs Act implementation In November 2021, Congress approved and the President signed into law the IIJA, includes \$550 billion in new funding, and \$1.2 trillion in total, for infrastructure investment, including for roads and bridges, rail systems, bus systems, drinking water and clean water, the electric grid, and other programs. MTC estimates that the Bay Area will receive at least \$4.5 billion in formula fundings from IIJA.</p>	<ul style="list-style-type: none"> • Advocate for federal funds through IIJA for Agency projects and plans. • Monitor and review guidance and rulemaking proposals affecting IIJA implementation and other transportation issues. • Collaborate with local, regional, state and national transportation advocacy groups to coordinate comments and advocacy efforts that support regulations that maximize benefits for transportation programs, services and users. • Collaborate with local, regional, state and national transportation advocacy groups to coordinate proposals and advocacy efforts for IIJA funding and implementation
<p>Additional Infrastructure Proposals Congress and the Biden Administration are currently deliberating the Build Back Better Act, which if enacted would provide significantly increased funding for climate programs, high speed rail, and active transportation.</p>	<ul style="list-style-type: none"> • Monitor closely and support efforts that can increase significant funding for transit / transportation related projects and programs. • Advocate for funding for the Agency’s projects and needs if and when the Build Back Better Act is enacted.
<p>FAA Rule In 2014, the Federal Aviation Administration’s (FAA) issued a rule called the “Policy and Procedures Concerning the Use of Airport Revenue, proceeds from Taxes on Aviation Fuel.” The rule would require that local taxes on aviation fuels must be spent on airports is contrary to states’ rights to control their general application sales tax measures.</p> <p>The Senate FY2021 Transportation/HUD Appropriations bill includes report language encouraging the Department of Transportation “to continue working with State and local</p>	<ul style="list-style-type: none"> • Support efforts to protect the ability of local and state governments to determine how general sales tax measures are allocated. • Continue to advocate for report language in the annual appropriations bills and support legislative changes that would permanently clarify the issue. • Support the State of California in its efforts to respond and address FAA’s requests

governments and the FAA to develop a path forward to allow the use of local sales tax revenues generated on the sale of aviation fuel to be used in a manner consistent with their enactment.”

Congress is currently negotiating the FY2021 appropriations bills now and it unclear if this language remains in the final conference report.

**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

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) receives the attached memos. Staff will provide regular updates to the Board in accordance with the Legislative Program.

SIGNIFICANCE

The 2021 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.

Prepared By: Lori Low
Government & Community Affairs Officer

650.508.6391



December 10, 2021

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 – January 2022**

General Update

The Legislature remains on interim recess and session will reconvene on January 3, where Legislators will return to Sacramento to introduce new legislation and continue work on two-year bills. In the meantime, legislative staff are moving to the newly constructed “Swing Space” building on O Street in preparation for the remodeling of the State Capitol Annex which is anticipated to take 3-5 years. During this time, all legislative business aside from Floor Sessions and some hearings will occur in this new “Swing Space.”

As you are aware, Congress Member Jackie Speier (D-San Mateo) announced she would be stepping down at the end of 2022. Several candidates announced their intention to run for the soon-to-be vacant seat and depending on the outcome, there could be turnover in elected positions at the state or local level in San Mateo County. Additionally, we have seen members of the State Assembly announce their intention to step down at the end of the 2021, including former Assembly Transportation Committee Chair Jim Frazier (D-Fairfield). A special election for the vacant Frazier seat will likely occur in Spring 2022.

2022-23 State Budget

The Legislative Analyst’s office anticipates a surplus of \$31 billion this upcoming fiscal year. As of this report, we believe the Governor will again propose a transportation infrastructure package, focused on capital expenditures, as part of his January budget proposal for the 2022-23 fiscal year which will be released on January 10. The proposal will likely include additional funding for transit above the \$2.5 billion that was proposed in May.

Caltrain staff and the lobbying team are meeting with legislative leaders and their staff, Peninsula delegation legislators, and officials in the Governor’s Administration to build support for needed additional state funding for the Peninsula Corridor Electrification Project.

This week, the Assembly Budget Committee released their “2022-23 Budget Blueprint” that outlines key priorities for the budget year. Included in this document was \$10 billion for transportation projects statewide, including transit infrastructure, as requested in the MTC letter sent in November.

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.

On August 9, the California State Transportation Agency (CalSTA) released the [Transit and Intercity Rail Capital Program’s](#) (TIRCP) Cycle 5 discussion [draft guidelines](#). CalSTA kicked off the TIRCP guideline development process for the 2022 cycle with a workshop on August 12, 2021 and noted it anticipates approximately \$500-600 million of new funding for projects statewide through Fiscal Year 2026-27.

The CTC is hosting workshops in Fall 2021 for the three SB 1 program – 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. 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](#). In total, approximately \$2 billion was awarded for 56 new projects throughout the state to reduce traffic, improve goods movement, increase transit service, expand California’s managed lanes network, and invest in bicycle and pedestrian improvements.

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 (currently the 2018 STIP added \$2.2 billion in new funding). 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.

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 |
T 202.955.3000 | F 202.955.5564 Holland & Knight LLP | www.hklaw.com

Caltrain Federal Transportation Report As of December 14, 2021

President Biden Signs Continuing Resolution Into Law, Averting Government Shutdown

- On December 3, President Biden signed into law a continuing resolution (CR) ([H.R. 6119](#)) to extend federal funding at fiscal year (FY) 2021 levels through February 18, 2022, averting a government shutdown.
- Earlier, Congress passed the CR after party leaders brokered a deal to overcome objections over vaccine mandates. The final vote in the House was 221-212, and the final vote in the Senate was 69-28.
- In a [statement](#), House Appropriations Chair Rosa DeLauro (D-CT) said that an agreement [had been reached] on a CR that would temporarily fund the government at the previous year's levels until a larger bipartisan agreement can be reached on spending for the new year. DeLauro said the legislation "includes virtually no changes to existing funding or policy" in an effort to apply pressure for a larger deal for a spending omnibus bill in the months ahead.
- Expectation is that the larger agreement, the FY 2022 omnibus appropriations bill, will be agreed upon by early February. The process for appropriations requests for FY 2023 would then kick-off in March.

Congress Racing to Finish Legislation To-Do List by Year End

- Congress is racing against the clock to complete several must-pass pieces of legislation, with Democrats also pushing to finish their roughly \$2 trillion social and climate policy legislation, the Build Back Better Act ([H.R. 5376](#)) by the end of the year. Lawmakers are under pressure to pass the bills ahead of contentious campaigning that will start in earnest in coming months for the 2022 midterms.
- During the week of December 13th, Congress will pass the must-pass defense policy bill known as the National Defense Authorization Act (NDAA), which was held up in the Senate previously over provisions regarding Russia and China. Congress will also vote on a bill to raise the debt limit enough to get past the 2022 midterm elections.
- The long to-do list of must-pass legislation is delaying Democrats' efforts to finish their roughly \$1.8 trillion Build Back Better bill, by the end of the year. The legislation passed

the House last month and the Senate is negotiating a bill that could pass with all 50 senators in the Democratic caucus supporting it.

- The House-passed bill will be altered to meet Senate demands, as well as, to fit reconciliation rules to pass the legislation with just a simple majority. The Senators have been meeting with the parliamentarian on what provisions can comply, putting some immigration and drug pricing related provisions in peril. It is not clear when that process will be complete.
- Senate Majority Leader Schumer stated earlier in December through a Dear Colleague letter, that the goal is to complete the bill by Christmas, but given the process, Senators would be expected to work weekends up until the holiday, making the goal tough to meet.
- Senate Republicans are not expected to support the legislation, objecting to what they call irresponsible spending that could damage the economy. In fact, not a single House Republican voted for it last month.

House Transportation Committee Chair Will Retire

- On December 1, House Committee on Transportation and Infrastructure (T&I) Chairman Peter DeFazio (D-OR) announced that he will retire after 36 years in Congress.
- Chairman DeFazio said that he was retiring to focus on his health, but his announcement comes after his goal to pass an environmentally focused overhaul of the nation's highway and transit programs was sidelined for a major infrastructure bill that was attractive enough for Senate Republicans.
- Following this announcement, both Congresswoman Eleanor Holmes Norton (D-DC) and Congressman Rick Larsen (D-WA), announced that they will run for chair in the 118th Congress.
- Rep. Norton is the next most senior lawmaker on the committee and has chaired the Transportation Highways and Transit Subcommittee, the committee's largest subpanel, since 2015. However, as a delegate, Rep. Norton does not have voting rights on the House floor. Congressman Rick Larsen (D-WA) has been serving as chair of the Aviation Subcommittee.

President to Promote Infrastructure Bill, Agencies Begin Implementation

- During December, President Biden has embarked on a multi-state tour to promote the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), which he signed into law on November 15.
- Federal agencies will now be tasked with standing-up new or expanding existing programs to award federal funds to eligible infrastructure projects. Agency offices will work over the coming weeks to establish grant program parameters, develop, and publish

solicitations for applications; set timelines for awards; and oversee implementation of awarded funds. The IJA included deadlines for some agency actions, requiring that programs be established in 60, 90, or 180 days. Holland & Knight will share the guidance as Federal Transit Administration (FTA) and Federal Railroad Administration (FRA) releases its request for public comment.

Biden Appoints Mitch Landrieu as Senior Advisor & Infrastructure Coordinator

- On November 14, President Biden [named](#) Mitch Landrieu, former mayor of New Orleans, as senior advisor responsible for coordinating the implementation of the infrastructure law.
- Landrieu was the mayor of New Orleans during the aftermath of Hurricane Katrina and successfully initiated projects and secured funding to turn New Orleans into one of America's greatest comeback stories after the hurricane.
- In his new role, Landrieu will oversee the investments being made in America's infrastructure as part of the new law. He will also work to strengthen supply chains and help deliver better roads, bridges, and rail. These also include investments in ports, airports, and mass transit. This will be a much more internal role than external role.

Transportation Secretary Buttigieg Announces RAISE Grant Awards

- On November 19, Secretary of Transportation Pete Buttigieg announced nearly \$1 billion in funding through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grants program for 90 projects in 47 states, the District of Columbia, and Guam.
- The program selection criteria included safety, environmental sustainability, quality of life, economic competitiveness, state of good repair, innovation, and partnerships with a broad range of stakeholders.
- The grant awards reflect the U.S. Department of Transportation's priorities for creating good-paying jobs, improving safety, applying transformative technology, and explicitly addressing climate change and advancing racial equity.
- The full list of awards can be found [here](#).
- The modal distribution for the RAISE grants awards is:
 - Roads and bridges – 50%
 - Bike-ped – 18%
 - Mass transit – 18%
 - Port/maritime – 8%
 - Rail – 7%
- The state of California received \$56,507,075 in RAISE grant awards including:

- \$14,507,075 for Reconnecting Oakland: Safe, Reliable, and Equitable Access (City of Oakland, CA): This project will construct mobility improvements along the Broadway and Martin Luther King Jr. Way Corridors in downtown Oakland, including pedestrian infrastructure, bike lanes, signal improvements, and bus-only lanes.
- \$24,000,000 for Wasco SR 46 Improvement Project (California High-Speed Rail Authority): The project will expand SR46 to a four lane cross section under the BNSF railroad and California high-speed rail.
- \$18 million for Yerba Buena Island West Side Bridges Seismic Retrofit Project (San Francisco County Transportation Authority): The project will replace seven seismically deficient bridges, reinforce one bridge, and narrow exit ramps with a realigned roadway and retaining walls.

Federal Mask Mandate for Transportation Extended

- On December 2, the Biden administration extended a requirement that individuals wear masks on airplanes, trains, buses and other modes of transportation through March 18, 2022.
- The extension of the federal mask mandate, which had been set to expire on January 18, is one of a series of actions the White House announced last week aimed at alleviating concerns about the emergence of the new omicron variant. The U.S. reported its first case of the variant on December 1.

**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

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.

BACKGROUND

Key Regional Items This Month:

Potential Regional Funding Measure Listening Session

On December 13th, MTC hosted a listening session to hear feedback and input on a potential regional funding measure. The session included a series of initial presentations from different perspectives. Key takeaways from initial polling presented indicated that voters rank public transportation at the bottom of regional priorities (homelessness ranks first), and almost two-thirds of voters already think taxes are too high.

Plan Bay Area (PBA) 2050 assumed the passage of a regional transportation revenue measure by 2030, which would raise \$55 billion out of a total of \$578 billion in expenditures. The PBA 2050 Implementation plan also stated the need to convene stakeholders for a revenue measure through 2023. The Blue Ribbon Transit Transformation Action Plan recommended further investments. Staff showed a timeline for legislation that would be required to put a revenue measure on the ballot, should a revenue measure be pursued: bill introduced in early 2023 for a November 2024 ballot measure.

Business groups presented survey results showing that approximately half of the workforce will continue to work remotely either partially or fully, and therefore traffic is less of a concern than before the pandemic. Equity advocates expressed their desire to consider other revenue measures than a sales tax. The transit operators presented on the ways they are working together now to attract ridership back, as well as the continued need for new funding to implement recommendations of MTC's Blue Ribbon Transit Recovery Task Force.

In addition, there are competing interests for the 2024 ballot, including housing. An outstanding question is whether a joint or separate housing and transportation measure should be run.

MTC Director Therese McMillan spoke to the challenge of achieving a 2/3 vote, turning competitive solutions into complementary solutions, and "trading up" instead of trading off. All parties agree that discussions should continue, and there should be a robust outreach and engagement campaign.

MTC Executive Committee Meeting

December's Executive Committee comprised three items related to the Blue Ribbon Transformation Action Plan.

Near-term actions from the Fare Coordination/Integration Study and Business Case (FCIS):

The Committee unanimously endorsed a Bay Area Transit Fare Policy Vision Statement. MTC staff provided an update on four near-term actions from the Fare Coordination/Integration Study and Business Case (FCIS): 1) piloting an institutional/employer pass program at educational institutions, 2) offering free local transfers and reduced cost regional transfers, 3) developing an all-transit agency pass product for the general public, and 4) continuing to develop a strategy to bring all regional transit services (rail, ferry, express bus) into a common fare structure. Commissioners were asked to endorse the "Transit Fare Integration Policy Vision" which names these four actions alongside "complementary and necessary objectives to facilitate delivery of transit fare policy initiatives," which mostly relate to protecting transit operator revenues. The policy vision was endorsed by the FCIS task force in November.

Near-term actions for Transit Transformation Action Plan: The Commissioners also unanimously approved near-term activities and milestones for the three accelerated initiatives from the Transit Transformation Action Plan: Fare integration (\$28M), Mapping and Wayfinding (\$35M), Transit Priority (\$61M). Activities over the next six months are:

1. Funding Commitments and Approvals: January – March OBAG 3, FTA Transit Capital Priorities Program; Fund Estimate; MTC Budget Amendment.
2. Project implementation milestones/actions including: February FCIS pilot approach at Task Force February; April/May FCIS transit agency board approvals; August Institutional pass rollout; Mapping/Wayfinding subregional pilots (not on peninsula).

3. Policy and Legislative Actions: February/March Res.3866 update consultation with operators; April/May Res.3866 Amendment; January-April Legislative support for Action Plan priorities.
4. Collaboration/Partnership/Outreach: February-April Implementation Action Plan to Agency Boards; January, March, May Network Manager Business Case Advisory Group Meetings.

Update on the Transit Network Management (TNM) Business Case: The purpose of the business case is to carefully evaluate the benefits, costs, and risks of selected network manager options and present the rationale for the preferred solution. Preliminary next steps to achieve implementation will also be identified.

The consultant team will onboard in December and the first Business Case Advisory Group Meeting is January 10 (public meeting). The multi-stakeholder TNM Business Case Advisory Group was established by MTC in September, composed of transit agency and stakeholder representatives.

The consulting team showed a nine-month process starting in January and concluding with Commission action on a preferred TNM alternative in September. Collaborative working sessions with transit operator staff are planned for January, to discuss key priorities, process, and the technical approach in advance of finalizing the project plan and charter. MTC staff, with support from the consultant team, intends to collaborate with transit operator staff and provide regular updates to Transit Agency leadership throughout this analysis.

Commissioner comments emphasized the need to produce recommendations which are bold, where there may be consensus, and ensure that accurate foundational technical and fiscal information is available from agencies for the analysis.

Other Regional Standing Items

Bay Area Regional Rail Partnerships Study

No significant action or progress this month.

Regional Wayfinding and Mapping Efforts

No significant action or progress this month.

Prepared By: Jadie Wasilco
Caltrain Government & Community Affairs Manager

650.465.6301

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

FROM: Michelle Bouchard
Acting Executive Director

SUBJECT: **DRAFT RECOMMENDATION ON CALTRAIN GOVERNANCE**

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

ACTION

Staff has developed a revised governance recommendation (Included as a clean version in Attachment A and as a redline in Attachment B) based on the “straw proposal” first presented at the November JPB meeting and modified based on subsequent feedback received from individual Board members and partner agency staff. Staff recommends that the Board consider a motion to adopt the terms laid out in the revised recommendation, contingent upon the final negotiation of terms related to the repayment and compensation of the San Mateo County Transit District for their historic investment in the Caltrain Right of Way and approval by the Board of a resolution incorporating the repayment terms and recommended terms to be presented to the Board at its February 3 meeting

SIGNIFICANCE

The Peninsula Corridor Joint Powers Board (JPB) had committed to developing and approving a governance recommendation by December 31, 2021. At its November 4, 2021 meeting, the Board reviewed and discussed a draft “straw proposal” on governance developed by Acting Executive Director Michelle Bouchard.

Since the November JPB meeting, staff has interviewed individual Board members and Joint Powers Agreement member agency staff to solicit further comments and input on the draft proposal. In parallel, staff has continued discussions with staff from the member agencies and the Metropolitan Transportation Commission (MTC) regarding payment to the San Mateo County Transit District for their initial investment in the Caltrain ROW.

On November 17, Chair Davis transmitted a message to the Board indicating her belief that the Board would not be ready to take final action on a governance

recommendation at the December 2nd meeting. Instead, staff provided an update on their progress to the JPB at its December meeting and indicated their intent to develop a revised governance recommendation for the Board's consideration and discussion at the regularly scheduled January 6 JPB meeting. Staff described their intention to continue soliciting feedback from Board members and partner agency staff and requested a deadline of December 8 to receive any outstanding comments.

The revised recommendation reflects feedback received by staff and includes optionality in areas where there was significant divergence in input received. Based on the Board's discussion at the January 6 JPB meeting and progress on the negotiation of an approach to repayment, staff will develop a final resolution for Board consideration and potential adoption at the February 3 JPB meeting.

BUDGET IMPACT

There is no budget impact associated with receiving this report or taking any actions.

Prepared by: Sebastian Petty, Deputy Chief, Caltrain Planning

ATTACHMENT A
DRAFT GOVERNANCE RECOMMENDATION FOR DISCUSSION
January 2022

The following draft document outlines a **revised** recommendation related to Caltrain's governance for discussion and potential action by the JPB at its January 2022 meeting. This revision has been developed based on input provided through individual interviews with Caltrain Board members in November and December of 2021 as well as input from JPA Member Agency staff.

This recommendation has been provided in a "clean version" for ease of reading. A redline showing edits and changes from the proposal presented at the November JPB meeting is included in Attachment B.

Notes:

- In some instances, **option language** for the Board's consideration and discussion has been provided- this indicates a point where additional language could be added at the Board's direction or where the Board will need to decide between two different options. This option language is labeled **in bold**
- Section C-1-c includes language describing a proposed negotiation process related to the issue of interest payment to the San Mateo County Transit District. This section is shown in italics.

DRAFT GOVERNANCE RECOMMENDATION FOR DISCUSSION

JANUARY 2022, CLEAN VERSION

PART A: AFFIRMATIONS & STATEMENTS

- 1) **Affirmation of Intent to Address Resolution 2020-42:** Resolution 2020-42 contemplated that the JPB would recommend governance changes by December 31, 2021, including enabling a majority of the JPB to appoint its own Executive Director and providing for the reimbursement of SMCTD for its investment in Caltrain. The resolution further provided that the expenditure of more than \$40 million annually from Measure RR revenues would be subject to a supermajority vote until such time as the JPA has been amended to modify the JPB's governance structure in a manner satisfactory to the three member agencies. The proposed recommendation represents a step forward by authorizing the JPB to appoint its own Executive Director and providing a mechanism for the repayment of the outstanding principal owed to SMCTD under the 2008 amendment to the Real Property Ownership Agreement, together with interest, and it provides the member agencies with the opportunity to evaluate whether these structural changes are satisfactory before considering an amendment of the JPA.
- 2) **Affirmation of SMCTD as the Managing Agency for Caltrain.** The San Mateo County Transit District (SMCTD) will remain as the managing agency for Caltrain.
- 3) **Affirmation of JPB Appointment of General Counsel and Auditor.** As of 2021, the JPB has appointed, and will maintain, both its own general counsel and auditor separate from those of any of the Joint Powers Agreement (JPA) Member Agencies.
- 4) **Affirmation of Rail Service Provider Contract.** The following recommendation does not alter the ongoing contractual relationship between the JPB and its selected Rail Service Provider whereby the contractor maintains responsibility for providing the JPB with rail operations, maintenance and support services that include administration/safety; operations and dispatch; maintenance of equipment, track, communications and signals, and stations; construction support; and state of good repair.
- 5) **Statement Related to Regional Governance.** The following recommendation does not preclude Caltrain's ongoing participation in processes related to potential regional governance changes. Rather, Caltrain and its staff should strive to establish a leadership role in such processes and should seek to vigorously assert the interests of the railroad, its customers and its corridor.
 - **OPTION LANGUAGE (A-5):** Further, the JPB commits to expeditiously evaluate any regional governance recommendations and commits to doing so by January of 2023 assuming such a recommendation is ripe for consideration.

PART B: BASIC RECOMMENDATION

1) Caltrain Executive Director

- a) SMCTD will designate a separate, permanent Caltrain Executive Director position ("Caltrain ED"). Although this position will remain as an SMCTD employee, the Caltrain ED will exclusively report to, and take direction from, the JPB.
- b) SMCTD will delegate authority over the selection, hiring, annual goal setting, performance review, compensation, and termination of the Caltrain ED position to the JPB.
- c) **OPTION LANGUAGE**
 - 1. The decision to hire and fire the Caltrain Executive Director shall be subject to a supermajority vote of seven members of the JPB.
 - OR-**
 - 2. The decision to hire and fire the Caltrain Executive Director shall be subject to a simple majority vote of five members of the JPB.

2) Staff Reporting

- a) As the managing agency, SMCTD will employ all staff supporting the JPB. Staff support will come in two forms;
 - i) Direct Support will include SMCTD staff who work exclusively on Caltrain and who ultimately report to the Caltrain ED. The Caltrain ED will have full authority over these staff within the parameters set by SMCTD employment policy – including the ability to hire, fire or modify positions. The following functions will be provided as direct support through dedicated staff.
 - (1) All functions and staff already providing direct support within the existing "Rail Division" including;
 - (a) Rail Operations and Maintenance
 - (b) Rail Planning
 - (c) Rail Contracts and Budgets
 - (d) Rail Development (capital program management, capital program delivery, engineering, and quality assurance/ quality control)
 - (e) The PCEP (CalMod) Program
 - (2) Additional direct support will be provided through dedicated staff in the following areas:
 - (a) Executive administration (eg chief of staff)
 - (b) Finance (eg finance director supported by shared services staff)
 - (c) Communications, government and external affairs (eg communications director supported by shared services staff)
 - (d) Grants
 - (e) Real Estate
 - (f) **OPTION LANGUAGE:** Other functions determined by the JPB Board necessary to avoid a conflict-of-interest between SMCTD and Caltrain

- ii) Shared Services will include SMCTD staff who support the railroad under the terms of a service agreement to be negotiated between SMCTD and the JPB whereby a portion of their time is allocated to Caltrain. This agreement will be developed pursuant to the process described in Part D of this recommendation and will be periodically revisited, evaluated, and adjusted as mutually agreed to by both SMCTD and the JPB.

Staff working under this arrangement will report through the SMCTD General Manager. The following functions will be included in the shared services category.

- (1) Human Resources
- (2) Contracts and Procurement
- (3) Information Technology
- (4) Civil Rights
- (5) Marketing and Customer Service
- (6) Accounting and Treasury

PART C: RIGHT OF WAY REPAYMENT AND REVERSION

1) Right of Way Repayment

The above recommendation and the continued effectiveness of any enacting agreements will be contingent on the repayment to SMCTD of monies advanced for the purchase of the Caltrain right of way (ROW) in a full and timely manner. Repayment discussions are ongoing with the JPA Member Agencies and the Metropolitan Transportation Commission (MTC). Once agreed to, repayment shall occur as described below.

- a) All repayment of both principal and interest to SMCTD will be from non-San Mateo County sources, and will be in full satisfaction of the 2008 amendment to the Real Property Ownership Agreement (RPOA).
- b) SMCTD will be repaid the principal amount owed under the terms of the 2008 amendment to the RPOA - \$19.8 million- in full within 12 months after execution of an agreement between JPB and SMCTD (as described in section D-1). Specifically and pursuant to the terms of the 2008 amendment to the RPOA, repayment will be made as shown;
 - (1) \$0.2 million will be repaid by the City and County of San Francisco
 - (2) \$19.6 million will be repaid by the Metropolitan Transportation Commission
- c) *Additionally, in consideration of the time elapsed since 2008 and the willingness of SMCTD to consider changes to the management of the JPB outside of the terms of the JPA and the RPOA, SMCTD will be compensated an additional sum.*

The final method and details of this compensation including amount, methodology and schedule of payment will be negotiated by a JPB Ad Hoc Committee prior to SMCTD's consideration of this recommendation.

2) Reversion

If the repayment of both the principal and interest owed has not occurred in full by the final negotiated schedule of dates, the above recommendation and any enacting agreements will be void and the managing agency arrangement will revert to the written terms of the Joint Powers Agreement and the 1991 Real Property Ownership Agreement, as amended in 2008. Critically, this includes having the SMCTD General Manager serve as Executive Director of Caltrain with full authority over the appointment and organization of all staff supporting the railroad.

PART D: IMPLEMENTATION

1) Form of Agreements:

Should the JPB reach agreement on a governance recommendation similar to the one described above, implementation would occur through a series of actions and agreements.

- a) The JPB Chair would appoint an Ad Hoc Committee to negotiate the details of additional compensation to SMCTD as described in section C-1-c
- b) The JPB would then adopt a resolution on governance that outlines the details of its recommendation at its February 6, 2022 meeting and would delegate to the Acting Executive Director the authority to negotiate a detailed Memorandum of Understanding (MOU) with SMCTD that enacts the recommended changes to the management structure of Caltrain.
- c) The SMCTD Board would consider the JPB adopted recommendation, and provided that it agrees, would, acting as the managing agency, delegate to its Acting General Manager the authority to negotiate the MOU with the Caltrain Acting ED. The MOU, which would be completed no more than six months from delegation to the Acting General Manager, would address:
 - i) The process and procedures related to the appointment, evaluation and termination of the Caltrain ED position
 - ii) The reporting structure and details of the revised direct and shared services staffing arrangements for those areas of the organization supporting Caltrain
 - iii) The negotiation of a shared services agreement in which shared services provided to Caltrain by SMCTD would be defined, periodically evaluated, and adjusted as agreed.
 - iv) A timeline and process whereby both the assets of the JPB and the provision of shared services would be documented for the JPB and the JPA member agencies
- d) In consideration of these changes, the JPB would agree to;

- i) Secure the repayment of the principal and interest owed to SMCTD in accordance with the amounts and timeframes described in Part 2
- ii) Acknowledge that should this repayment not occur as agreed to that the management of Caltrain would revert to original arrangement as described in the JPA
- e) The JPB and SMCTD would enter into a shared services agreement to define the types and levels of services to be provided by SMCTD to the JPB, cost allocation for shared employees, performance metrics, and rates.
- f) It is understood that the JPA member agencies will consider any needed actions to effectuate repayment as negotiated and recommended by the JPB Ad Hoc Committee

2) Timeframe and Evaluation:

It is contemplated that the term of the agreement between SMCTD and the JPB described above would run through a final schedule of negotiated dates, when all monies owed to SMCTD including both principal and interest will have been repaid. At that time, the JPB and JPA members would reconvene to consider whether to either modify the terms of the agreement, including whether to proceed with formal modifications to the JPA and RPOA. If the parties do not reach agreement with respect to changes to the agreement, the agreement would automatically be extended for another five-year period. This re-evaluation would occur every five years.

ATTACHMENT B
DRAFT GOVERNANCE RECOMMENDATION FOR DISCUSSION
REDLINE FROM NOVEMBER 2021 DRAFT

January 2022

The following draft document outlines a **revised** recommendation related to Caltrain's governance for discussion and potential action by the JPB at its January 2022 meeting. This revision has been developed based on input provided through individual interviews with Caltrain Board members in November and December of 2021 as well as input from JPA Member Agency staff.

The following is a redline showing changes from the November 2021 "straw proposal" previously presented to the JPB. A "clean" version of the same proposal is included in Attachment A.

Changes are documented as follows:

- Proposed changes to individual words, sentences and sections are shown in redline
- In some instances, **option language** for the Board's consideration and discussion has been provided- this indicates a point where additional language could be added at the Board's direction or where the Board will need to decide between two different options. This option language is labeled **in bold**
- Section C-1-c includes language describing a proposed negotiation process related to the issue of interest payment to the San Mateo County Transit District. This section is shown in italics.

DRAFT GOVERNANCE RECOMMENDATION FOR DISCUSSION

JANUARY 2022, REDLINE FROM NOVEMBER 2021

PART A: AFFIRMATIONS & STATEMENTS

1) Affirmation of Intent to Address Resolution 2020-42: Resolution 2020-42 contemplated that the JPB would recommend governance changes by December 31, 2021, including enabling a majority of the JPB to appoint its own Executive Director and providing for the reimbursement of SMCTD for its investment in Caltrain. The resolution further provided that the expenditure of more than \$40 million annually from Measure RR revenues would be subject to a supermajority vote until such time as the JPA has been amended to modify the JPB's governance structure in a manner satisfactory to the three member agencies. The proposed recommendation represents a step forward by authorizing the JPB to appoint its own Executive Director and providing a mechanism for the repayment of the outstanding principal owed to SMCTD under the 2008 amendment to the Real Property Ownership Agreement, together with interest, and it provides the member agencies with the opportunity to evaluate whether these structural changes are satisfactory before considering an amendment of the JPA.

1)2) Affirmation of SMCTD as the Managing Agency for Caltrain. The San Mateo County Transit District (SMCTD) will remain as the managing agency for Caltrain.

3) Affirmation of JPB Appointment of General Counsel and Auditor. As of 2021, ~~the~~ the JPB has appointed, and will maintain, both its own general counsel and auditor separate from those of any of the Joint Powers Agreement (JPA) Member Agencies.

2)4) Affirmation of Rail Service Provider Contract. The following recommendation does not alter the ongoing contractual relationship between the JPB and its selected Rail Service Provider whereby the contractor maintains responsibility for providing the JPB with rail operations, maintenance and support services that include administration/safety; operations and dispatch; maintenance of equipment, track, communications and signals, and stations; construction support; and state of good repair.

5) Statement Related to Regional Governance. The following recommendation does not preclude Caltrain's ongoing participation in processes related to potential regional governance changes. Rather, Caltrain and its staff should strive to constructively participate ~~establish a leadership role~~ in such processes and should seek to vigorously assert the interests of the railroad, its customers and its corridor.

- **-OPTION LANGUAGE (A-5):** Further, the JPB commits to expeditiously evaluate any regional governance recommendations and commits to doing so by January of 2023 assuming such a recommendation is ripe for consideration.

PART B: BASIC RECOMMENDATION

1) Caltrain Executive Director

~~a)~~ SMCTD will designate a separate, permanent Caltrain Executive Director position ("Caltrain ED"). ~~Although this position, who~~ will remain as an SMCTD employee. ~~This position~~ the Caltrain ED will exclusively report to, and take direction from, the JPB.

~~a)~~ SMCTD will delegate authority over the selection, hiring, annual goal setting, performance review, compensation, and termination of the Caltrain ED position to the JPB. ~~subject to the following conditions:~~

~~b)~~ ~~The general managers of SFMTA, VTA, SMCTD will participate in the selection process for the Caltrain ED position along with members of the JPB and will offer their technical expertise, but will not participate in the vote to hire the Caltrain ED.~~

~~b)~~

~~c)~~ ~~The decision to hire and fire the Caltrain Executive Director shall be subject to a supermajority vote of six members of the JPB, including at least one member appointed from each county.~~ **OPTION LANGUAGE**

1. The decision to hire and fire the Caltrain Executive Director shall be subject to a supermajority vote of seven members of the JPB.

-OR-

2. The decision to hire and fire the Caltrain Executive Director shall be subject to a simple majority vote of five members of the JPB.

2) Staff Reporting

a) As the managing agency, SMCTD will ~~provide employ~~ all staff ~~support~~ ~~to~~ supporting the JPB. ~~This Staff~~ support will come in two forms;

i) Direct Support will include SMCTD staff who work exclusively on Caltrain and who ~~have a reporting relationship that~~ ultimately ~~runs through~~ report to the Caltrain ED. The Caltrain ED will have full authority over these staff within the parameters set by SMCTD employment policy – including the ability to hire, fire or modify positions. The following functions will be provided as direct support through dedicated staff.

(1) All functions and staff already providing direct support within the existing "Rail Division" including;

(a) Rail Operations and Maintenance

(b) Rail Planning

(c) Rail Contracts and Budgets

- (d) Rail Development (capital program management, capital program delivery, engineering, and quality assurance/ quality control)
- (e) The PCEP (CalMod) Program
- (2) Additional direct support will be provided through dedicated staff in the following areas:

- ~~(a)~~ Executive administration (eg chief of staff)
- ~~(b)~~ Financial Planning and Budgets/Finance (eg finance director supported by shared services staff)
- ~~(c)~~ Communications, government and external affairs (eg communications director supported by shared services staff)
- ~~(d)~~ Grants

Real Estate

- ~~(e)~~
- ~~(f)~~ **OPTION LANGUAGE:** Government and External Affairs/Other functions determined by the JPB Board necessary to avoid a conflict-of-interest between SMCTD and Caltrain

- ii) Shared Services will include SMCTD staff who support the railroad under the terms of a service agreement to be negotiated between SMCTD and the JPB whereby a portion of their time is allocated to Caltrain. This agreement will be developed pursuant to the process described in Part D of this recommendation and will be periodically revisited, evaluated, and adjusted as mutually agreed to by both SMCTD and the JPB.

Staff working under this arrangement will report through the SMCTD General Manager. The following functions will be included in the shared services category.

- ~~(3)~~ (1) Human Resources
- ~~(4)~~ (2) Contracts and Procurement
- ~~(5)~~ (3) Information Technology
- ~~(6)~~ (4) Civil Rights
- ~~(7)~~ (5) ~~Communications~~, Marketing and Customer Service
- ~~(8)~~ (6) Accounting and Treasury

PART C: RIGHT OF WAY REPAYMENT AND REVERSION

1) Right of Way Repayment

The above recommendation and the continued effectiveness of any enacting agreements will be contingent on the repayment to SMCTD of monies advanced for the purchase of the Caltrain right of way (ROW) in a full and timely manner. Repayment discussions are ongoing with the JPA Member Agencies and the

Metropolitan Transportation Commission (MTC). Once agreed to, repayment shall occur as described below.

a) All repayment of both principal and interest to SMCTD will be from non-San Mateo County sources, and will be in full satisfaction of the 2008 amendment to the Real Property Ownership Agreement (RPOA).

b) SMCTD will be repaid the principal amount owed under the terms of the 2008 amendment to the Real Property Ownership Agreement (RPOA) - \$19.8 million- in full by within January 1, 2023 ~~12 months after execution of an agreement between JPB and SMCTD (as described in section D-1).~~ Specifically and pursuant to the terms of the 2008 amendment to the RPOA, repayment will be made as shown:

(1) \$0.2 million will be repaid by the City and County of San Francisco

(2) \$19.6 million will be repaid by the Metropolitan Transportation Commission

c) Additionally, in consideration of the time elapsed since 2008 and the willingness of SMCTD to consider changes to the management of the JPB outside of the terms of either the JPA and the RPOA, SMCTD will be ~~paid interest~~ compensated an additional sum. (to be calculated based on the principal from 2008 through the date of repayment) in full by January 1, 2024. The final method and details of this compensation including amount, methodology and schedule of payment will be negotiated by a JPB Ad Hoc Committee prior to SMCTD's consideration of this recommendation.

2) Reversion

If the repayment of both the principal and interest owed has not occurred in full by the final negotiated schedule of ~~dates specified~~, the above recommendation and any enacting agreements will be void and the managing agency arrangement will revert to the written terms of the Joint Powers Agreement and the 1991 Real Property Ownership Agreement, as amended in 2008. Critically, this includes having the SMCTD General Manager serve as Executive Director of Caltrain with full authority over the appointment and organization of all staff supporting the railroad.

PART D: IMPLEMENTATION

1) Form of Agreements:

Should the JPB reach agreement on a governance recommendation similar to the one described above, implementation would occur through a series of actions and agreements.

a) The JPB Chair would appoint an Ad Hoc Committee to negotiate the details of additional compensation to SMCTD as described in section C-1-c

b) The JPB would ~~then first~~ adopt a resolution on governance that outlines the details of its recommendation at its February 6, 2022 meeting and would delegate to the Acting Executive Director the authority to negotiate a detailed Memorandum of Understanding (MOU) with SMCTD that enacts the recommended changes to the management structure of Caltrain.

~~e)c)~~ _____ The SMCTD Board would consider the JPB adopted recommendation, and provided that it agrees, would, acting as the managing agency, delegate to its Acting General Manager the authority to negotiate the MOU with the Caltrain Acting ED. The MOU, which would be completed no more than six months from delegation to the Acting General Manager, would address:

- i) The process and procedures related to the appointment, evaluation and termination of the Caltrain ED position
- ii) The reporting structure and details of the revised direct and shared services staffing arrangements for those areas of the organization supporting Caltrain
- iii) The negotiation of a shared services agreement in which shared services provided to Caltrain by SMCTD would be defined, periodically evaluated, and adjusted as agreed.

iv) A timeline and process whereby both the assets of the JPB and the provision of shared services would be documented for the JPB and the JPA member agencies

~~b)d)~~ _____ In consideration of these changes, the JPB would agree to:

- i) Secure the repayment of the principal and interest owed to SMCTD in accordance with the amounts and timeframes described in Part 2
- ii) Acknowledge that should this repayment not occur as agreed to that the management of Caltrain would revert to original arrangement as described in the JPA

e) The JPB and SMCTD would enter into a shared services agreement to define the types and levels of services to be provided by SMCTD to the JPB, cost allocation for shared employees, performance metrics, and rates.

f) It is understood that the JPA member agencies will consider any needed actions to effectuate repayment as negotiated and recommended by the JPB Ad Hoc Committee

2) Timeframe and Evaluation:

It is contemplated that the term of the agreement between SMCTD and the JPB described above would run through a final schedule of negotiated dates, when all monies owed to SMCTD including both principal and interest will have been repaid. At that time, the JPB and JPA members would reconvene to consider whether to either modify the terms of the agreement, including whether to proceed with formal modifications to the JPA and RPOA. If the parties do not reach agreement with

respect to changes to the agreement, the agreement would automatically be extended for another five-year period. This re-evaluation would occur every five years.

**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 DECEMBER 15, 2021

MEMBERS PRESENT: A. Brandt (Vice Chair), P. Flautt, R. Jaques (Alternate), L. Klein, R. Kutler, P. Leung, M. Pagee (Alternate), JP. Torres, D. Tuzman, E. Shapiro, B. Shaw (Chair)

MEMBERS ABSENT: None

STAFF PRESENT: J. Navarrete, J. Navarro, J. Wasilco

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.

REPORT OF THE NOMINATING COMMITTEE - ELECTION OF 2022 CHAIR AND VICE CHAIR

Vice Chair Adrian Brandt reported that the nominating committee nominated Chair B. Shaw and Member P. Flautt for Chair and Vice Chair, respectively. Both accepted the nominations.

APPROVAL OF CHAIR AND VICE CHAIR

Motion/Second: Brandt / Klein

Ayes: Flautt, Leung, Shapiro, Shaw, Torres, Tuzman

Absent: Kutler

Chair B. Shaw was re-elected Chair

Member P. Flautt was elected Vice Chair

APPROVAL OF MINUTES OF NOVEMBER 17, 2021

Motion/Second: Flautt / Tuzman

Ayes: Brandt, Klelin, Leung, Shapiro, Shaw

Abstain: Torres

Absent: Kutler

Member R. Kutler arrived at 5:55 p.m.

PUBLIC COMMENT

Jeff Carter, Millbrae, via Zoom Q&A, was pleased to see the Holiday Train back in service. He then stated that he noticed testing at the grade crossings and hoped Caltrain is testing dual speed check.

CHAIRPERSON'S REPORT

Chair Brian Shaw reported that Alternate Member Neeraj Mathur has resigned from the Citizen's Advisory Committee. He also stated that Caltrain staff will be recruiting for open slots on the committee in 2022. He then stated that the agenda items for the coming year will be discussed during Agenda item 11b.

COMMITTEE COMMENTS

Member Patrick Flautt thanked the nominating committee and looks forward to working with Chair Brian Shaw.

Vice Chair Adrian Brandt provided an update from the TJPA previously, known as the Transbay Terminal. He then reported the cost increase with the electrification project.

Member David Tuzman shared his recent experience on the train, witnessing a conductor enforce the mask policy in a pleasant manner.

Alternate Member Melody Pagee asked why conductors do not have backup when enforcing Caltrain policies and would like to see more support for conductors.

Public Comments:

None

CAC ENDORSEMENT OF THE MTC FARE COORDINATION AND INTEGRATION STUDY

Member David Tuzman presented the Resolution, CAC Endorsement Coordination and Integration Study. The full presentation can be found on caltrain.com

Committee Comments:

Vice Chair Brandt stated that this resolution will also be helpful for staff.

No edits proposed from the committee.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, stated that he supports the Resolution.

Davis Turner, Burlingame, via Zoom Q&A, voiced his support with the Resolution and hopes that the CAC will endorse the MTC Fare Integration recommendations and state the benefits.

APPROVAL OF RESOLUTION

Motion/Second: Brandt / Klein

Ayes: Flautt, Kutler, Leung, Shapiro, Shaw, Torres, Tuzman

Absent: None

Motion passed.

2022 DRAFT LEGISLATIVE PROGRAM

Jadie Wasilco, Manager, Government and Community Affairs. The full presentation can be found on caltrain.com

Committee Comments:

Member David Tuzman asked whether the request for the \$10B budget for transportation includes roads and highways or whether it is specific to public transit. Ms. Wasilco stated that she would follow-up with a response through the CAC Secretary.

Member Jean-Paul Torres asked regarding the Department of Labor potentially freezing funding for transit and asked whether staff is keeping track to mitigate. Ms. Wasilco responded that Caltrain is exempt and will continue to receive federal funding because, technically, Caltrain does not have employees and are employees of either the San Mateo County Transit District, TASI, or other contractors.

Member Rosalind Kutler asked whether equity issues identified were elevated into the Transit Transportation Action Plan. Ms. Wasilco responded that although she is not close to that project, she can assure the committee that equity has been a centerpiece and is part of every recommendation.

Vice Chair Brandt asked Ms. Wasilco to comment on the potential Regional Measure to address the fiscal drop offs for Bay Area Transit Operators. Ms. Wasilco responded that MTC held a listening session and is in the exploratory phase of what a potential Regional Revenue Measure could look like for 2024. She mentioned that Caltrain is part of those discussions.

Public Comments:

None

CUSTOMER EXPERIENCE UPDATE

Joe Navarro, Deputy Chief, Rail Operations reported Report. The full presentation can be found on caltrain.com

Committee Comments:

Member Tuzman asked for an estimated time of arrival on the visual messaging screens. Mr. Navarro responded that the first signs will be installed at South San Francisco station within the next three months, if all parties agree.

Vice Chair Brandt asked whether the 29K registered are Caltrain users only. Mr. Navarro advised that they are not, and that number includes all companies working with Project 529, including Stanford. Vice Chair Brandt suggested using Caltrain only registered users so that recovery rate is specific to Caltrain. Mr. Navarro stated that staff will look into his suggestion.

Member Kutler validated some items in the presentation with her experience as a public servant with mask enforcement, dealing with the public, and law enforcement. She shared that it could be challenging and commended the conductors.

Member Flautt shared that he learned a lot about Project 529 and that Caltrain has the capability to determine how many registrations have been completed through Caltrain. He then asked whether staff uses social media platforms or post notices to help onboard users through Caltrain platform. Mr. Navarro stated that due to shortage in staffing and pandemic reasons, all outreach efforts are on hold. Member Flautt requested a breakdown of just Caltrain registrations.

Vice Chair Brandt requested a report on dual speed check installation and updates as they are being deployed. Mr. Navarro stated that staff would allow the system to run for two months to gather data and will provide a demonstration of what Constant Warning provides now and what the new system will provide as well. Vice Chair Brandt then requested for the vaccination progress of onboard crews. Mr. Navarro stated that he would follow-up with the committee.

Mr. Navarro then shared the challenges during COVID with TASI staffing when there were service changes, keeping up with productivity, keeping workers safe, implementing rule changes, training staff, and obtaining the proper equipment for infrastructure. Mr. Navarro also stated that staff is gearing up for a different operational dynamic at Caltrain.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, asked whether there are any other railroads within the country that have grade crossings with 25kv system that Caltrain can learn from. He then asked whether CAC members or members of the public can receive tours of the substations.

STAFF REPORT UPDATE

Joe Navarro, Deputy Chief, Rail Operations reported (The full report can be found on caltrain.com):

On-time Performance (OTP) –

- **November:** The November 2021 OTP was 96.4% compared to 96% for November 2020.
 - **Vehicle Strikes** – There was one vehicle strike on November 11.
 - **Vehicles on Tracks** – There were three days, November 5, 16 and 29, with a vehicle on the tracks that caused train delays.
 - **Mechanical Delays** – In November 2021 there were 592 minutes of delay due to mechanical issues compared to 623 minutes in November 2020.

- **October:** The October 2021 OTP was 93.8% compared to 97.4% for October 2020.
 - **Trespasser Strikes** – There were two trespasser strikes on October 25 and 26, one resulting in a fatality.

Committee Comments:

Vice Chair Brandt responded to public comment from Jeff Carter and advised that Denver had a similar system and that it was a disaster and hoping to avoid that here at Caltrain. He then stated that although staff is working on other projects, he would like to know that vaccinations continue to be a priority. Mr. Navarro stated that Caltrain is above the national average.

Mr. Navarro then reviewed the Ridership slides with the committee and members of the public.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, mentioned two future Agenda items he would like to see. The first, Go Pass cost per rider factors and the second, Clipper data availability and ridership statistics.

JPB CAC Work Plan

Committee Comments:

Chair Shaw polled the committee and asked them what Agenda items they would like to see in the upcoming year. He stated that a master list would be compiled and be discussed with the new Vice Chair Flautt and staff at next month's Agenda meeting to prioritize.

Member Flautt suggested a brainstorm session to come up with applications for the conductor iPhones to make their jobs more efficient, help spot problems and possibly interface with the public. He requested staff come prepared with the current deployed apps on the phones, how It works, and what staff is thinking to improve.

Member Patricia Leung would like to see study sessions on Transit Oriented Development and historic station preservation outreach.

Member Kutler would like to see an equity evaluation on the most recent schedule change and Go Pass qualification requirements for new companies and/or government municipalities.

Vice Chair Brandt would like to see any big station projects in the planning stages like the Downtown Extension, elevated four track station, future Dumbarton Rail extension, and the Google campus being planned at the Diridon station come to the CAC. He also requested level boarding and the status of fully vaccinated staff be added to the Work Plan.

Member Larry Klein would like a presentation on the amount of land that Caltrain owns around the different stations to determine opportunities for recommendations on additional revenue or Transit Oriented Development.

Member Tuzman requested a presentation on the 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.

Member Torres would like to see Caltrain Wayfinding improved, specifically with single tracking.

Member Emilia Shapiro would like to know whether Caltrain has marketing campaigns to attract riders back to Caltrain and on general rider etiquette. She would also like to see an overview of rider communications across social media and technical platforms. She then requested more information on how Caltrain advertises other products and/or businesses as a form of revenue.

Alternate Member Melody Pagee agreed with Member Flautt's request to learn more about the conductor's communication tools and how they may interface with the public. She then asked whether regional trip planning is available for riders that do not have access to mobile devices.

Alternate Member Rob Jaques would like to know more about regional connections between transit agencies.

Chair Shaw would like to know what it would take to get distance-based fares on Caltrain. He would like to see a deep dive on it from a practical standpoint.

Vice Chair Brandt added PCEP project wireless overlay system.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, thanked the committee for the ideas and agrees with adding distance-based fares to the Work Plan.

January 19, 2022

- Code of Conduct
-

February 16, 2022

-
-

March 16, 2022

-
-

April 20, 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
- Update on grade crossing pilot six months after installation – requested by Member, Patrick Flautt on 12/18/19
- Summary video of the CAC meetings by the Social Media Officer – requested by Chair, Brian Shaw 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

DATE, TIME, AND LOCATION OF NEXT REGULAR MEETING:

The next meeting will be January 19, 2022, at 5:40 pm, San Mateo County Transit District Administrative Building, 2nd Floor Bacciocco Auditorium, 1250 San Carlos Avenue, San Carlos, CA.

Adjourned at 8:03 pm.

Caltrain Citizens Advisory Committee (CAC) endorsement of the Metropolitan Transportation Commission (MTC) Fare Coordination and Integration Study (FCIS)

We, the Caltrain CAC, endorse the FCIS Fare Policy Vision as presented¹ to the Committee on November 17, 2021, and support the implementation of its Phase A and B recommendations

(all-agency institutional pass pilot in 2022; free/reduced cost transfers and all-agency public pass in 2023).

We also strongly support the Phase C recommendation of standardizing regional fares and propose that it be implemented as soon as feasible (before 2024), especially given the immense benefit to rider experience and modelled increases to ridership (nearly 70,000 added region-wide daily riders for the high-investment unified fare-by-distance model²).

We urge the Caltrain Joint Powers Board to approve the FCIS Policy Vision and recommendations, and to direct staff to proactively collaborate with MTC and other transit agencies in its implementation and pursuit of funding.

1 FCIS Fare Policy Vision:

[https://www.caltrain.com/Assets/_Agendas+and+Minutes/JPB/CAC/Presentations/2018/2021-11-17+JPB+CAC+presentation+\\$!239.pdf](https://www.caltrain.com/Assets/_Agendas+and+Minutes/JPB/CAC/Presentations/2018/2021-11-17+JPB+CAC+presentation+$!239.pdf)

2 Draft FCIS Business Case Report:

https://mtc.ca.gov/sites/default/files/documents/2021-10/Draft_FCIS_Report.pdf



BOARD OF DIRECTORS 2021

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

MICHELLE BOUCHARD
ACTING EXECUTIVE DIRECTOR

Memorandum

Date: December 27, 2021
To: Board of Directors
From: Michelle Bouchard, Acting Executive Director
Subject: January 6, 2022, JPB Board Meeting Executive Director's Report

- **On-time Performance**

- **Through December 26:** The December 2021 OTP was 90.1% compared to 95.3% for December 2020.
 - **Trespasser Strike** – There was one trespasser strike on December 2.
 - **Vehicle Strikes** – There were two vehicle strikes on December 1 and 2.
- **November:** The November 2021 OTP was 96.4% compared to 96% for November 2020.

- **CAC Meeting** – The Citizens Advisory Committee met on Wednesday, December 15, via teleconference. Jadie Wasilco, Government & Community Affairs Manager, provided an update on the 2022 Caltrain Legislative Program. Joe Navarro, Deputy Chief – Rail Operations, provided a powerpoint and update on Customer Experience. Joe also provided the

Staff Report. The next CAC meeting is scheduled for Wednesday, January 19, via teleconference or San Carlos.

- **BATAC Meeting** – The next Bicycle & Active Transportation Advisory Committee meeting is scheduled for Thursday, January 20, via teleconference or in San Carlos.
- **Holiday Service** – During the following days and Holidays, Caltrain will operate the following schedules:
 - MLK Day Service – Monday, January 17, 2022 – **Modified Schedule**
 - President’s Day – Monday, February 21, 2022 – **Modified Schedule**
- **Special Event Service**

Services Performed:

December special events ridership will be reported in the February Executive Director’s Report.

- **San Francisco 49ers** – The 49ers hosted three games in November. Total ridership alighting and boarding at Mountain View station was 2,755. Average additional ridership per game was 918, an increase of 55% compared to October 2021. Year to date additional ridership is 6,176, a decrease of 58% compared to 2019.

The 49ers hosted one game in December.

- **Stanford Football** – The Stanford Cardinal hosted three games in November. There were 16 trains that stopped at Stanford station. Total ridership alighting and boarding at Stanford station was 1,361. Average ridership per game for November, including the Big Game was 454, a decrease of 57% compared to the 2019 season average. Total ridership for the season was 2,455, a decrease of 57% compared to 2019.
- **Golden State Warriors** – The Warriors hosted eight games in November. The total additional ridership for November was 2,747. The average ridership per game was 343, an increase of 33% compared to October 2021. Year-to-date additional ridership is 3,782, a decrease of 53% compared to 2019 (8,125).

The Warriors hosted seven games in December.

- **San Jose Sharks** – The Sharks hosted seven home games in November. Total post game additional riders boarding at San Jose Diridon was 594. Average ridership per game for November was 85, an increase of 18% compared to October 2021. Year-to-date additional ridership is 829, a decrease of 80% compared to 2019 (4,211).

The Sharks hosted seven games in December. However, the NHL postponed two games due to an increase in COVID-19 outbreaks throughout the league, and rescheduled dates will be announced at a later date.

- **Holiday Train** – Caltrain operated the Holiday Train on Saturday, December 4, and Sunday, December 5. This dazzling show-train visited nine Caltrain stations between San Francisco and Santa Clara with glittering lights, holiday decorations and station entertainment over two nights. Caltrain partnered with the U.S. Marine Corps Reserve Toys for Tots program and the Salvation Army to collect new toys and books for local children who otherwise might not receive a gift during the holidays. There was 1,500 new toys and books were collected during the event.
- **New Year's Eve** – Caltrain operated a weekday schedule and provided special post-event trains after the last regularly scheduled train at 12:05 a.m. The first special southbound train departed San Francisco at 12:30 a.m. or when full, and the last train departed no later than 1:30 a.m. Trains will make all weekday local stops from San Francisco to San Jose Diridon. Caltrain also provided free service beginning at 8 p.m. until the last special post-event train departed San Francisco.

Services Scheduled:

- **SF 49ers Regular Season** – The 49ers will host one regular season game in January. Caltrain will operate regular weekend service and is coordinating with VTA and Levi's Stadium regarding the connecting services.
- **San Jose Sharks** – The SJ Sharks will host five regular season games in January. Staff will continuously monitor service with SAP Center.
- **Golden State Warriors** – The Warriors will host nine regular season games in January. Staff will continuously monitor service with Chase Center.
- **Caltrain NorCalMLK Celebration Train** – The Caltrain NorCalMLK Celebration Train will operate on Monday, January 17, from San Jose to

San Francisco, with stops in Palo Alto and San Mateo. The Celebration Train will provide free service to those who wish to attend the annual celebration of the life and legacy of Dr. King in San Francisco hosted by the Northern California Dr. Martin Luther King, Jr. Community Foundation (NorCalMLK). The free train ride, which pays tribute to the 54-mile 1965 Selma to Montgomery March, is a great way to get to the MLK march, which starts at the Caltrain San Francisco Station and events in The City.

Attendees must register in advance in order to receive a free commemorative train ticket. Although there is no special southbound service, the commemorative tickets will be valid for the Celebration Train and one southbound Caltrain trip after 1 p.m. on January 17, 2022. Caltrain will operate a modified service schedule for the holiday. Registration for tickets will be available in late December 2021.

- **Capital Projects**

The Capital Projects information is current as of December 16, 2021, and is subject to change between December 16 and January 6, 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 the east. Upon completion, the hold-out rule at this station will be removed that currently impacts overall system operational efficiency.

On September 20th, passengers began boarding and disembarking from the new centerboard platform, and the temporary platform was demolished. The contractor (PMI) is currently performing remedial work as required for the final completion of the project. In addition, the City of SSF and Caltrain agreed to move the Ribbon Cutting Ceremony to early January of 2022 to avoid the holiday season, plus other Caltrain and city events occurring in December 2021.

- **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 a part of this project, the Broadway Station will become elevated and the hold out rule at this station will be eliminated that impacts operational efficiency. Currently, this project is funded for the design phase through local funds (San Mateo County Transportation Agency Measure A and City of

Burlingame). The City of Burlingame is the sponsor of the project, with Caltrain acting as the lead agency for implementation.

The project continues to address the City of Burlingame's comments on their review of the value engineering of the preliminary design to optimize cost, schedule, and construction efficiency. Concurrent with the value engineering efforts, detailed design efforts are underway, such as geotechnical engineering and utilities coordination. The current schedule forecasts advertisement for the construction contract by late-2023. Construction is scheduled to occur from early 2024 to mid-2027. Advance utility relocations are expected to begin in late 2022. In addition, the team is evaluating the potential use of alternative contract delivery methods to address project risk and site constraints.

- **Guadalupe River Bridge Replacement:** JPB proposes to replace the MT-1 railroad bridge and extend the MT-2 railroad bridge over the Guadalupe River in the City of San Jose, Santa Clara County, California. The proposed project is located north of Willow Street and east of State Route (SR) 87 between Tamien & Diridon stations.

The 1935 MT-1 Bridge urgently needs to be replaced with a new structure to maintain safe and reliable operations.

The existing MT-2 bridge will be extended from 195-foot to 250 feet by replacing the south abutment and modifying the last pier and the relocation of Fiber Optic cables and the existing overhead catenary system (OCS) pole.

The total project cost is estimated at \$45 million and is nearing 100% design completion by December 3, 2021, and bid advertisement in early 2022, with an expected Board award in Spring 2022.

The major issue facing this project is the resolution with the UPRR on scope and budget issues, now in arbitration. The resolution of these issues may alter the bid advertisement date and construction schedule.

- **Rengstorff Avenue Grade Separation:** JPB, in partnership with the City of Mountain View, proposes 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 full depressed intersection, major grading work, new paving & bicycle lanes with special barriers, retaining walls, new elevated railroad tracks & pedestrian bridges, utility relocation, drainage & pump station facilities, and landscaping.

The project is currently in preliminary design and had expected 35% design submittal for later this year. However, this submittal delivery has been delayed to March 2022 due to additional geotechnical investigation & traffic studies and the County's review of geometric design layout for sight & stopping distances and changes to transition grades. The preliminary total budgeted estimate for this project is around \$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.

Currently construction is expected to start in early 2025, pending securing funds and complete in late 2027.

- **Ticket Vending Machine (TVM) Rehabilitation:** This project will upgrade the existing TVM Server and retrofit and refurbish existing TVM machines so that the machines can perform the functions planned for the current Clipper program. The new machines will be able to dispense new Clipper cards (excluding discount Clipper cards that require verification of eligibility) and have the ability to increase the cash values of existing Clipper cards. In addition, the scope of the original contract was increased to include upgrades to the credit card reader and database.

Completed phase 1 in October 2020 to develop a prototype Clipper TVM. Phase 2 for the retrofitting of 12 additional TVM's was completed in March 2021. The agreement for the award of Phase 3 for upgrading of another 21 TVM's was executed in late September. The completion of Phase 3 is expected by early 2022. Phase 4 for upgrading another 27 TVM's will be added to the project as the approved FY21 capital funding has just recently become available. Phase 5 funds to upgrade the remaining 27 TVM's (contained in the FY22 Capital Budget) are not yet available. A request for Board approval to add Phase 4 and an option for adding Phase 5, when funds are available, is planned for early 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. The project will mimic the 2014 completed traffic signal preemption project in Redwood City, Palo Alto, and Mountain View. This project is being funded

through the State of California Public Utilities Commission Section 130 program to eliminate hazards at grade crossings.

The Notice to Proceed for construction was issued to the Caltrain contract operator, TASI, in February 2021. TASI completed the installation of new traffic signal preemption equipment. and advance signal preemption was successfully cutover and tested in July 2021. Integrated testing with the City of Sunnyvale's traffic controller is pending the City's action.

- **Churchill Avenue Grade Crossing Improvements:** This project will make safety, pedestrian and bicycle access improvements 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 a coordinated with the City of Palo Alto's design for the crossing.

The project began in December 2019. The 100% design was received and is now being reviewed. The City's 100% design is now forecast for November 2021, was incorporated into JPB's Issue for Bid documents that are now are being finalized for advertisement. Construction is forecast to occur from mid-2022 to early 2023.

- **Broadband Wireless Communications:** This project will provide wireless communication systems to enhance capabilities for monitoring of railroad operations and maintenance, and provide Wi-Fi capability for passengers. Project is funded through a grant from the Transit and Intercity Rail Capital Program (TIRCP).

Project completed the planning/conceptual design phase in 2020. A recommendation was made to proceed with the project as a Design/Build procurement. Caltrans, the primary funding managing agency, has approved JPB's request to procure via a Request for Proposal (RFP) in lieu of Issue for Bid (IFB) method to allow for best value selection. RFP documents were completed and reviewed by all stakeholders in September 2021. The RFP was advertised for proposals on October 8th and the contract award is expected by mid-2022. The Pre-Bid conference and site visit was conducted. Currently proposals are due at the end of December 2021 that will be followed by interviews with shortlist proposers, system demonstrations of their proposed systems, contract negotiations and contract award in the spring/summer of 2022 Design and Construction is planned from mid 2022 until late-2023.

- **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 connects the southbound platform to the northbound platform and the parking lots on the east side. The bridge was originally constructed as part of the Caltrain Express project (CTX) in 2002 and has not been repainted since. The bridge's paint coatings are in need of rehabilitation with surface rust that needs to be addressed along with a complete repainting of the bridge to bring the structure to a state of good repair.

The project completed finalizing the Issue for Bid construction bid documents and the contract was advertised for bids on December 10, 2021. Bids are due in Winter 2021 and construction is expected to commence in Spring/Summer 2022 and complete in the Winter of 2022.

- **Mountain View Transit Center Grade Separation and Access:** The purpose of the Mountain View Transit Center (MVTC) Grade Separation and Access Project is to improve safety at Castro Street in the city of Mountain View by replacing the existing at-grade crossing at Castro Street with a grade-separated pedestrian and bicycle underground crossing.

JPB Environmental Planning group is working to obtain environmental clearance for the project through the California Environmental Quality Act (CEQA). A board action for CEQA adoption will be done concurrently with approval and award of the Final Design Contract in mid-2022. Issuance of the Request for Proposal for Final Design is now scheduled for Winter 2021. The planned schedule is to issue an Invitation for Bids (IFB) for construction by end of 2024.

Currently, the project is working with the Project's "Technical Working Group" (TWG) that is comprised of JPB, City of Mountain View, and VTA for review of the final design Request for Proposal (RFP) deliverables as required in the executed Cooperative Agreement. In addition, the Team is evaluating the potential use of alternative contract delivery methods to address project risk and site constraints.

- **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) in regards to 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 in regards to scope, schedule, as well as input for the conceptual design. In

addition, JPB Staff conducted a field diagnostic meeting with California Public Utilities Commission (CPUC) and the Town of Atherton to obtain the necessary information and requirements from CPUC for the final design. The 35% design for the safety improvements at the grade crossing has been completed and reviewed. The 65% design is now in progress.

The current schedule forecast reflects a construction period from January 2023 to December 2023, which complies with executed MOU.

- **MP-36 Locomotive Mid-Life Overhaul Project:** Perform mid-life overhaul of six MP-36-3C Locomotives. The mid-life overhaul includes complete disassembly of the main diesel engine, overhauling by reconditioning reusable 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 facility at Mare Island (Vallejo) in July 2020 for overhauling. Its return to Caltrain has been delayed from early-2021 until late-2021 due to COVID-19 related impacts to the vendor's supply chain, availability of testing staff due to travel restrictions, and increase in the scope of needed repairs. This delay is expected to be limited to vehicle #927, this unit is currently 88% completed. A second vehicle #924 was shipped to the vendor's facility in November 2020 and is currently being stripped for overhauled and is 12% completed.

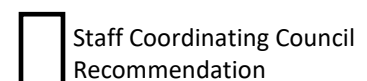
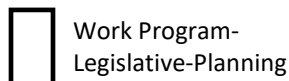
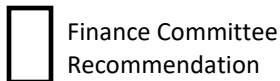
**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Pranaya Shrestha
Chief Officer, Caltrain Modernization Program

SUBJECT: **PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP) MONTHLY
PROGRESS REPORT – NOVEMBER 2021**



ACTION

Staff Coordinating Council recommends the Board receive the Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report (MPR). The MPR is available online under "Reports and Presentations" at this webpage: http://www.caltrain.com/projectsplans/CaltrainModernization/CalMod_Document_Library.html. No action required.

SIGNIFICANCE

Staff prepares and submits a report covering the PCEP on a monthly basis.

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, Caltrain Modernization Program

720.757.9191



Caltrain Modernization Program Peninsula Corridor Electrification Project (PCEP)



November 2021 Monthly Progress Report

November 30, 2021

Funding Partners



Federal Transit Administration (FTA) Core Capacity
FTA Section 5307 (Environmental / Pre Development only)
FTA Section 5307 (Electric Multiple Unit (EMU) only)



Prop 1B (Public Transportation Modernization & Improvement Account)
Caltrain Low Carbon Transit Operations Cap and Trade



Proposition 1A
California High Speed Rail Authority (CHSRA) Cap and Trade



Carl Moyer Fund



Bridge Tolls (Funds Regional Measure (RM) 1/RM2)



San Francisco
County Transportation
Authority



San Francisco County Transportation Authority (SFCTA)/San Francisco
Municipal Transportation Agency (SFMTA)



San Mateo County Transportation Authority (SMCTA) Contribution
SMCTA Measure A



Santa Clara Valley Transportation Authority (VTA) Measure A
VTA Contribution



City and County of San Francisco (CCSF) Contribution

Table of Contents

	Page
1.0 Background	1-1
2.0 Executive Summary.....	2-1
2.1. Monthly Dashboards	2-2
2.2. Funding Partners Participation in PCEP.....	2-5
2.3. Schedule.....	2-9
2.4. Budget	2-10
2.5. Board Actions	2-10
2.6. Government and Community Affairs	2-11
3.0 Electrification – Infrastructure	2-2
3.1. Electrification	3-1
3.2. Supervisory Control and Data Acquisition	3-6
3.3. Tunnel Modification.....	3-6
3.4. Interconnection Construction	3-7
4.0 Electric Multiple Units	4-1
4.1. Electric Multiple Units.....	4-1
4.2. Centralized Equipment Maintenance and Operations Facility Modifications	4-3
5.0 Safety	5-1
6.0 Quality Assurance	6-1
7.0 Schedule	7-1
8.0 Budget and Expenditures	7-2
9.0 Change Management	9-1
10.0 Funding	10-1
11.0 Risk Management	11-1
12.0 Environmental	12-1
12.1. Permits	12-1
12.2. Mitigation Monitoring and Reporting Program (MMRP)	12-1
13.0 Utility Relocation.....	13-1
14.0 Real Estate.....	14-1
15.0 Third Party Agreements.....	15-1
16.0 Government and Community Affairs.....	16-1
17.0 Disadvantaged Business Enterprise (DBE) Participation and Labor Statistics	17-1
18.0 Procurement.....	18-1
19.0 Timeline of Major Project Accomplishments	19-1

List of Tables

	Page
Table 2-1 Schedule Status.....	2-9
Table 2-2 Budget and Expenditure Status.....	2-10
Table 3-1 Work Progress by Segment	3-4
Table 6-1 Quality Assurance Audit Summary.....	6-2
Table 7-1 Schedule Status.....	7-1
Table 7-2 Critical Path Summary	7-1
Table 7-3 Schedule Hold Points.....	7-2
Table 8-1 Electrification Budget & Expenditure Status	8-1
Table 8-2 EMU Budget & Expenditure Status	8-2
Table 8-3 PCEP Budget & Expenditure Status.....	8-3
Table 8-4 Third Party Improvements/CNPA Budget & Expenditure Status	8-4
Table 8-5 Budget Transfers of Contingency	8-4
Table 15-1 Third-Party Agreement Status.....	15-1

List of Figures

	Page
Figure 2-1 PCEP Work Segments.....	2-1
Figure 2-2 Expenditure – Planned vs. Actual.....	2-2
Figure 2-3 Spending Rate vs. Required.....	2-3
Figure 2-4 Construction Contract Budgets.....	2-3
Figure 2-5 OCS Foundation Production.....	2-4
Figure 2-6 Contractor Completion Schedule.....	2-4
Figure 10-1 Funding Plan.....	10-1
Figure 11-1 Monthly Status of Risks.....	11-2
Figure 11-2 Risk Classification.....	11-3
Figure 17-1 DBE Participation.....	17-1

List of Appendices

	Page
Appendix A – Acronyms.....	A-1
Appendix B – Funding Partner Meetings.....	B-1
Appendix C – Schedule.....	C-1
Appendix D – Standard Cost Codes.....	D-1
Appendix E – Change Order Logs.....	E-1
Appendix F – Risk Table	F-1
Appendix G – MMRP Status Log	G-1

1.0 BACKGROUND

Over the last decade, Caltrain has experienced a substantial increase in ridership and anticipates further increases in ridership demand as the San Francisco Bay Area's population grows. The Caltrain Modernization (CalMod) Program, scheduled to be implemented by 2022, will electrify and upgrade the performance, operating efficiency, capacity, safety, and reliability of Caltrain's commuter rail service.

The PCEP is a key component of the CalMod Program and consists of converting Caltrain from diesel-hauled to Electric Multiple Unit (EMU) trains for service between the San Francisco Station (at the intersection of Fourth and King Streets in San Francisco) and the Tamien Station in San Jose. Caltrain will continue Gilroy service and support existing tenants.

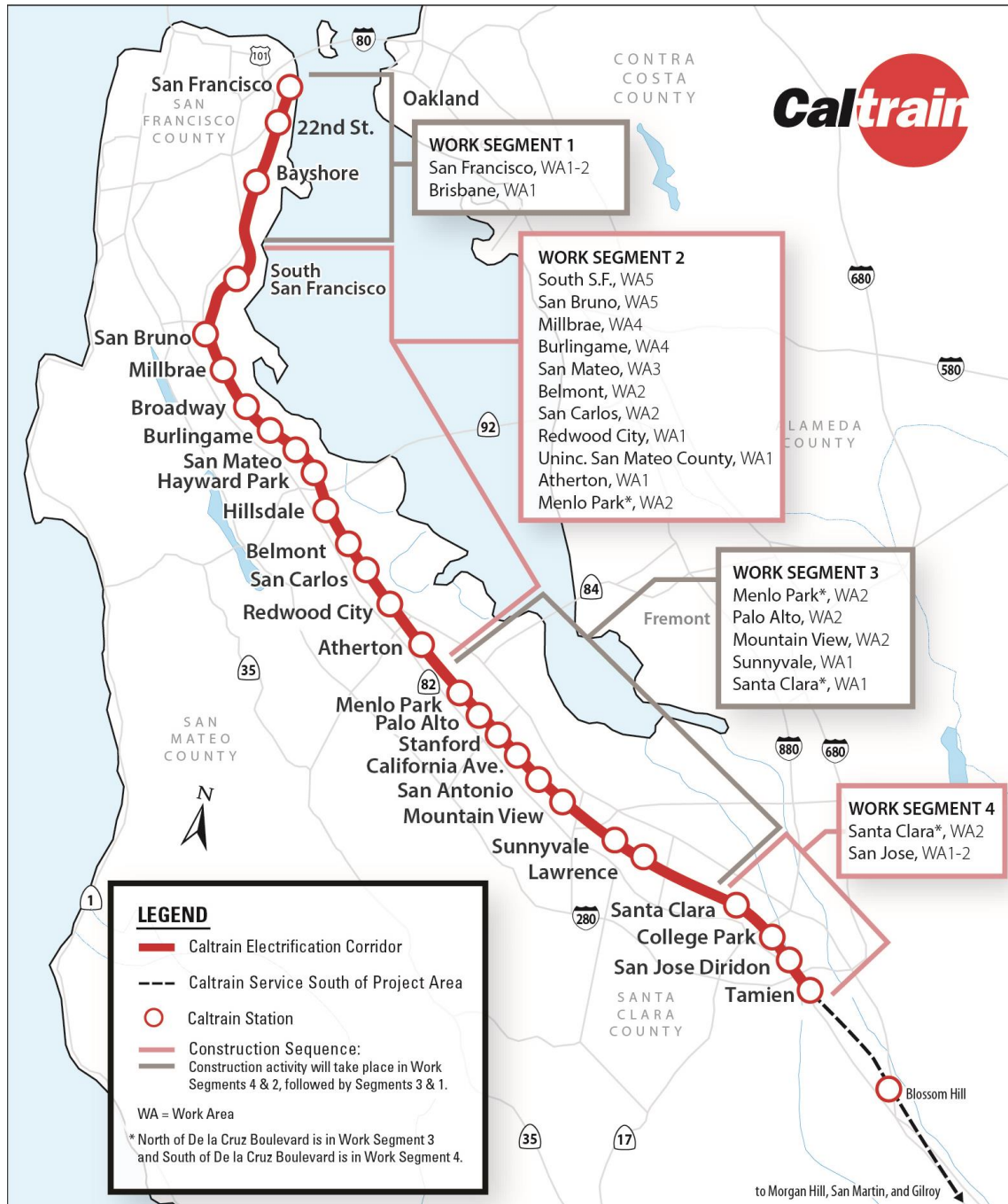
An electrified Caltrain will better address Peninsula commuters' vision of environmentally friendly, fast and reliable service. Electrification will modernize Caltrain and make it possible to increase service while offering several advantages in comparison with existing diesel power use, including:

- **Improved Train Performance, Increased Ridership Capacity and Increased Service:** Electrified trains can accelerate and decelerate more quickly than diesel-powered trains, allowing Caltrain to run more efficiently. In addition, because of their performance advantages, electrified trains will enable more frequent and/or faster train service to more riders.
- **Increased Revenue and Reduced Fuel Cost:** An electrified Caltrain will increase ridership and fare revenues while decreasing fuel costs.
- **Reduced Engine Noise Emanating from Trains:** Noise from electrified train engines is measurably less than noise from diesel train engines. Train horns will continue to be required at grade crossings, adhering to current safety regulations.
- **Improved Regional Air Quality and Reduced Greenhouse Gas Emissions:** Electrified trains will produce substantially less corridor air pollution compared with diesel trains even when the indirect emissions from electrical power generation are included. Increased ridership will reduce automobile usage, resulting in additional air quality benefits. In addition, the reduction of greenhouse gas emissions will improve our regional air quality, and will also help meet the state's emission reduction goals.

2.0 EXECUTIVE SUMMARY

The Monthly Progress Report is intended to provide an overview of the PCEP and provide funding partners, stakeholders, and the public an overall update on the progress of the project. This document provides information on the scope, cost, funding, schedule, and project implementation. Work along the Caltrain Electrification Corridor has been divided into four work segments and respective work areas (WA) as shown in Figure 2-1. PCEP activities are described and summarized by segments and work areas.

Figure 2-1 PCEP Work Segments



Peninsula Corridor Electrification Project
Monthly Progress Report

Segment 1 Work Area B foundations have been completed and work has begun in Segment 1 Work Area A. Work at the paralleling stations included termination of low voltage wires, access road build-up and grading, installation of transformer fit up, and removal of abandoned utilities.

Punch list work continued at the Centralized Equipment Maintenance and Operations Facility (CEMOF). Installation for the exterior window was completed for the Component Test Room, and the fire alarm installation continued at the Part Storage Building.

Trainset 1 is still undergoing dynamic type testing in Pueblo, CO, including 8-car train control, train network, event recorder and monitoring/diagnostic system testing. Routine static and dynamic testing continued on Trainsets 3 – 7.

2.1. Monthly Dashboards

Dashboard progress charts are included below to summarize construction progress.

Figure 2-2 Expenditure – Planned vs. Actual

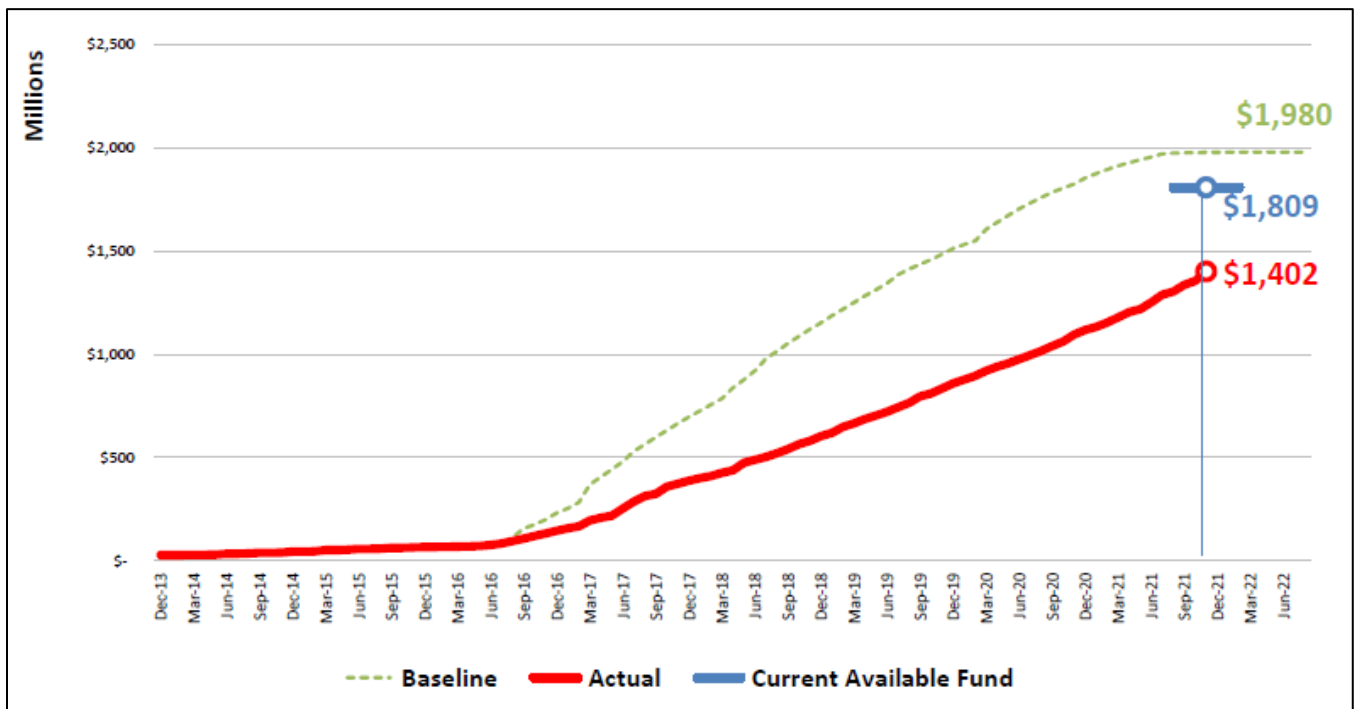


Figure 2-3 Spending Rate vs. Required

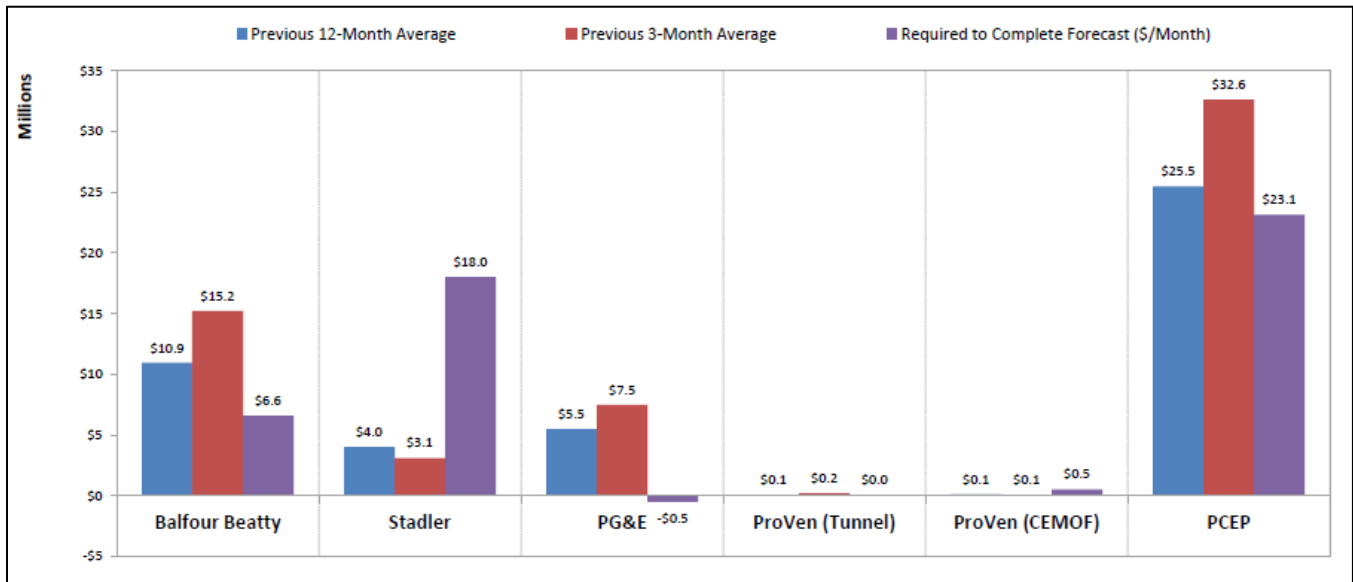


Figure 2-4 Construction Contract Budgets

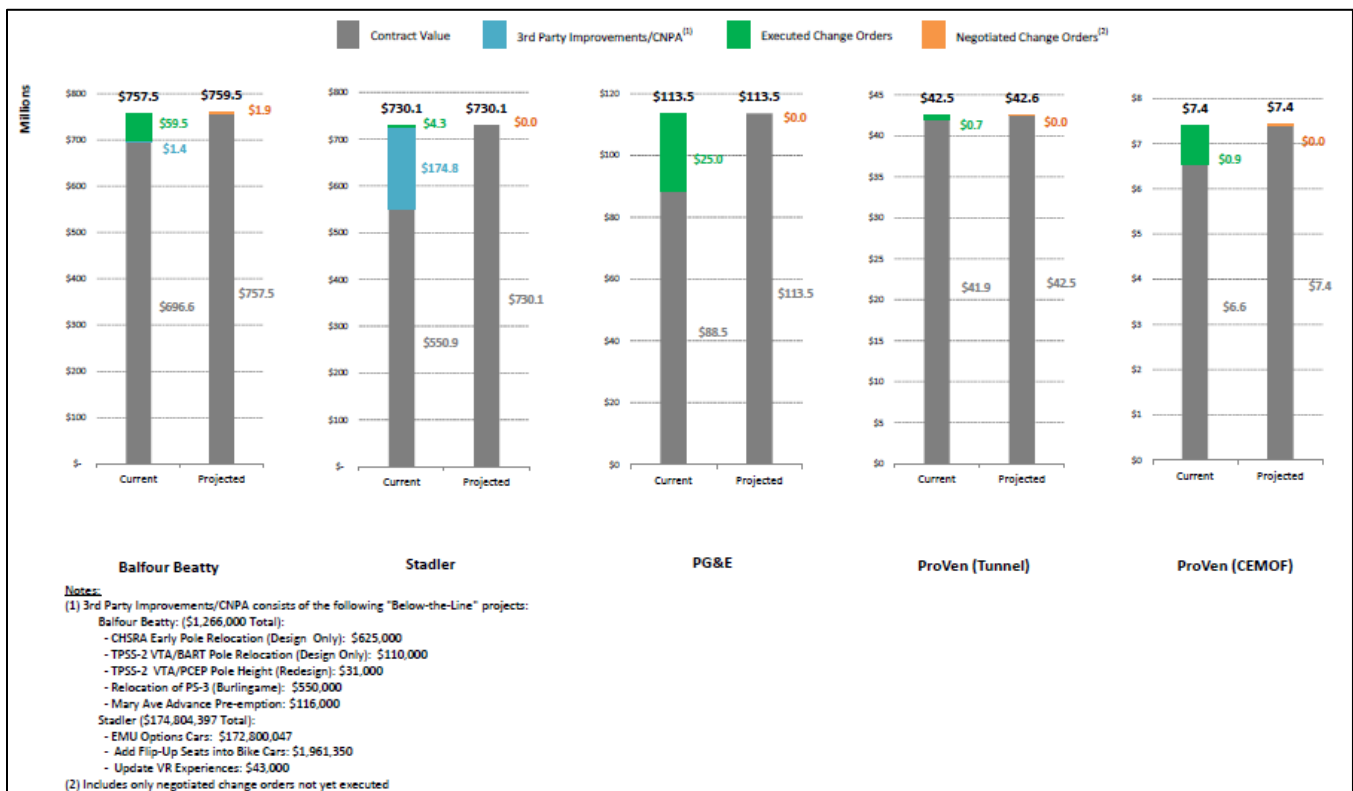
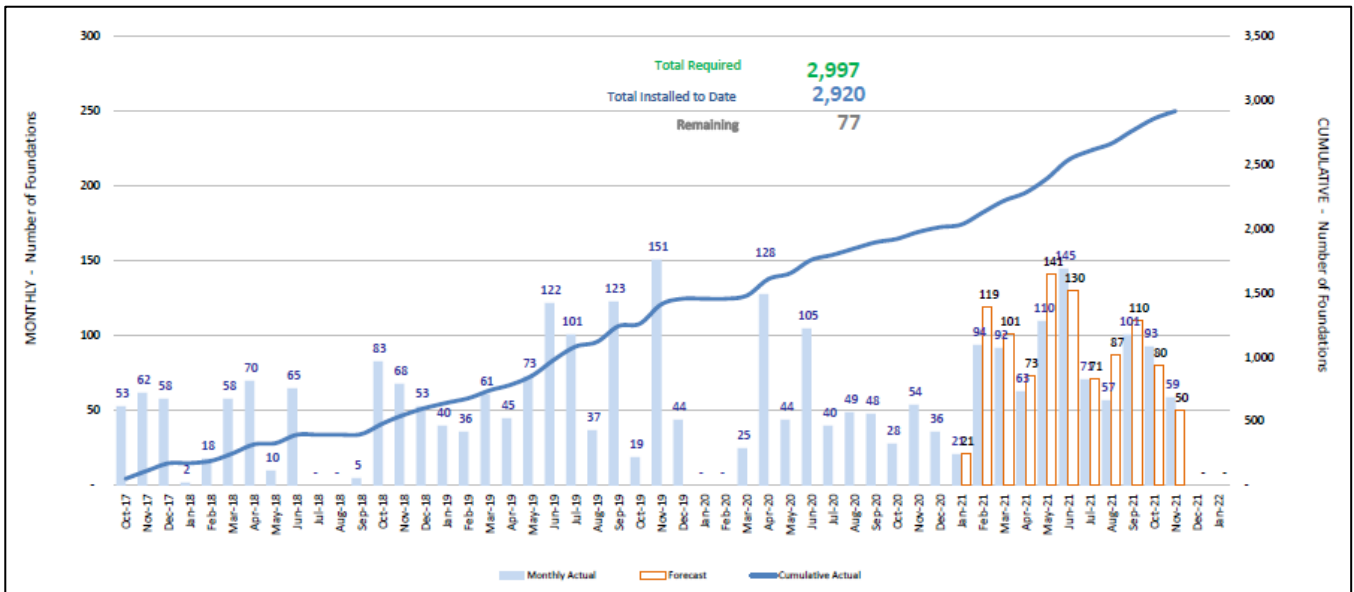


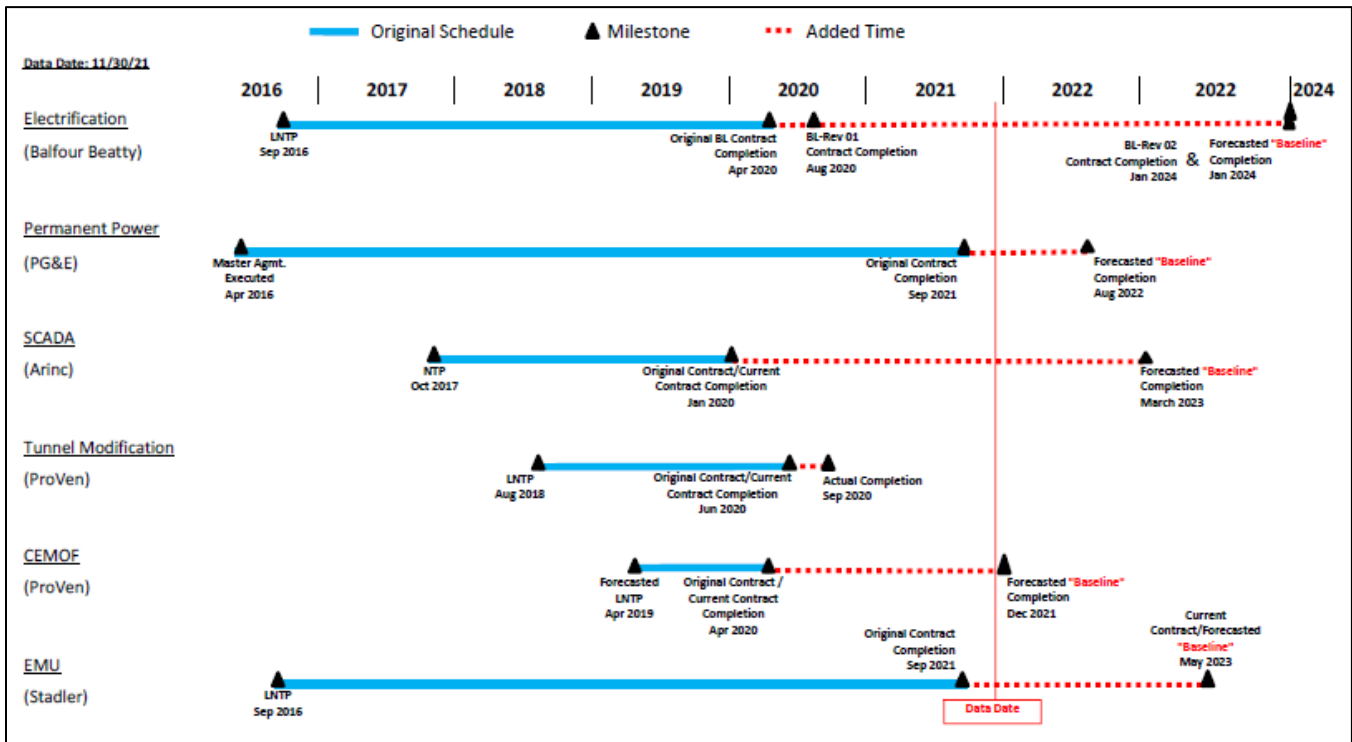
Figure 2-5 OCS Foundation Production



Notes regarding tables above:

- BBII is reporting a delay in the completion date for the OCS foundations. PCEP's own projection of BBII's productivity estimates the completion date to be in November, reflected in Figure 2-5. The monthly forecast is revised at the end of ongoing OCS foundation workshops, which are held to determine the level of effort necessary for each of the activities prior to foundation installation. The delay to the OCS foundation completion date does not change the substantial completion date of the BBII contract.

Figure 2-6 Contractor Completion Schedule



2.2. Funding Partners Participation in PCEP

The PCEP has a series of weekly, biweekly, monthly and quarterly meetings to coordinate all aspects of the program. The meetings are attended by project staff with participation by our funding partners in accordance with the Funding Partners Oversight Protocol. A summary of funding partner meetings and invitees can be found in Appendix B.

This section of the report provides a summary of the discussions and decisions made at the meetings and a list of funding partners who attended the meetings.

Electrification – Weekly Discipline-Specific Meetings

Purpose: To replace the previous weekly Engineering Meeting with three discipline-specific meetings for the three major categories of work under the Electrification Design Build (DB) contract: Overhead Contact System (OCS) Foundation, Traction Power Facilities (TPF), and Signals. Each meeting will focus on the status, resolution and tracking of Balfour Beatty Infrastructure, Inc. (BBII) and Electrification design- and construction-related issues.

Activity this Month

OCS Foundation Meeting

Funding Partners: None

- Review of upcoming foundation design and installation schedule for Segment 1
- Discussion of open issues impacting foundations design and installation for Segment 1
- Discussion of outstanding Requests for Information (RFI)
- Review of outstanding Field Orders or Change Notices required for foundation installation in Segment 1 to continue

TPF Meeting

Funding Partners: None

- Review of outstanding items as they relate to the design and construction of the PG&E Interconnection
- Review of PG&E Substation improvement and Interconnection schedules
- Discuss progress and next steps for the Single-Phase Study
- Discuss outstanding comments on the interconnection agreement
- Review and resolve open issues on the construction and design of the TPFs (paralleling stations, traction power substations, switching station)

PCEP Delivery Coordination Meeting – Bi-Weekly

Purpose: To facilitate high-level coordination and information sharing between cross-functional groups regarding the status of the work for which they are responsible.

Activity this Month

Funding Partners: SFCTA: Luis Zurinaga; MTC: Trish Stoops; CHSRA: Sharath Murthy; VTA: James Costantini

In public outreach, a public meeting was successfully held for Segment 4 energization. A field Quality Assurance surveillance was scheduled for the week of November 29. An Emergency Preparedness Drill was held on November 14 for an OCS de-energization scenario that involved various Fire/Police departments participating in the drill. In EMU testing and manufacturing, testing took place for Train 1 which included network and monitoring/diagnostic testing. Train 1 will likely stay in Pueblo past the end of November to finish up all testing. Car F for Train 2 is in Pueblo for 8-car testing. First Article Inspections (FAIs) for the remaining luggage racks are now complete. The Federal Railroad Administration (FRA) sample car inspection is targeted for January 2022 in Salt Lake City, UT. In design build activities, on-track foundation installation and off-track foundation installation for OCS foundations are ongoing in Segment 1. Pole and cantilever installation are ongoing in Segment 2 and poles/wires work are continuing in Segments 3 and 4. East Grand Substation (EGS) Vaults #1 and #2 have been delivered this month. The Prysmian cable delivery is expected on December 13 with construction to start on January 7. For utility coordination, AT&T has completed all but one location for relocation. For Supervisory Control and Data Acquisition (SCADA), TransitAmerica Services, Inc. (TASI) will be performing training to individual dispatchers.

Systems Integration Meeting – Weekly

Purpose: To discuss and resolve issues with inter-system interfaces and to identify and assign Action Item Owners for interface points that have yet to be addressed.

Activity this Month

Funding Partners: CHSRA: Sharath Murthy

PCEP System Integration meetings are held to identify, monitor and determine appropriate resolution(s) for systems integration issues, and are chaired by the Systems Integration Director. These meetings have been made weekly given the importance of integration going forward as we enter the testing and commissioning phase of the PCEP project, with an emphasis on surfacing and resolving technical issues amongst sub-systems. Issues are tracked and followed-up in individual meetings through the course of the week.

The Testing and Commissioning meeting is comprised of a smaller group to determine and track testing and resources that will need to be coordinated among the various contracts and suppliers. This meeting is the primary interface to the PCEP Design-Build team at this time.

Additionally, a weekly Project Schedule meeting has been set up to ensure all the sub-system leads are on the same page regarding upcoming dates and have the latest

information to work with during the week. This regular coordination has improved the communication within the team. Work to define dependencies for completion of Segment 4 (Intermediate Milestone #1) is ongoing with the Testing and Commissioning discussion. The schedule fragnet for the achievement of Intermediate Milestone #1 has been largely developed, and the group continues to refine and monitor progress toward achievement of the milestone. This group will report back to the System Integration meeting with their findings.

Further, the Systems Integration Director also maintains contact with the EMU procurement team. Coordination with the EMU procurement and Caltrain Capital Project managers responsible for other capital projects on the corridor is ongoing. The Traction Power SCADA team also holds bi-weekly status meetings. There is coordination with PG&E for providing low voltage power drops to various railroad facilities.

Finally, there is a strong focus on ensuring that documentation is in place before testing is performed onsite, and the team is working closely with the Contractor on this subject.

Master Program Schedule (MPS) Meeting – Monthly

Purpose: To review the status of the MPS and discuss the status of major milestones, critical and near-critical paths, upcoming Board review items, and progress with the contracts, among others.

Activity this Month

Funding Partners: SFCTA: Luis Zurinaga; CHSRA: Sharath Murthy; MTC: Trish Stoops

The Electrification substantial completion date is forecasted to occur between January 1, 2024 and April 1, 2024. When six to nine months of schedule contingency is included, the Revenue Service Date is targeted in second quarter of 2024, and the project completion date of September 26, 2024 remains unchanged as the FTA Risk Refresh Revenue Service Completion Date.

JPB has approved BBII's July 2021 revised baseline schedule as part of the global settlement with a forecast substantial completion date of April 1, 2024 with 90 days of BBII schedule contingency. The master program schedule critical path remains unchanged and continues to run through the signal system design, installation and cutovers, followed by the integrated testing.

COVID-19 and supply chain challenges continue to impact Stadler's November progress schedule update, resulting in a 19-day schedule delay on the 1st trainset arrival at the JPB site, the new forecast date is March 25, 2022. The conditional acceptance of the 14th trainset is May 9, 2023. JPB needs to evaluate the current baseline schedule revision process as per Stadler's contract.

Risk Assessment Meeting – Monthly

Purpose: To identify risks and corresponding mitigation measures. For each risk on the risk register, mitigation measures have been identified and are being implemented. Progress in mitigating these risks is confirmed at the ongoing risk monitoring and monthly risk assessment meetings.

Peninsula Corridor Electrification Project
Monthly Progress Report

Activity this Month

Funding Partners: SFCTA: Luis Zurinaga; CHSRA: Sharath Murthy; MTC: Trish Stoops; FTA: Mike Eidlin

A Risk Assessment Committee meeting was held on November 10, 2021. Four risks were retired. Three risks were regraded.

Change Management Board (CMB) – Monthly

Purpose: To review, evaluate and authorize proposed changes to PCEP over \$200,000. The CMB discusses major topics including potential changes to PCEP contracts, contingency usage, track access delays and Differing Site Conditions (DSC) field order updates. Potential contract changes will follow the PCEP Change Order Procedure. Once approved changes are executed, they will be reported in the Change Management section (Section 9) of this report.

Activity this Month

The November CMB was rescheduled for early December.

BBII Contract

No changes were identified for consideration.

CEMOF Contract

No changes were identified for consideration.

Stadler Contract

No changes were identified for consideration.

SCADA Contract

No changes were identified for consideration.

Tunnel Modification Contract

No changes were identified for consideration.

Amtrak Contract

No changes were identified for consideration.

PG&E Contract

One change was considered and approved.

Other

No changes were identified for consideration.

2.3. Schedule

The Electrification substantial completion date is forecasted to occur between January 1, 2024 and April 1, 2024. When six to nine months of schedule contingency is included, the Revenue Service Date is targeted in second quarter of 2024, and the project completion date of September 26, 2024 remains unchanged as the FTA Risk Refresh Revenue Service Completion Date.

JPB has approved BBII’s July 2021 revised baseline schedule as part of the global settlement with a forecast substantial completion date of April 1, 2024 with 90 days of BBII schedule contingency. The master program schedule critical path remains unchanged and continues to run through the signal system design, installation and cutovers, followed by the integrated testing.

COVID-19 and supply chain challenges continue to impact Stadler’s November progress schedule update, resulting in a 19-day schedule delay on the 1st trainset arrival at the JPB site, the new forecast date is March 25, 2022. The conditional acceptance of the 14th trainset is May 9, 2023. JPB needs to evaluate the current baseline schedule revision process as per Stadler’s contract.

Table 2-1 indicates major milestone dates for the MPS.

Table 2-1 Schedule Status

Milestones	Program Plan	Progress Schedule (November 2021) ¹
Milestone #1 Segment 4 Construction Completion	11/21/2019	02/15/2022 ¹
Arrival of First Vehicle at JPB	N/A	03/25/2022 ^{1,2}
PG&E Provides Permanent Power	09/09/2021	08/13/2022
FFGA RSD	08/22/2022	08/22/2022
Acceptance of 14 th Trainset	08/20/2021	05/09/2023 ^{2,3}
Electrification Substantial Completion	08/10/2020	01/01/2024
Forecasted Revenue Service Date (RSD) – Period Range	12/09/2021	01/02/2024 – 04/01/2024
Proposed Revenue Service Completion with Contingency	N/A	09/26/2024

Note:

- ¹ Dates may shift slightly in the upcoming progress schedule update due to holidays.
- ² Dates are expected to be delayed due to COVID-19 impact on subcontractor schedules and supply chain challenges.
- ³ Dates require JPB approval as per contractual extension of time process.
- ^A Completed Milestone.

Peninsula Corridor Electrification Project
Monthly Progress Report

2.4. Budget

In December 2020, the FTA conducted a risk refresh that reviewed the existing delays, updated contractor schedules, and independent schedules prepared by the JPB. On June 17, 2021, a draft FTA-led Risk Refresh Report was issued forecasting an additional budget need of \$333M. At the June 3, 2021 JPB Board meeting, in alignment with the FTA report, PCEP proposed a \$333M budget increase consisting of \$161M in known and allocated costs and \$172M in reserve.

In order to achieve cost and schedule certainty to complete the project, the JPB commenced a global negotiation with BBII in July 2021, and a global settlement with BBII was reached along with the Contractor’s rebaseline. The JPB also settled outstanding change orders as of October 31, 2021. The PCEP team conducted a full Budget Scrub for the CalMod Program and incorporated the outcome of the Global Settlement with BBII resulting in a total additional budget need of \$462M. The additional budget need of \$462M has been incorporated into the estimate to complete (ETC) at the bottom of budget Table 8-3 for a total estimate at completion (EAC) of \$2.443B and Appendix D for an FTA project EAC of \$2.393B. The revised EAC of \$2.443B was submitted for the December JPB Board Adoption. The December MPR and tables will reflect the approved re-baseline budget.

A summary of the overall budget and expenditure status for the PCEP is provided in Table 2-2 below.

Table 2-2 Budget and Expenditure Status

Description of Work	Budget (A)	Current Budget (B) ¹	Cost This Month (C) ²	Cost To Date (D) ³	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
Electrification Subtotal	\$1,316,125,208	\$1,316,125,208	\$38,595,734	\$1,084,939,492	\$251,185,716	\$1,336,125,208
EMU Subtotal	\$664,127,325	\$664,127,325	\$6,686,809	\$317,117,736	\$327,009,589	\$644,127,325
Additional Budget Need⁴					\$462,438,164	\$462,438,164
PCEP TOTAL	\$1,980,252,533	\$1,980,252,533	\$45,282,542	\$1,402,057,228	\$1,040,633,468	\$2,442,690,696

Notes regarding tables above:

1. Column B "Current Budget" includes executed change orders and awarded contracts.
2. Column C "Cost This Month" represents the cost of work performed this month.
3. Column D "Cost To Date" includes actuals (amount paid) and accruals (amount of work performed) to date.
4. Additional Budget Need includes additional budget need of \$462M in the estimate at completion (EAC) as presented to the December CMB and JPB Board. The detail by MPR category will be provided in the December report to reflect December JPB Board approvals.

2.5. Board Actions

- Authorize Amendment to Supplemental Agreement No. 2 with PG&E for Construction of 115 Kilovolt Interconnections.
- Authorize Increase in Contract Change Order Authority for ARINC for SCADA Database Changes

Future anticipated board actions include:

- Change orders as needed

2.6. Government and Community Affairs

There was one outreach event this month.

3.0 ELECTRIFICATION – INFRASTRUCTURE

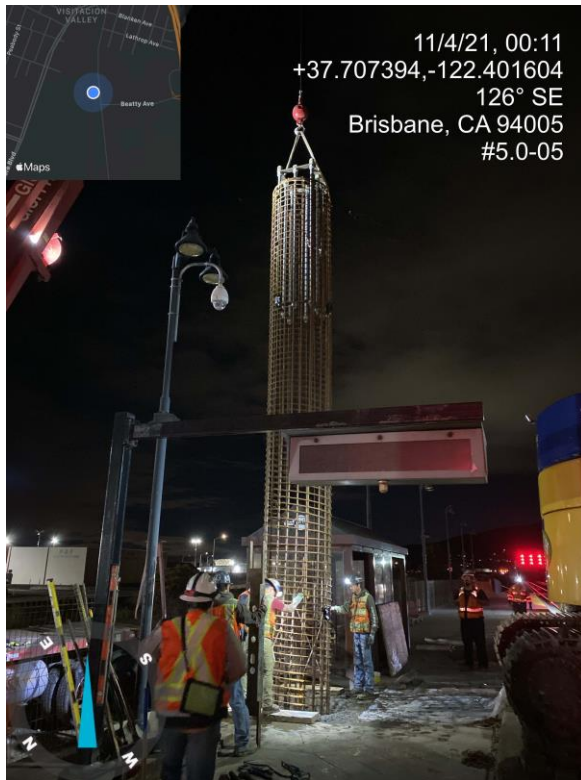
This section reports on the progress of the Electrification, SCADA, and Tunnel Modification components. A brief description on each of the components is provided below.

3.1. Electrification

The Electrification component of the PCEP includes installation of 138 miles of wire and overhead catenary system (OCS) for the distribution of electrical power to the EMUs. The OCS will be powered from a 25 kilovolt (kV), 60-Hertz, single phase, alternating current supply system consisting of two traction power substations (TPS), one switching station (SWS), and seven paralleling stations (PS). Electrification infrastructure will be constructed using a DB delivery method.

Activity This Month

- Continued installation of on-track foundations in Segment 1. Segment 1 Work Area B foundations are complete, and work has begun in Segment 1 Work Area A. All foundations are projected to be completed by the middle of January 2022.



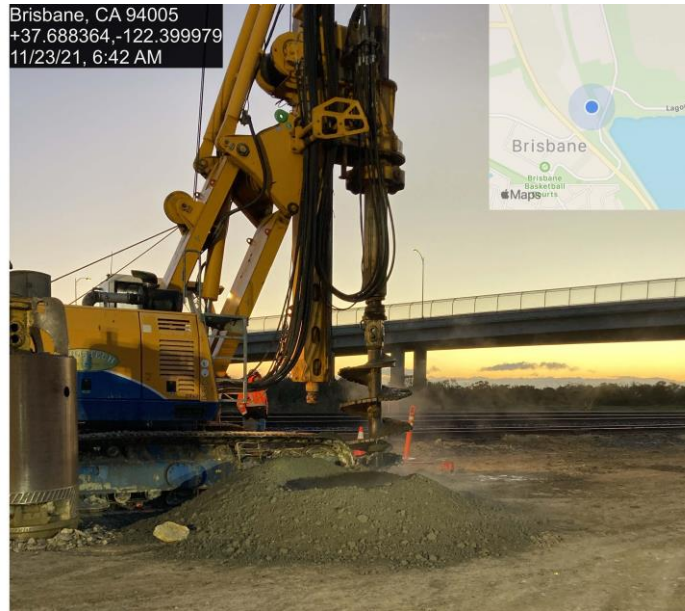
Installing Rebar Cage in Segment 1B



Preparing to Set Rebar Cage in Segment 1B

Peninsula Corridor Electrification Project

Monthly Progress Report



North of Tunnel Ave Pile #6.4-02 - Drilling for Foundation

- Continued installation of off-track foundations in Segment 1.
- Continued installation of OCS poles, cantilevers, and wires in Segment 4.
- Continued regulation of OCS wires (sagging the wires) in Segments 3 and 4.
- Performed hi-pot/loop test of OCS wires in Segment 4.
- Continued installation of OCS poles and cantilevers in Segment 2.
- Continued to pothole at proposed OCS locations and utility locations in Segment 1.
- Continued to resolve conflicts found during the potholing process, such as loose concrete, asphalt, and other debris, and continued designing solutions for those conflicts that cannot be avoided. The conflicts must be resolved before installation of foundations at those locations.
- Relocated signal cables and removed abandoned facilities found in conflict with planned OCS foundations as conflicts were identified.
- Performed platform utility relocations at 4th and King.
- PS-1:
 - Continued cable pulls and terminations.
 - Continued access road build-up and grading.
- PS-2: Continued PG&E power drop redesign.
- PS-3:
 - Progressed on manufacturing of main gantry.
 - Procured isolation casing material.
 - Installed transformer fit up.
 - Procured precast drainage.

- PS-5:
 - Removed abandoned utilities.
 - Began work on drainage ditch.
- PS-6: Began access ramp grading.
- PS-7: Continued low voltage wire terminations in the control building.
- TPS-1: Set 25 kV enclosure house.
- TPS-2:
 - Continued metering house battery replacement procurement.
 - Installed OCS gantry interface.
 - Reconfigured relay panel.
- SWS-1: Pulled and terminated wire to PG&E 400 AMP service panel.
- Continued to install signal kits, AFTAC boxes, battery cases and signal houses in Segment 2.
- Performed cable pulling in Segment 2.
- Installed communication equipment and spliced fiber in Segment 2 at signal and traction power facility locations. Continued sub-system network component testing in Segment 4.
- Installed fire alarm and wiring, intrusion detection equipment, and VoIP infrastructure in Segment 2.
- Continued to install signal ductbank, conduits, and pull boxes in Segments 1, 2, 3, and 4.
- Performed signal system pretesting in Segment 2.
- Installed insulated joints in Segment 2.
- Performed track bonding and impedance bond installation in Segment 4.
- Installed overhead bridge attachments at various locations in Segment 3 and 4.
- Progressed the OCS design with BBII in all segments, which included submittal and review of Design Change Notices for revised foundation locations.
- Continued Right of Way acquisition for TPS-1 interconnection.
- Coordinated design review with local jurisdictions for the OCS, traction power facilities, and bridge attachments design, including responses to comments from jurisdictions.
- Continued to review and coordinate signal and communication design submittals with BBII.
- Continued internal discussions about design, installation and testing of signal and communications modifications to the Caltrain system and schedule for cutover plans.
- Continued discussions with VTA on Right of Way acquisition for TPS-2 interconnection.

Peninsula Corridor Electrification Project
Monthly Progress Report

- Worked with BBII through Site Specific Work Plans (SSWP) for upcoming field work.
- Continued model validation for the single-phase study.
- PG&E continued work at East Grand and FMC substations.
- PG&E continued TPS-2 and TPS-1 Interconnection work.

A summary of the work progress by segment is provided in Table 3-1 below.

Table 3-1 Work Progress by Segment

Segment	Work Area	Foundations			Poles		
		Required ^{abc}	Completed this Month	Completed to Date	Required ^{ab}	Completed this Month	Completed to Date
1	Tunnels	32	0	32	32	0	32
	A	299	45	223	259	0	0
	B	228	14	227	183	0	0
2	5	246	0	246	212	0	160
	4	317	0	317	253	0	253
	3	177	0	177	140	0	125
	2	237	0	237	205	0	73
	1	200	0	200	161	0	44
3	2	509	0	509	445	0	445
	1	392	0	392	310	0	310
4	A	242	0	242	180	0	179
	B	128	0	128	124	1	123
	CEMOF	85	0	85	83	0	83
Total		3,092	59	3,015	2,587	1	1,827

Note:

- ^a. Foundations required do not match poles required as guy foundations are needed in some locations for extra support.
- ^b. Reported number of required poles and foundations fluctuate due to Design changes.
- ^c. Update: To-date, 30 foundations have been installed by the South San Francisco in S2WA5 and 65 have been installed by the 25th Ave projects in S2WA3.

Activity Next Month

- Continue OCS foundation installations in Segment 1A.
- Continue resolution of foundation conflicts.
- Continue to install protective steel plates for protection of utilities during foundation installation.
- Continue to install OCS poles and assemblies in all Segments where available.
- Continue wire installation and regulation in Segments 2, 3 and 4.
- Continue shunt wire installation.
- Continue poles and cantilever installation in Segment 2.
- Begin OCS acceptance measurements and testing in Segment 4.
- Continue work with BBII on field investigation activities and designs, which will include the progression of the OCS, traction power, bonding and grounding, signal systems, and other civil infrastructure such as overhead bridge protections.
- Pothole and clear obstructions at proposed OCS locations.

- Continue construction at TPS-1 and TPS-2.
- PS-1: Complete access road.
- PS-2: Continue construction of 400 AMP panel.
- PS-3: Continue process for PG&E low voltage drop.
- PS-4:
 - Complete PG&E inspections.
 - Install bollards.
- PS-5:
 - Continue drainage installation.
 - Install top 6" crushed rock.
- PS-6:
 - Set gantry steel.
 - Install gantry interface.
 - Place fill and install curb.
- PS-7:
 - Continue high voltage cable fit-up for the 25kV enclosure.
 - Install OCS gantry interface.
- SWS-1: Complete PG&E low voltage power drop.
- Continue to install conduit and foundations for signal and wayside power cubicle (WPC) units in all Segments.
- Continue cross bonding cable installation and connection in Segment 4.
- Continue preparation for the upcoming signal cutovers in Segment 2.
- Perform network testing in Segment 4.
- Continue conduit installations in Segments 1, 2, 3, and 4.
- Continue to install impedance bond connections.
- Continue neutral return conduit and cabling installation.
- Perform signal wire terminations in Segment 2.
- Continue to install bridge attachments.
- Continue to progress location-specific design for grade crossing system.
- Continue planning process for signal cutovers.
- Review BBII work plans for upcoming construction activities.
- Coordinate with PG&E on construction for PG&E infrastructure.
- Coordinate with local jurisdictions to review designs.
- Continue tree pruning and removals.
- Continue progress on single-phase study.

3.2. Supervisory Control and Data Acquisition

SCADA is a system that monitors and controls field devices for electrification, including traction power substations (TPS), switching stations (SWS), paralleling stations (PS), and wayside power cubicles (WPC). SCADA will be integrated with the base operating system for Caltrain Operations and Control, which is the Rail Operations Control System (ROCS). A separate control console will be established for the Power Director. The newly integrated system will be referred to as ROCS 3.

Activity This Month

- Submitted Monthly Progress Report.
- Completed October Schedule Update.
- Completed SCADA 3.0 Regression Testing.
- Completed R12 (Point Listing Version 12) Testing
- Completed latest Version Description Document (VDD) for latest release and submitted for approval.
- Delivered Field Equipment Operation Test (FEOT) procedures.

Activity Next Month

- Prepare and deliver the Monthly Report and the Monthly Schedule Update.
- Attend project status meetings (virtually).
- Submit field installation, cutover plan, and field test procedures
- Submit updates to the as-builts based on Caltrain comments.
- Readiness Release Review (RRR) will be held to release the final version to Caltrain Production.

3.3. Tunnel Modification

Tunnel modifications will be required on the four tunnels located in San Francisco. This effort is needed to accommodate the required clearance for the OCS to support electrification of the corridor. Outside of the PCEP scope, Caltrain Engineering has requested the PCEP team to manage completion of design and construction for the Tunnel 1 and Tunnel 4 Drainage and Track Rehabilitation Project. The Tunnel Drainage and Track Rehabilitation Project is funded separately from PCEP.

Activity This Month

- Reconciled Change Orders.
- Progressed As-Built Drawings.

Activity Next Month

- Reconcile Change Orders.
- Receive As-Built Drawings from ProVen.
- Closeout Contract documents – RFIs, submittals, and letters.

3.4. Interconnection Construction

The PCEP will require a 115-kV interconnection to supply power from the PG&E substations to the Caltrain substations in San Jose and South San Francisco. Construction of the interconnections will be performed by PG&E under an amendment to Supplemental Agreement No. 2.

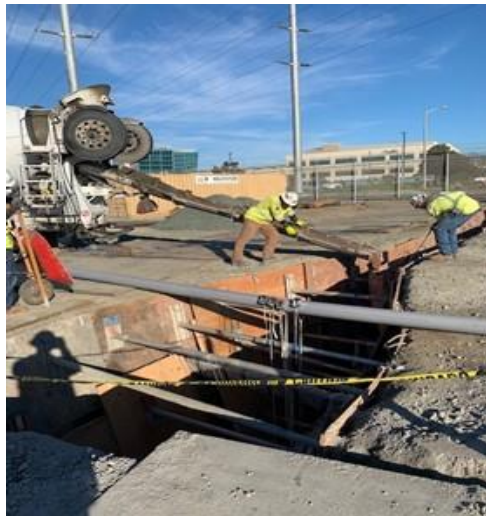
Activity This Month

- EGS – TPS-1:
 - Completed installation of all East Grand Substation (EGS) vaults.
 - TRC subcontractor mobilized on TPS-1 site to install TSP foundations.
 - Progressed UECCo Phase 2B construction in the HealthPeak parking lot.



Backfilling Circuit #2 ductbank with slurry in the HealthPeak parking lot

- Progressed Circuit #1 installation at EGS.



TRC placing encasement for Circuit #1 at EGS

- FMC – TPS-2:
 - Rescheduled Circuit #2 and redundant fiber highway crossing to July 2022.
 - Conducted TPS-2 Civil Punchlist walk.
 - Progressed BBII/EPS testing and commissioning.

Activity Next Month

- EGS – TPS-1:
 - Restore Gateway and Grand Avenue intersection.
 - Complete Underground Phase 2B – HealthPeak parking lot construction.
 - Install TSP structures at TPS-1 site and HealthPeak parking lot.
 - Receive TPS-1 enclosure house delivery.
- FMC – TPS-2:
 - Install Circuit #1 redundant fiber.
 - Install PG&E metering house battery.
 - Complete EPS testing and commissioning.

4.0 ELECTRIC MULTIPLE UNITS

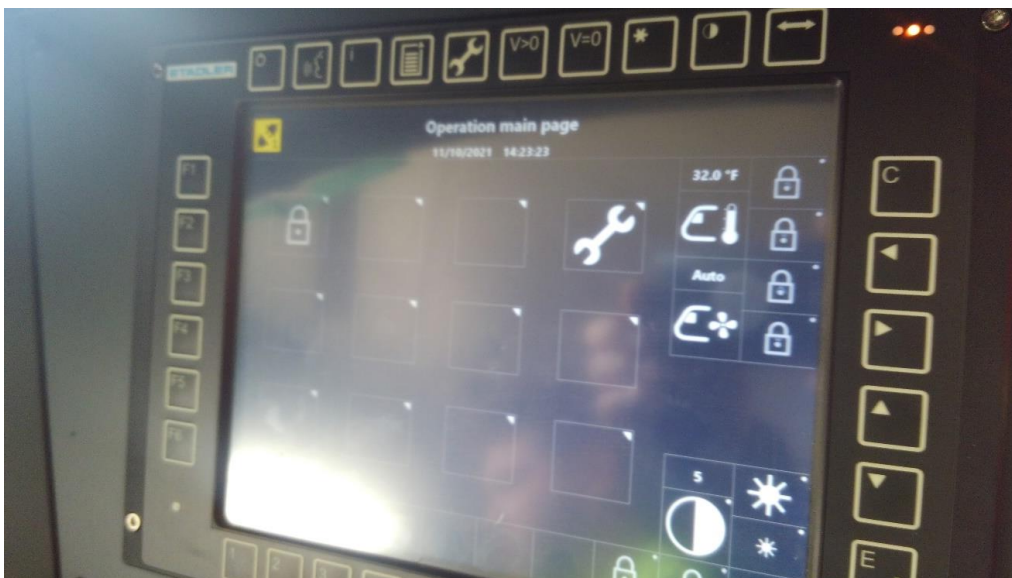
This section reports on the progress of the Electric Multiple Units (EMU) procurement and the Centralized Equipment Maintenance and Operations Facility (CEMOF) modifications.

4.1. Electric Multiple Units

The procurement of EMUs, or trainsets, from Stadler consists of a Base Order of 96 railcars, plus an Option Order of an additional 37 railcars, for a total of 133 railcars. The cars from these two orders will be combined and delivered as 19 seven-car Trainsets. The Base Order is funded from PCEP, and Option Order funded by a Transit and Intercity Rail Capital Program (TIRCP) grant. One more Option for additional cars is available.

Activity This Month

- Continued dynamic type testing on Train 1 at TTCI in Pueblo, CO, including 8-car train control, train network, event recorder and monitoring/diagnostic system testing. Began the 4,000-mile simulated service test with a 7-car train.



Monitoring/Diagnostic System Testing at TTCI



Preparation for the 4,000-mile Test at TTCI

- Continued routine static and dynamic testing on Trainsets 3 through 7.
- Continued production on Trainsets 3 through 16.
- COVID-19 related actions continued for the 21st month causing mixed disruptions to Stadler's activities:
 - Stadler's manufacturing facilities in Switzerland supporting the Caltrain Project have returned to normal levels of activity.
 - The Switzerland-based manufacturing of car shells and trucks frames is on schedule.
 - Salt Lake City-based manufacturing is delayed due to previously incurred and ongoing person-power limitations and sub-supplier parts shortages.
 - On multiple occasions since the start of the pandemic, a spike in positive COVID-19 cases has reduced man-hours in SLC.
 - Stadler has submitted multiple requests for 'excusable delays' due to COVID-19. The extent of the continuing delay is being evaluated and Stadler is developing a rebaselined schedule. Currently, delivery of the first trainset to Caltrain has been delayed 11.5 months to February 2021.
 - Due to supplier bankruptcies, Stadler is now assembling all luggage racks and ceiling panels themselves.
- First Article Inspections (FAI) continue to have their paperwork formalized and closed out. The individual car FAIs remain and are scheduled for February 2022.

- 93 carshells have been shipped from Stadler Switzerland, with 89 arriving at Stadler's Salt Lake City facility (Four shells are in transit/holding).
- Quality Assurance audits of USA-based sub-suppliers were halted in mid-March 2020 due to COVID-19 travel restrictions. Stadler has submitted a draft schedule for resuming supplier audits and it is under review.
- A Buy America interim audit was conducted in Salt Lake City. The findings will be reported in December.

Activity Next Month

- Continue to close out FAIs.
- Continue to support Caltrain/PCEP system integration and rail startup activation activities.
- Support type testing in SLC and at TTCI. Complete testing at TTCI.
- Provide quality reps in SLC (final assembly), Altenrhein (carshells) and Winterthur (trucks).

4.2. Centralized Equipment Maintenance and Operations Facility Modifications

The CEMOF Modifications Project will provide work areas to perform maintenance on new EMUs.

Activity This Month

- North Pit and South Pit:
 - Continued north pit elevation discrepancies investigation.



North Pit

Peninsula Corridor Electrification Project

Monthly Progress Report

- Component Test Room:
 - Paused hairline crack repair.
 - Completed exterior window installation.
 - Completed PTAC unit.



Component Test Room

- Part Storage Building:
 - Continued fire alarm installation.
 - Completed site cleanup including staging area.



Part Storage Building

Activity Next Month

- North Pit and South Pit:
 - Install extension piece for WSP handhole.
 - Implement north pit repairs.
 - Procure materials required for remedial work.
- Component Test Room:
 - Install furniture.
 - Install interior glass.

- Schedule punch list site walk.
- Part Storage Building:
 - Complete fire alarm.
 - Schedule punch list site walk.

5.0 SAFETY

Safety and Security requirements and plans are necessary to comply with applicable laws and regulations related to safety, security, and emergency response activities. Safety staff coordinates with contractors to review and plan the implementation of contract program safety requirements. Safety project coordination meetings continue to be conducted on a monthly basis to promote a clear understanding of project safety requirements as defined in contract provisions and program safety documents.

Activity This Month

- Project staff provided input and continued its participation in the BBII contractor workforce safety meetings. Project incidents continue to be reviewed with project staff to reinforce the application of recommended safety mitigation measures.
- Continued to provide input and oversight of the contractor SSWP safety provisions and ongoing safety construction oversight and inspections.
- Conducted the monthly project Safety and Security Certification and Fire/Life Safety Meetings.
- Conducted follow-up meeting on the Operating Hazard Analysis (OHA) with TASI Operations and Maintenance (O&M) subject matter experts to discuss potential hazards and mitigation measures associated with their interface within the electrification systems.
- Coordinated with Segment 4 (Santa Clara County) emergency responders in preparation of electrification system familiarization activities. Supported Caltrain annual emergency preparedness exercise, that was conducted on November 14, which included an OCS related scenario for Segment 4 emergency responder representatives.
- Continued to perform reviews and provide comments on the BBII Safety and Security Certification Design Criteria Conformance Checklists (DCCC) and Construction Specification Conformance Checklist (CSCC) submittals.
- Participated with internal stakeholders in Rail Activation Committee meetings.
- Investigated project incident occurrences and worked with the contractor representatives to identify incident root causes and develop and implement safety and security mitigation measures.
- Continued coordination with the PMOC in support of the FTA Oversight Procedure 54 (OP-54) readiness review of Segment 4 Milestone 1 activation.
- Conducted ongoing safety inspections of contractor field activities.
- Participated in weekly project coordination meetings with the contractor to review open issues and recommended action items.

Activity Next Month

- Conduct monthly virtual safety communication meetings for the Project Safety and Security Certification Committee, Rail Activation Committee, and other project-related contractor and JPB safety meetings to discuss safety priorities.
- Finalize project emergency responder presentations and schedule Segment 4 systems familiarization online presentations.

Peninsula Corridor Electrification Project

Monthly Progress Report

- Participate with JPB Safety and Operations in the development of a Table Top exercise to test Lock-out/Tag-out procedures for the OCS.
- Continue to finalize safety and security certification documentation requirements in coordination with project testing and commissioning activities.
- Continue to coordinate with the PMOC on the ongoing OP-54 Segment 4 readiness review.
- Continue focus on performing site safety inspections on the OCS foundations, pole installations, potholing, and CEMOF work activities to assess safety work practices and identify additional opportunities for improvement. Conduct contractor equipment inspections as needed.
- Update the initial OHA document to reflect the input provided from TASI subject matter experts. Next steps are to identify proposed mitigation measures.
- Continue to reinforce the ongoing application of recommended mitigation measures in response to the COVID-19 virus.
- Investigate project incident occurrences as needed and work with the contractor representatives to identify incident root cause, contributing factors and safety mitigation measures.

6.0 QUALITY ASSURANCE

The Quality Assurance (QA) staff performs technical reviews for planning, implementing, evaluating, and maintaining an effective program to verify that all equipment, structures, components, systems, and facilities are designed, procured, constructed, installed, and maintained in accordance with established criteria and applicable codes and standards throughout the design, construction, startup and commissioning of the PCEP.

Activity This Month

- Reviewed BBII submittals of Inspector Daily Reports (IDR) and Contractor Quality Control Report (CQCR).
- Provided QA review of BBII submittals of Material Review Reports (MRR) to ensure that purchase order quality and test document requirements are met and included in the receiving inspection document package.
- Provided QA review of BBII submittals of Certificates of Conformance (C of C) and Certificates of Analysis (C of A).
- Provided QA review of BBII Non-Conformance Reports (NCR) and Construction Discrepancy Reports (CDR) to assure that in-process discrepancies are processed as required.
- Provided review of BBII QA Audit Surveillance Reports.
- Provided QA review of Supplier Certified Test Reports (CTR), and Certified Material Tests Reports (CMTR).
- Prepared for upcoming audits for design, quality audits, quality records and training.
- Continued review of BBII record set of As-Built Drawings related to open NCRs.
- Continued review of BBII Material Receiving Reports to verify compliance with Buy America requirements.
- Continued Caltrans Source Inspection QA oversight of BBII OCS pole installation and structural attachments to Caltrans bridges.
- Performed field QA surveillance audits of BBII work activities the week of November 29.

Activity Next Month

- Review BBII quality records and prepare for upcoming audits for design, quality audits, quality records and training.
- Perform field QA surveillance audits of BBII work activities the week of December 27.

Table 6-1 below provides details on the status of audits performed through the reporting period.

Table 6-1 Quality Assurance Audit Summary

Quality Assurance Activity	This Reporting Period	Total to Date
Audits Conducted	1	138
Audit Findings		
Audit Findings Issued	0	81
Audit Findings Open	0	0
Audit Findings Closed	0	81
Non-Conformances		
Non-Conformances Issued	1	16
Non-Conformances Open	7	7
Non-Conformances Closed	0	9

7.0 SCHEDULE

The Electrification substantial completion date is forecasted to occur between January 1, 2024 and April 1, 2024. When six to nine months of schedule contingency is included, the Revenue Service Date is targeted in second quarter of 2024, and the project completion date of September 26, 2024 remains unchanged as the FTA Risk Refresh Revenue Service Completion Date.

JPB has approved BBII’s July 2021 revised baseline schedule as part of the global settlement with a forecast substantial completion date of April 1, 2024 with 90 days of BBII schedule contingency. The master program schedule critical path remains unchanged and continues to run through the signal system design, installation and cutovers, followed by the integrated testing.

COVID-19 and supply chain challenges continue to impact Stadler’s November progress schedule update, resulting in a 19-day schedule delay on the 1st trainset arrival at the JPB site, the new forecast date is March 25, 2022. The conditional acceptance of the 14th trainset is May 9, 2023. JPB needs to evaluate the current baseline schedule revision process as per Stadler’s contract.

Shown below, Table 7-1 indicates major milestone dates for the MPS.

Table 7-1 Schedule Status

Milestones	Program Plan	Progress Schedule (November 2021) ¹
Milestone #1 Segment 4 Construction Completion	11/21/2019	02/15/2022 ¹
Arrival of First Vehicle at JPB	N/A	03/25/2022 ^{1,2}
PG&E Provides Permanent Power	09/09/2021	08/13/2022
FFGA RSD	08/22/2022	08/22/2022
Acceptance of 14 th Trainset	08/20/2021	05/09/2023 ^{2,3}
Electrification Substantial Completion	08/10/2020	01/01/2024
Forecasted Revenue Service Date (RSD) – Period Range	12/09/2021	01/02/2024 – 04/01/2024
Proposed Revenue Service Completion with Contingency	N/A	09/26/2024

Note:

- ¹ Dates may shift slightly in the upcoming progress schedule update due to holidays.
- ² Dates are expected to be delayed due to COVID-19 impact on subcontractor schedules and supply chain challenges.
- ³ Dates require JPB approval as per contractual extension of time process.
- ^A Completed Milestone.

Notable Variances

As a result of the global settlement, the electrification baseline schedule has been revised. The JPB incorporated BBII's electrification rebaseline schedule into the MPS November update. The new forecast construction completion date for the OCS system is December 5, 2022 and the new traction power completion date is May 28, 2022.

Peninsula Corridor Electrification Project
Monthly Progress Report

Due to the schedule delay and readiness of the 1st trainset arrival at the JPB site, EMU testing in Segment 4 will be available on April 14, 2022. This schedule delay has pushed back the integrated testing by 39-calendar days with a new forecast completion date of May 12, 2022.

COVID-19 continues to impact Stadler’s productivity on sub-contractor schedules, and the supply chain challenges resulted in a further 25-calendar days schedule delay to the 1st trainset arrival at the JPB site. The new forecast completion date is on March 25, 2022.

There was a 10-day schedule delay in the SCADA/ROCS SW installation and equipment cutover due to delay in point-to-point testing. The new forecast completion date is now January 11, 2021.

Note: This period’s schedule revisions impacted Segment 4 Milestone # 1, but not the Revenue Service Date (RSD).

Table 7-2 Critical Path Summary

Activity	Start	Finish
Signals System Design, Installation & Cutover, and Integration Testing	05/01/2020 ^A	01/01/2024
Forecast Revenue Service Date - RSD / Period Range	01/02/2024	04/01/2024

Schedule Hold Points

Schedule Hold Points (SHP) represent key milestones on or near a schedule’s critical path that are used as measurement points with respect to contingency drawdown. Delays to these key milestones will result in consuming program schedule contingency.

Table 7-3 below reflects the SHPs for the PCEP Master Program Schedule. The dates indicate the planned completion dates for each SHP.

Table 7-3 Schedule Hold Points

Schedule Hold Point (SHP)	Date
Segment 4 Construction Completion	02/15/2022 ¹
Arrival of 1 st Trainset at JPB	03/25/2022 ^{1,2}
Conditional Acceptance of 14th Trainset	05/09/2023 ^{2,3}
Signal system Installation & Cutover – Segment 2	10/30/2022
Signal system Installation & Cutover – Segment 3	04/20/2023
Signal system Installation & Cutover – Segment 1	09/19/2023
System-Wide Integrated Testing	01/01/2024
Forecasted Revenue Service Date (RSD) – Period Range	01/02/ 2024- 04/01/2024

Note:

- ¹. Dates may shift slightly in the upcoming progress schedule update due to holidays.
- ². Dates are expected to be delayed due to COVID-19 impact on subcontractor schedules and supply chain challenges.
- ³. Dates require JPB approval as per contractual extension of time process.
- ^A. Completed Milestone.

8.0 BUDGET AND EXPENDITURES

The summary of overall budget and expenditure status for the PCEP and Third Party Improvements is shown in the following tables. Table 8-1 reflects the Electrification budget, Table 8-2 the EMU budget, Table 8-3 the overall PCEP budget, and Table 8-4 Third Party Improvements budget. Table 8-5 summarizes the budget transfers of contingency completed this month.

In order to achieve cost and schedule certainty to complete the project, the JPB commenced a global negotiation with BBII in July 2021, and a global settlement with BBII was reached along with the Contractor's re-baseline. The JPB also settled outstanding change orders as of October 31, 2021. The PCEP team conducted a full Budget Scrub for the CalMod Program and incorporated the outcome of the Global Settlement with BBII resulting in a total additional budget need of \$462M. The additional budget need of \$462M has been incorporated into the estimate to complete (ETC) at the bottom of budget Table 8-3 for a total estimate at completion (EAC) of \$2.443B and Appendix D for an FTA project EAC of \$2.393B. The revised EAC of \$2.443B was submitted for the December JPB Board Adoption. The December MPR and tables will reflect the approved re-baseline budget.

Peninsula Corridor Electrification Project
Monthly Progress Report

Table 8-1 Electrification Budget & Expenditure Status

Description of Work	Budget (A)	Current Budget (B) ¹	Cost This Month (C) ²	Cost To Date (D) ³	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
ELECTRIFICATION						
Electrification ⁴	\$696,610,558	\$756,115,982	\$19,584,696	\$591,257,386	\$164,858,596	\$756,115,982
SCADA	\$0	\$4,187,731	\$0	\$2,863,940	\$1,323,791	\$4,187,731
Tunnel Modifications	\$11,029,649	\$42,533,099	\$75,817	\$42,366,240	\$166,858	\$42,533,099
Real Estate	\$28,503,369	\$28,503,369	\$45,453	\$23,405,070	\$5,098,299	\$28,503,369
Private Utilities ⁵	\$63,515,298	\$117,906,334	\$8,607,767	\$168,215,986	(\$50,309,652)	\$117,906,334
Management Oversight	\$141,506,257	\$179,313,572	\$8,618,057	\$176,692,021	\$2,621,551	\$179,313,572
Executive Management	\$7,452,866	\$10,155,509	\$76,907	\$9,674,228	\$481,281	\$10,155,509
Planning	\$7,281,997	\$6,281,997	\$5,725	\$6,045,424	\$236,573	\$6,281,997
Community Relations	\$2,789,663	\$1,789,663	\$8,768	\$1,524,435	\$265,227	\$1,789,663
Safety & Security	\$2,421,783	\$5,823,965	\$82,408	\$5,027,293	\$796,672	\$5,823,965
Project Management Services	\$19,807,994	\$17,526,725	\$114,400	\$15,058,880	\$2,467,845	\$17,526,725
Engineering & Construction	\$11,805,793	\$15,455,709	\$207,506	\$14,163,355	\$1,292,354	\$15,455,709
Electrification Eng & Mgmt	\$50,461,707	\$57,850,417	\$257,917	\$54,752,988	\$3,097,429	\$57,850,417
Construction Management	\$0	\$15,158,605	\$460,633	\$14,520,548	\$638,057	\$15,158,605
IT Support	\$312,080	\$507,170	\$8,654	\$441,376	\$65,795	\$507,170
Operations Support	\$1,445,867	\$3,337,383	\$22,914	\$3,238,739	\$98,645	\$3,337,383
General Support	\$4,166,577	\$7,451,503	\$20,070	\$7,013,242	\$438,261	\$7,451,503
Budget / Grants / Finance	\$1,229,345	\$1,638,553	\$526	\$1,633,875	\$4,678	\$1,638,553
Legal	\$2,445,646	\$5,542,712	\$69,543	\$5,660,570	(\$117,858)	\$5,542,712
Other Direct Costs	\$5,177,060	\$6,085,783	\$51,121	\$5,998,225	\$87,558	\$6,085,783
Prior Costs 2002 - 2013	\$24,707,878	\$24,707,878	\$0	\$24,707,878	\$0	\$24,707,878
Caltrain Capital Overhead ⁶	\$0	\$0	\$7,230,966	\$7,230,966	(\$7,230,966)	\$0
TASI Support	\$55,275,084	\$81,913,660	\$1,577,759	\$68,108,355	\$13,805,305	\$81,913,660
Insurance	\$3,500,000	\$4,543,588	\$0	\$4,543,588	\$0	\$4,543,588
Environmental Mitigations	\$15,798,320	\$14,438,866	\$0	\$1,090,079	\$13,348,787	\$14,438,866
Required Projects	\$17,337,378	\$10,358,703	\$86,185	\$1,589,216	\$8,769,487	\$10,358,703
Maintenance Training	\$1,021,808	\$1,021,808	\$0	\$0	\$1,021,808	\$1,021,808
Finance Charges	\$5,056,838	\$6,137,156	\$0	\$4,807,611	\$1,329,545	\$6,137,156
Contingency	\$276,970,649	\$69,151,341	N/A	N/A	(\$17,295,305)	(\$17,295,305)
Forecasted Costs and Changes	\$0	\$0	N/A	N/A	\$106,446,645	\$106,446,645
ELECTRIFICATION SUBTOTAL	\$1,316,125,208	\$1,316,125,208	\$38,595,734	\$1,084,939,492	\$251,185,716	\$1,336,125,208

Notes regarding tables above:

- Column B "Current Budget" includes executed change orders and awarded contracts.
- Column C "Cost This Month" represents the cost of work performed this month.
- Column D "Cost To Date" includes actuals (amount paid) and accruals (amount of work performed) to date.
- Cost To Date for "Electrification" includes 5% for Contractor's retention until authorization of retention release.
- Private utilities cost to date includes the unbudgeted upfront cost for PG&E's share of substation improvements prior to PG&E reimbursement.
- Caltrain Capital Overhead includes actuals to date new method ICAP as reported in Budget Scrub.

**Peninsula Corridor Electrification Project
Monthly Progress Report**

Table 8-2 EMU Budget & Expenditure Status

Description of Work	Budget (A)	Current Budget (B) ¹	Cost This Month (C) ²	Cost To Date (D) ³	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
EMU						
EMU	\$550,899,459	\$555,247,601	\$4,495,786	\$248,979,454	\$306,268,148	\$555,247,601
CEMOF Modifications	\$1,344,000	\$7,404,023	\$89,861	\$6,803,925	\$600,098	\$7,404,023
Management Oversight	\$64,139,103	\$62,783,401	\$2,106,705	\$57,185,198	\$5,598,203	\$62,783,401
Executive Management	\$5,022,302	\$6,615,622	\$47,224	\$6,168,935	\$446,687	\$6,615,622
Community Relations	\$1,685,614	\$975,782	\$5,374	\$716,274	\$259,507	\$975,782
Safety & Security	\$556,067	\$1,117,978	\$15,325	\$834,599	\$283,378	\$1,117,978
Project Mgmt Services	\$13,275,280	\$11,275,280	\$113,800	\$9,448,279	\$1,827,001	\$11,275,280
Eng & Construction	\$89,113	\$89,113	\$0	\$23,411	\$65,702	\$89,113
EMU Eng & Mgmt	\$32,082,556	\$29,981,014	\$344,750	\$26,547,346	\$3,433,667	\$29,981,014
Construction Management	\$0	\$1,841,395	\$41,379	\$1,808,244	\$33,151	\$1,841,395
IT Support	\$1,027,272	\$852,089	\$5,238	\$806,886	\$45,204	\$852,089
Operations Support	\$1,878,589	\$781,858	\$5,090	\$453,922	\$327,936	\$781,858
General Support	\$2,599,547	\$3,138,784	\$9,916	\$2,942,565	\$196,220	\$3,138,784
Budget / Grants / Finance	\$712,123	\$1,050,507	\$382	\$1,043,883	\$6,624	\$1,050,507
Legal	\$1,207,500	\$1,369,563	\$1,542	\$1,269,344	\$100,219	\$1,369,563
Other Direct Costs	\$4,003,139	\$3,694,416	\$49,775	\$3,654,599	\$39,817	\$3,694,416
Caltrain Capital Overhead ⁴	\$0	\$0	\$1,466,910	\$1,466,910	(\$1,466,910)	\$0
TASI Support	\$2,740,000	\$2,789,493	(\$5,544)	\$489,962	\$2,299,532	\$2,789,493
Insurance	\$0	\$38,263	\$0	\$38,263	\$0	\$38,263
Required Projects	\$4,500,000	\$1,063,821	\$0	\$674,280	\$389,541	\$1,063,821
Finance Charges	\$1,941,800	\$3,761,482	\$0	\$2,946,655	\$814,827	\$3,761,482
Contingency	\$38,562,962	\$31,039,241	N/A	N/A	\$3,172,741	\$3,172,741
Forecasted Costs and Changes	\$0	\$0	N/A	N/A	\$7,866,499	\$7,866,499
EMU SUBTOTAL	\$664,127,325	\$664,127,325	\$6,686,809	\$317,117,736	\$327,009,589	\$644,127,325

Notes regarding tables above:

- Column B "Current Budget" includes executed change orders and awarded contracts.
- Column C "Cost This Month" represents the cost of work performed this month.
- Column D "Cost To Date" includes actuals (amount paid) and accruals (amount of work performed) to date.
- Caltrain Capital Overhead includes actuals to date new method ICAP as reported in Budget Scrub.

Table 8-3 PCEP Budget & Expenditure Status

Description of Work	Budget (A)	Current Budget (B) ¹	Cost This Month (C) ²	Cost To Date (D) ³	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
Electrification Subtotal	\$1,316,125,208	\$1,316,125,208	\$38,595,734	\$1,084,939,492	\$251,185,716	\$1,336,125,208
EMU Subtotal	\$664,127,325	\$664,127,325	\$6,686,809	\$317,117,736	\$327,009,589	\$644,127,325
Additional Budget Need⁴					\$462,438,164	\$462,438,164
PCEP TOTAL	\$1,980,252,533	\$1,980,252,533	\$45,282,542	\$1,402,057,228	\$1,040,633,468	\$2,442,690,696

Notes regarding tables above:

- Column B "Current Budget" includes executed change orders and awarded contracts.
- Column C "Cost This Month" represents the cost of work performed this month.
- Column D "Cost To Date" includes actuals (amount paid) and accruals (amount of work performed) to date.
- Additional Budget Need includes additional budget need of \$462M in the estimate at completion (EAC) as presented to the December CMB and JPB Board. The detail by MPR category will be provided in the December report to reflect December JPB Board approvals.

Peninsula Corridor Electrification Project
Monthly Progress Report

Table 8-4 Third Party Improvements/CNPA Budget & Expenditure Status

Description of Work	Budget (A)	Current Budget (B) ¹	Cost This Month (C) ²	Cost To Date (D) ³	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
CHSRA Early Pole Relocation	\$1,000,000	\$941,706	\$0	\$941,706	\$0	\$941,706
PS-3 Relocation (Design)	\$500,000	\$500,000	\$0	\$150,000	\$350,000	\$500,000
PS-3 Relocation (FEMA, BGSP Design Coord.)	\$50,000	\$50,000	\$0	\$0	\$50,000	\$50,000
TPSS-2 VTA/PCEP Pole Relocation (Design)	\$110,000	\$110,000	\$0	\$110,000	\$0	\$110,000
TPSS-2 VTA/PCEP Pole Height (Redesign)	\$31,000	\$31,000	\$0	\$31,000	\$0	\$31,000
Mary Avenue Advance Pre-emption	\$116,000	\$116,000	\$0	\$0	\$116,000	\$116,000
EMU Option Cars	\$172,800,047	\$172,800,047	\$933,120	\$62,399,053	\$110,400,994	\$172,800,047
Add Flip-Up Seats into Bike Cars	\$1,961,350	\$1,961,350	\$0	\$980,675	\$980,675	\$1,961,350
Update Virtual Reality Experience	\$43,000	\$43,000	\$0	\$43,000	\$0	\$43,000
CNPA TOTAL	\$176,611,397	\$176,553,103	\$933,120	\$64,655,434	\$111,897,669	\$176,553,103

Notes regarding tables above:

1. Column B "Current Budget" includes executed change orders and awarded contracts.
2. Column C "Cost This Month" represents the cost of work paid this month.
3. Column D "Cost To Date" includes actuals (amount paid) to date.

Table 8-4 shows improvements outside of the scope of PCEP that are funded with non-PCEP funds. These improvements are implemented through the PCEP contracts. In FTA terminology, these efforts are categorized as Concurrent Non-Project Activities (CNPA).

CHSRA Early Pole Relocation: Relocation of 196 OCS poles as part of PCEP. Implementing these pole relocations minimizes future cost and construction impacts. This scope is funded by the CHSRA.

PS-3 Relocation (Design): Relocate PS-3 (Burlingame) as part of PCEP to avoid a future conflict with the Broadway Grade Separation Project (BGSP). This scope is funded by the BGSP.

PS-3 Relocation (FEMA, BGSP Design Coord.): PS-3 Relocation FEMA Update and Design Coordination: Perform incremental design effort related to the 2019 FEMA requirement update to the flood plain map and design coordination with the BGSP. This scope is funded by the BGSP.

TPSS-2 VTA/PCEP Pole Relocation and Height (Design): Design changes due to the relocation of VTA/BART Pole at TPSS-2 location and pole height redesign for live line clearances. This scope is funded by the VTA.

Mary Avenue Advance Pre-emption: JPB changed the Mary Avenue grade crossing from simultaneous pre-emption to have 24 seconds of advance pre-emption.

EMU Option Cars: Exercise Stadler Contract Option for 37 additional EMUs. This scope is funded with a combination of TIRCP and matching local funds.

Add Flip-Up Seats into Bike Cars: Stadler contract change order to add four additional flip-up seats in each of the two unpowered (bike) cars per trainset (eight total per trainset). This scope is funded by Caltrain outside of the PCEP.

Update Virtual Reality Experience: Stadler contract change order to update the virtual reality experience to reflect the latest configuration of the trainsets. This scope is funded by Caltrain outside of the PCEP.

Table 8-5 Budget Transfers of Contingency

Transfer	Description	Contingency ¹
ELECTRIFICATION		
BBI-053-CCO-066C	Contaminated Soils Increase in Unit Price (Bid Item #1)	\$1,384,802
PROV-070-CCO-054	Procure Surge Arrestors	\$10,580
PROV-070-CCO-055	Cantilever Drop Tubes	\$27,409
ARINC-061-CCO-003	Traction Power Facility SCADA Database Changes - Rev - 12	\$170,360
	ELECTRIFICATION SUBTOTAL	\$1,593,151
EMU		
	EMU SUBTOTAL	\$0
	PCEP TOTAL	\$1,593,151

Notes regarding tables above:

Budget amount transferred from project contingency. A negative amount represents a credit to contingency.

Table 8-5 shows budget transfers of project contingency implemented during the current monthly reporting period. This table includes contingency transfers for both executed contract change orders as covered under Section 9.0 and uses of contingency for Program budget line items outside the five PCEP contracts.

Appendix D includes costs broken down by Standard Cost Code (SCC) format. This format is required for reporting of costs to the FTA. The overall project total in the SCC format is lower than the project costs in table 8-3. This is due to the exclusion of costs incurred prior to the project entering the Project Development phase.

9.0 CHANGE MANAGEMENT

The change management process establishes a formal administrative work process associated with the initiation, documentation, coordination, review, approval and implementation of changes that occur during the design, construction or manufacturing of the PCEP. The change management process accounts for impacts of the changes and ensures prudent use of contingency.

Currently the PCEP contracts are BBII, CEMOF, Stadler, SCADA, Tunnel Modifications, and Amtrak.

A log of all executed change orders can be found in Appendix E.

Executed Contract Change Orders (CCO) This Month

Electrification Contract

Change Order Authority (5% of BBII Contract) 5% x \$696,610,558 = \$34,830,528

Date	Change Number	Description	CCO Amount
11/30/2021	BBI-053-CCO-066C	Contaminated Soils Increase in Unit Price (Bid Item #1)	\$1,384,802
			3.98 %
		Total	\$2,565,292

¹ (When indicated) Change approved by the Board of Directors – not counted against the Executive Director’s Change Order Authority.

EMU Contract

Change Order Authority (5% of Stadler Contract) 5% x \$550,899,459 = \$27,544,973

Date	Change Number	Description	CCO Amount
	None		\$0
		Total	\$0

¹ (When indicated) Change approved by the Board of Directors – not counted against the Executive Director’s Change Order Authority.

SCADA Contract

Change Order Authority (15% of ARINC Contract) 15% x \$3,446,917 = \$517,038

Date	Change Number	Description	CCO Amount
11/23/2021	ARINC-061-CCO-003	Traction Power Facility SCADA Database Changes - Rev - 12	\$170,360
			22.30% ³
		Total	\$6,224

¹ (When indicated) Change approved by the Board of Directors – not counted against the Executive Director’s Change Order Authority.

Peninsula Corridor Electrification Project
Monthly Progress Report

Tunnel Modification Contract

Change Order Authority (10% of ProVen Contract)²

10% x \$38,477,777 = \$3,847,778

Date	Change Number	Description			CCO Amount
11/30/2021	PROV-070-CCO-054	Procure Surge Arrestors	\$10,580	0.19 %	\$3,991,651
11/30/2021	PROV-070-CCO-055	Cantilever Drop Tubes	\$27,409	0.50 %	\$3,964,242
Total					\$7,955,893

¹ (When indicated) Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.

² Tunnel modification contract (\$38,477,777) includes: Notching (\$25,281,170) and Drainage (\$13,196,607).

³ Third Party Improvements/CNPA Projects that are funded with non-PCEP funds.

CEMOF Contract

Change Order Authority (10% of ProVen Contract)

10% x \$6,550,777 = \$655,078

Date	Change Number	Description			CCO Amount
	None				\$0
Total					\$0

¹ (When indicated) Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.

Amtrak AEM-7 Contract

Change Order Authority (Lump Sum)

Up to \$150,000

Date	Change Number	Description			CCO Amount
	None				\$0
Total					\$0

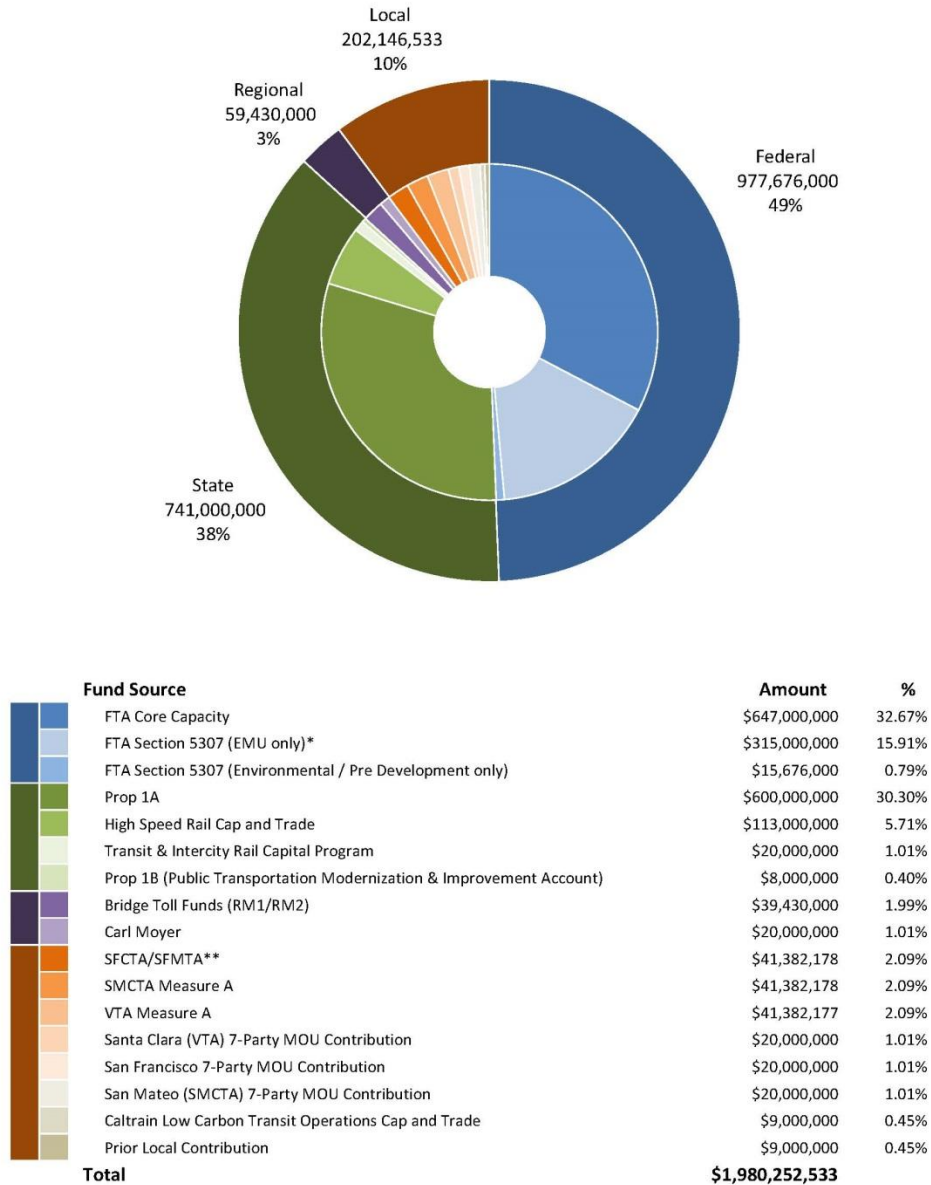
Notes:

¹ When the threshold of 75% is reached, staff may return to the Board to request additional authority.

10.0 FUNDING

Figure 10-1 depicts a summary of the funding plan for the PCEP. It provides a breakdown of the funding partners as well as the allocated funds. During the last month, PCEP staff worked with FTA Region IX staff to award the next tranche of core capacity funding in the amount of \$100 million. With this award, it will bring the total FTA core capacity funding on the project to \$573 million.

Figure 10-1 Funding Plan



Notes:

*Includes necessary fund transfer with SMCTA

**Includes \$4M CMAQ Transfer considered part of SF local contribution

11.0 RISK MANAGEMENT

The risk management process is conducted in an iterative fashion throughout the life of the project. During this process, new risks are identified, other risks are resolved or managed, and potential impacts and severity modified based on the current situation. The Risk Management team's progress report includes a summary on the effectiveness of the Risk Management Plan, any unanticipated effects, and any correction needed to handle the risk appropriately.

The Risk Management team meets monthly to identify risks and corresponding mitigation measures. Each risk is graded based on the potential cost and schedule impacts they could have on the project. This collection of risks has the greatest potential to affect the outcome of the project and consequently is monitored most closely. For each of the noted risks, as well as for all risks on the risk register, mitigation measures have been identified and are being implemented. Progress in mitigating these risks is confirmed at monthly risk assessment meetings attended by project team management and through continuous monitoring of the Risk Management Lead.

The team has identified the following items as top risks for the project (see Appendix F for the complete Risk Table):

1. Potential for Stadler's sub-suppliers to fall behind schedule or delays in parts supply chain result in late completion of vehicles.
2. Property not acquired in time for contractor to do work.
3. Additional property acquisition is necessitated by change in design.
4. The contractor may not complete signal and communication design, installation and testing for the Two-speed check (2SC) modifications within budget and schedule.
5. Remediation of issues associated with the CEMOF pit may result in additional costs and additional time to issue the charge order and implement the work.
6. Extent of differing site conditions and associated redesign efforts results in delays to the completion of the electrification contract and increases program costs.
7. Rejection of DVR for ATF and static wires results in cost and schedule impacts to PCEP.
8. Change of vehicle sub-suppliers results in additional first article inspections at cost to JPB (i.e., COVID, bankruptcy)
9. Solution to FRA concerns over bike storage impeding path to emergency exit windows path results in increased costs and potential rework.
10. PG&E interconnection work may not be completed on time resulting in delays to the reimbursement of PG&E Exhibit B Cost Allocation from PG&E.

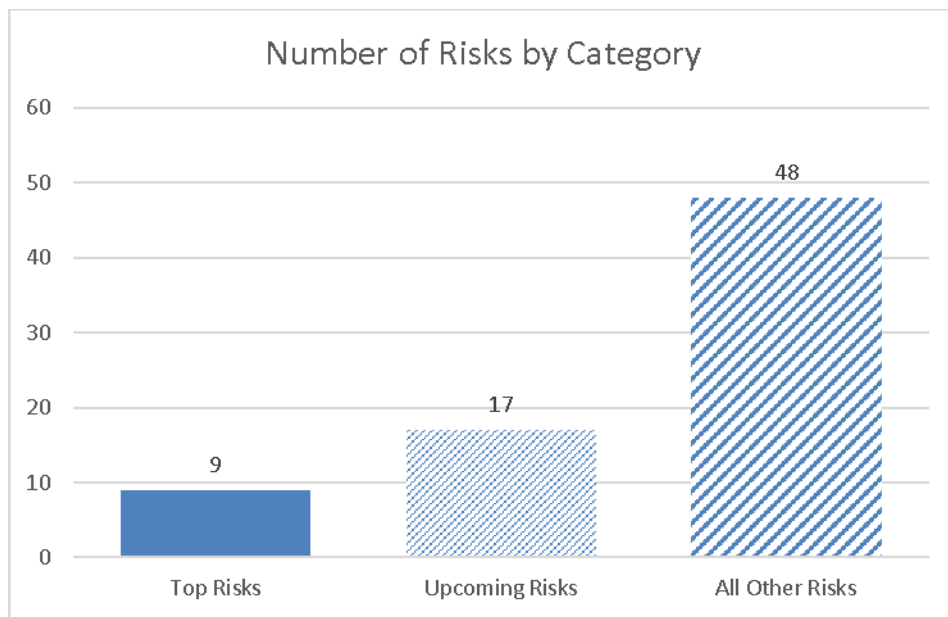
Activity This Month

- Updated risk descriptions, effects, and mitigations based upon weekly input from risk owners. Monthly cycle of risk updating was completed based on schedules established in the Risk Identification and Mitigation Plan.

- Updated risk retirement dates based upon revisions to the project schedule and input from risk owners.
- Continued weekly monitoring of risk mitigation actions and publishing of the risk register.
- Continued monitoring of issues on issues log for determination of new risks.
- The Risk Management team attended Project Delivery, Vehicle Design, Systems Integration, and Weekly Contractor Progress meetings to monitor developments associated with risks and to identify new risks.
- Updated contractor-owned risks through JPB and consultant personnel.
- Participated in internal Risk Refresh and Industry Expert Risk Refresh workshops.

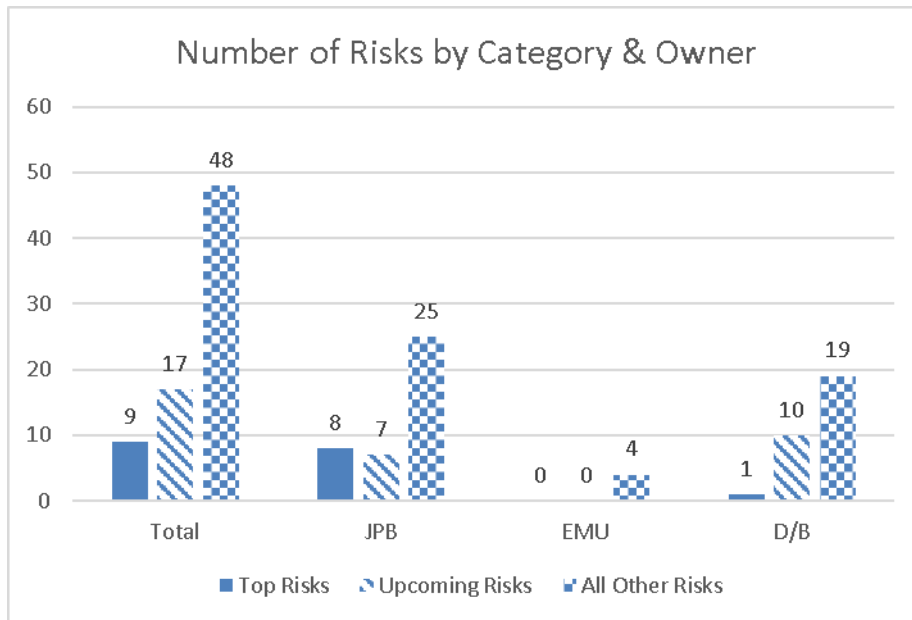
Figures 11-1 and 11-2 show the risks identified for the program. Risks are categorized as top risk, upcoming risk, and all other risks. The categories are based on a rating scale composed of schedule and cost factors. Top risks are considered to have a significantly higher than average risk grade. Upcoming risks are risks for which mitigating action must be taken within 60 days. All other risks are risks not falling into other categories.

Figure 11-1 Monthly Status of Risks



Total Number of Active Risks = 74

Figure 11-2 Risk Classification



Total Number of Active Risks = 74

Activity Next Month

- Conduct weekly monitoring of risk mitigation actions and continue publishing risk register.
- Update risk descriptions, effects, mitigations and retirement dates based on weekly monitoring and attendance at key project meetings.
- Monitor issues on issues log for determination of potential new risks.
- Convene Risk Assessment Committee meeting.
- Incorporate Rail Activation and Industry Expert risks into PCEP risk register.

12.0 ENVIRONMENTAL

12.1. Permits

The PCEP has obtained the required environmental permits from the following agencies/federal regulations: Section 106 of the National Historic Preservation Act of 1966 (NHPA), Section 7 of the Endangered Species Act (ESA), United States Army Corps of Engineers, San Francisco Bay Regional Water Quality Control Board (SFWQCB), the California Department of Fish and Wildlife, and the San Francisco Bay Conservation Development Commission.

Activity This Month

- None

Activity Next Month

- None

12.2. Mitigation Monitoring and Reporting Program (MMRP)

The California Environmental Quality Act (CEQA) requires that a Lead Agency establish a program to monitor and report on mitigation measures that it has adopted as part of the environmental review process. The PCEP team has prepared a MMRP to ensure that mitigation measures identified in the PCEP Environmental Impact Report are fully implemented during project implementation. PCEP will implement the mitigation measures through its own actions, those of the DB contractor and actions taken in cooperation with other agencies and entities. The status of each mitigation measure in the MMRP is included in Appendix G.

Activity This Month

- Environmental compliance monitors were present during project activities (OCS pole foundation installation, potholing for utility location, conduit installation, etc.) occurring in areas that required environmental compliance monitoring. The monitoring was conducted in accordance with measures in the MMRP in an effort to minimize potential impacts on sensitive environmental resources.
- Biological surveyors continued to conduct pre-construction surveys for sensitive wildlife species including nesting bird surveys ahead of project activities.
- Noise and vibration monitoring also occurred during project activities, and non-hazardous soil was removed from the right of way (ROW).
- Environmentally Sensitive Area (ESA) delineation (staking and/or fencing) to delineate jurisdictional waterways and other potentially sensitive areas that should be avoided during upcoming construction activities was maintained. Round three and four of protocol-level burrowing owl surveys were conducted. Protocol level burrowing owl surveys are now complete for the 2021 season. Pre-construction surveys for sensitive wildlife species continued at previously identified potential habitat locations. Wildlife exclusion fencing installation and monitoring occurred adjacent to portions of the alignment designated for wildlife exclusion fencing.

Peninsula Corridor Electrification Project
Monthly Progress Report

- Best management practices (BMPs) installation and maintenance (e.g., silt fencing, straw wattles with no monofilament netting per wildlife agency permit requirements, soil covers, etc.) occurred at equipment staging areas and other work areas throughout the alignment in accordance with the project-specific Storm Water Pollution Prevention Plan (SWPPP).

Activity Next Month

- Environmental compliance monitors will continue to monitor project activities (OCS pole foundation installation, sawcutting on station platforms, potholing for utility location, conduit installation, abandoned signal cable removal, etc.) occurring in areas that require environmental compliance monitoring in an effort to minimize potential impacts on sensitive environmental resources in accordance with the MMRP.
- Biological surveyors will continue to conduct pre-construction surveys for sensitive wildlife species ahead of project activities.
- Noise and vibration monitoring of project activities will continue to occur and non-hazardous soil will continue to be removed.
- BMPs installation will continue in accordance with the project-specific SWPPP, and ESA staking and fencing will continue to be maintained to delineate jurisdictional waterways, and other potentially sensitive areas, that should be avoided during upcoming project activities.
- Wildlife exclusion fencing will continue to be maintained prior to upcoming construction activities adjacent to potentially suitable habitat for sensitive wildlife species.

13.0 UTILITY RELOCATION

Implementation of the PCEP requires relocation or rerouting of both public and private utility lines and/or facilities. Utility relocation will require coordination with many entities, including regulatory agencies, public safety agencies, federal, state, and local government agencies, private and public utilities, and other transportation agencies and companies. This section describes the progress specific to the utility relocation process.

Activity This Month

- Conducted utility coordination meeting to discuss overall status and areas of potential concern from the utilities.
- Continued relocation of Comcast and AT&T Utilities in all Segments, with a focus on Segment 3 and 4 ahead of OCS wiring.
- AT&T has completed all but one relocation. The final location requires coordination with Palo Alto Power.
- Continued discussion with Comcast for updated relocation schedule, particularly the locations remaining for Segments 3 and 4.

Activity Next Month

- Coordinate with individual utility owners on the next steps of relocations, including support of any required design information.
- Update the relocation schedule as information becomes available from the utility owners.
- Continue to review relocation design from communications companies and coordinate relocation field work.
- Continue communication relocations in all Segments.

14.0 REAL ESTATE

The PCEP requires the acquisition of a limited amount of real estate. In general, Caltrain uses existing Right of Way (ROW) for the PCEP, but in certain locations, will need to acquire small portions of additional real estate to expand the ROW to accommodate installation of OCS supports (fee acquisitions or railroad easements) and associated Electrical Safety Zones (ESZ) (easements). There are two larger full acquisition areas required for wayside facilities. The PCEP Real Estate team manages the acquisition of all property rights. Caltrain does not need to acquire real estate to complete the EMU procurement portion of the PCEP.

The Project has obtained possessory rights for all parcels identified at the beginning of the project.

The Real Estate team's current focus is working to identify new parcels and acquire them in conjunction with the project schedule.

- Staff has defined a process to ensure that BBII conveys new property needs (for poles, overhead wires and signals facilities) as soon as possible.
 - BBII must justify and JPB must approve all new parcels.
- Design needs to progress to enable BBII to identify exact acquisition areas.
- Staff is conducting pre-acquisition activities as appropriate.
- JPB has approved eleven new parcels to date.

Activity This Month

- With all catenary poles installed in Segments 2, 3 and 4, staff is now focused on identifying property for ESZ and signal needs.
- Ordered title reports and started mapping of three new ESZ parcels.

Activity Next Month

- Continue review of ESZ needs submitted by BBII compared to direction from contract.
- Continue to meet with internal signal team and BBII signal team to determine potential Real Estate needs.
- Continue to work with UPC to finalize a purchase agreement.

15.0 THIRD PARTY AGREEMENTS

Third-party coordination is necessary for work impacting public infrastructure, utilities, ROW acquisitions, and others. Table 15-1 below outlines the status of necessary agreements for the PCEP.

Table 15-1 Third-Party Agreement Status

Type	Agreement	Third-Party	Status
Governmental Jurisdictions	Construction & Maintenance ¹	City & County of San Francisco	Executed
		City of Brisbane	Executed
		City of South San Francisco	Executed
		City of San Bruno	Executed
		City of Millbrae	Executed
		City of Burlingame	Executed
		City of San Mateo	Executed
		City of Belmont	Executed
		City of San Carlos	Executed
		City of Redwood City	Executed
		Town of Atherton	Not Needed
		County of San Mateo	Executed
		City of Menlo Park	Executed
		City of Palo Alto	Executed
		City of Mountain View	Executed
		City of Sunnyvale	Executed
		City of Santa Clara	Executed
	County of Santa Clara	Executed	
	City of San Jose	Executed	
Condemnation Authority	San Francisco	In Process	
	San Mateo	Executed	
	Santa Clara	Executed	
Utilities	Infrastructure	PG&E	Executed
	Operating Rules	CPUC	Executed
Transportation & Railroad	Construction & Maintenance	Bay Area Rapid Transit	Executed ²
	Construction & Maintenance	California Dept. of Transportation (Caltrans)	In Process
	Trackage Rights	UPRR	Executed ²

Notes regarding table above:

1. Agreements memorialize the parties' consultation and cooperation, designate respective rights and obligations and ensure cooperation between the JPB and the 17 cities and three counties along the Caltrain ROW and within the PCEP limits in connection with the design and construction of the PCEP.
2. Utilizing existing agreements.

16.0 GOVERNMENT AND COMMUNITY AFFAIRS

The Community Relations and Outreach team coordinates all issues with all jurisdictions, partner agencies, government organizations, businesses, labor organizations, local agencies, residents, community members, other interested parties, and the media. In addition, the team oversees the BBII's effectiveness in implementing its Public Involvement Program.

Presentations/Meetings

- Santa Clara/San Jose Community Meeting (virtual)

Third Party/Stakeholder Actions

- None

17.0 DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION AND LABOR STATISTICS

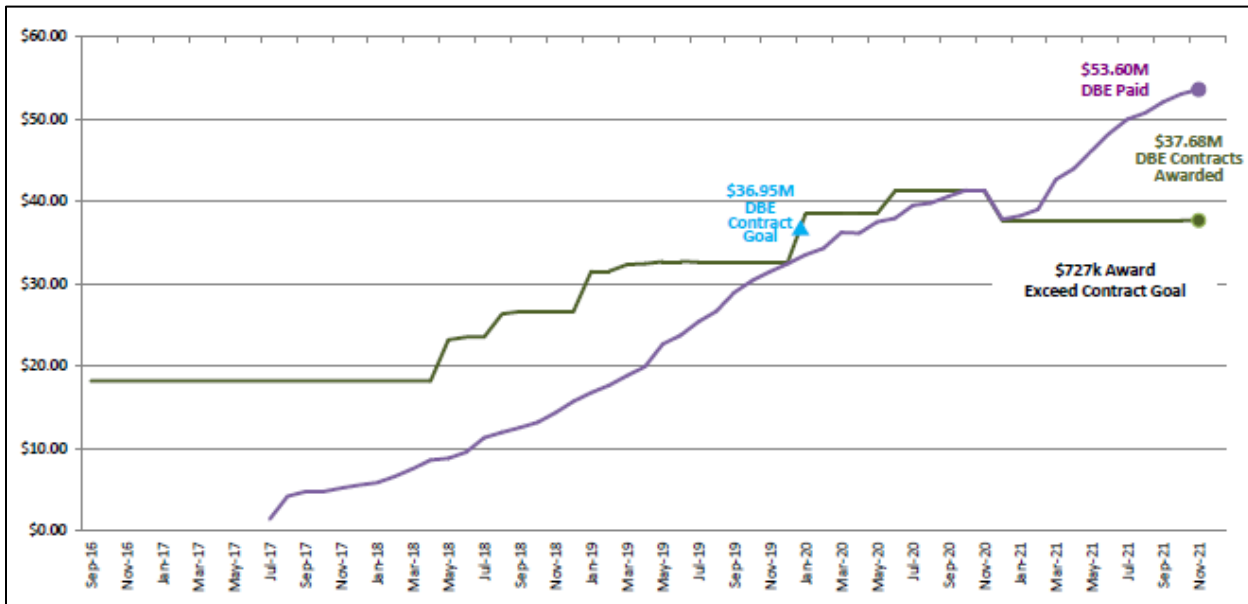
BBII proposed that 5.2% (\$36,948,701) of the DB base contract value including DBE contract change orders (\$710,551,950) would be subcontracted to DBEs.

Activity This Month

As expressed in Figure 17-1 below, to date BBII reports:

- **\$ 53,596,543** has been paid to DBE subcontractors.
- **\$ 37,675,908** of DBE contracts have been awarded.
- **7.54%** has been achieved.
- All reported figures are subject to verification by DBE Administrator.
- As a result of JPB’s DBE Office’s review of BBII’s DBE reports, one subcontractor was disqualified in December 2020. After removing amounts paid to the disqualified subcontractor, BBII’s reported awarded and achieved amounts show a decline from previous months. These amounts and are to be verified by JPB’s DBE Administrator.

Figure 17-1 DBE Participation



Activity Next Month

BBII has proposed the following key actions:

“We continue to anticipate increasing our DBE commitments to firms who we are currently negotiating pricing on proposed work or Professional Services Agreements. We are optimistic about the prospect of making future awards to DBE firms. We also anticipate that the existing project work will increase resulting in expanded work for current DBE subcontractors.”

18.0 PROCUREMENT

Invitation for Bids (IFB)/Request for Quotes (RFQ)/Request for Proposals (RFP) Issued this Month:

- None

Bids, Quotes, Proposals in Response to IFB/RFQ/RFP Received this Month:

- None

In Process IFB/RFQ/RFP/Contract Amendments for Award:

- None

Contract Awards this Month:

- None

Work Directive (WD)/Purchase Order (PO) Awards & Amendments this Month:

- Multiple WDs & POs issued to support the program needs

Upcoming Contract Awards/Contract Amendments:

- Contract 18-J-P-115 On-Call Construction Management Services for PCEP

Upcoming IFB/RFQ/RFP to be Issued:

- None

Existing Contracts Amendments Issued:

- None

19.0 TIMELINE OF MAJOR PROJECT ACCOMPLISHMENTS

Below is a timeline showing major project accomplishments from 2001 to 2021:

Date	Milestone
2001	Began federal National Environmental Policy Act (NEPA) Environmental Assessment (EA) / state EIR clearance process
2002	Conceptual Design completed
2004	Draft NEPA EA/EIR
2008	35% design complete
2009	Final NEPA EA/EIR and Finding of No Significant Impact (FONSI)
2014	RFQ for electrification RFI for EMU
2015	JPB approves final CEQA EIR JPB approves issuance of RFP for electrification JPB approves issuance of RFP for EMU Receipt of proposal for electrification FTA approval of Core Capacity Project Development
2016	JPB approves EIR Addendum #1: PS-7 FTA re-evaluation of 2009 FONSI Receipt of electrification best and final offers Receipt of EMU proposal Application for entry to engineering to FTA Completed the EMU Buy America Pre-Award Audit and Certification Negotiations completed with Stadler for EMU vehicles Negotiations completed with BBII, the apparent best-value electrification firm JPB approves contract award (LNTP) to BBII JPB approves contract award (LNTP) to Stadler FTA approval of entry into engineering for the Core Capacity Program Application for FFGA
2017	FTA finalized the FFGA for \$647 million in Core Capacity funding, met all regulatory requirements including end of Congressional Review Period (February) FTA FFGA executed, committing \$647 million to the project (May) JPB approves \$1.98 billion budget for PCEP (June) Issued NTP for EMUs to Stadler (June 1) Issued NTP for electrification contract to BBII (June 19) Construction began (August) EMU manufacturing began (October) Issued NTP for SCADA to Rockwell Collins (ARINC) (October) Issued NTP for CEMOF Facility Upgrades to HNTB (November)

Peninsula Corridor Electrification Project
Monthly Progress Report

Date	Milestone
2018	Completed all PG&E agreements JPB approves contract award to Mitsui for the purchase of electric locomotives and Amtrak for overhaul services, storage, acceptance testing, training, and shipment of locomotive to CEMOF JPB approves authorization for the Executive Director to negotiate final contract award to ProVen for tunnel modifications and track rehabilitation project JPB approves contract award (LNTP) to ProVen for tunnel modifications Issued NTP to ProVen for tunnel modifications (October) Amended contract with ProVen to include OCS in the tunnels (November)
2019	JPB approves contract award to ProVen for CEMOF modifications (February) JPB approves LNTP to ProVen for CEMOF modifications (April) JPB approves NTP to ProVen for CEMOF modifications (September)
2020	JPB approves agreement amendment to PG&E for interconnection construction JPB executes agreement with PG&E for interconnection construction (May) FRA approved the waiver for Alternative Vehicle Technology regarding crashworthiness of EMU cars
2021	The intertie between TPS-2 and FMC was completed (January 18) First EMU vehicle shipped to Pueblo, CO for testing (February 10)

APPENDICES

Appendix A – Acronyms

**Peninsula Corridor Electrification Project
Monthly Progress Report**

AIM	Advanced Information Management	EA	Environmental Assessment
ARINC	Aeronautical Radio, Inc.	EAC	Estimate at Completion
BAAQMD	Bay Area Air Quality Management District	EIR	Environmental Impact Report
BBII	Balfour Beatty Infrastructure, Inc.	EOR	Engineer of Record
CAISO	California Independent System Operator	EMU	Electric Multiple Unit
CalMod	Caltrain Modernization Program	ESA	Endangered Species Act
Caltrans	California Department of Transportation	ESA	Environmental Site Assessments
CDFW	California Department of Fish and Wildlife	FAI	First Article Inspection
CEMOF	Centralized Equipment Maintenance and Operations Facility	FEIR	Final Environmental Impact Report
CEQA	California Environmental Quality Act (State)	FNTF	Full Notice to Proceed
CHSRA	California High-Speed Rail Authority	FFGA	Full Funding Grant Agreement
CIP	Capital Improvement Plan	FONSI	Finding of No Significant Impact
CNPA	Concurrent Non-Project Activity	FRA	Federal Railroad Administration
CPUC	California Public Utilities Commission	FTA	Federal Transit Administration
CTC	Centralized Traffic Control	GO	General Order
DB	Design-Build	HSR	High Speed Rail
DBB	Design-Bid-Build	ICD	Interface Control Document
DBE	Disadvantaged Business Enterprise	IFC	Issued for Construction
DEMP	Design, Engineering, and Management Planning	ITS	Intelligent Transportation System
		JPB	Peninsula Corridor Joint Powers Board
		LNTF	Limited Notice to Proceed

Peninsula Corridor Electrification Project
Monthly Progress Report

MMRP	Mitigation, Monitoring, and Reporting Program	RFI	Request for Information
MOU	Memorandum of Understanding	RFP	Request for Proposals
MPS	Master Program Schedule	RFQ	Request for Qualifications
NCR	Non Conformance Report	ROCS	Rail Operations Center System
NEPA	National Environmental Policy Act (Federal)	ROW	Right of Way
NHPA	National Historic Preservation Act	RRP	Railroad Protective Liability
NMFS	National Marine Fisheries Service	RSD	Revenue Service Date
NTP	Notice to Proceed	RWP	Roadway Worker Protection
OCS	Overhead Contact System	SamTrans	San Mateo County Transit District
PCEP	Peninsula Corridor Electrification Project	SCADA	Supervisory Control and Data Acquisition
PCJPB	Peninsula Corridor Joint Powers Board	SCC	Standard Cost Code
PG&E	Pacific Gas and Electric	SPUR	San Francisco Bay Area Planning and Urban Research Association
PHA	Preliminary Hazard Analysis	SFBCDC	San Francisco Bay Conservation Development Commission
PMOC	Project Management Oversight Contractor	SFCTA	San Francisco County Transportation Authority
PS	Paralleling Station	SFMTA	San Francisco Municipal Transportation Authority
PTC	Positive Train Control	SFRWQCB	San Francisco Regional Water Quality Control Board
QA	Quality Assurance	SOGR	State of Good Repair
QC	Quality Control	SSCP	Safety and Security Certification Plan
QMP	Quality Management Plan	SSMP	Safety and Security Management Plan
QMS	Quality Management System	SSWP	Site Specific Work Plan
RAMP	Real Estate Acquisition Management Plan		
RE	Real Estate		

SWS	Switching Station
TASI	TransitAmerica Services Inc.
TBD	To Be Determined
TPS	Traction Power Substation
TSP	Transmission Structure Pole
TVA	Threat and Vulnerability Assessment
UPRR	Union Pacific Railroad
USACE	United States Army Corp of Engineers
USFWS	U.S. Fish and Wildlife Service
VTA	Santa Clara Valley Transportation Authority

Appendix B – Funding Partner Meetings

Funding Partner Meeting Representatives
Updated May 21, 2021

Agency	CHSRA	MTC	SFCTA/SFMTA/CCSF	SMCTA	VTA
FTA Quarterly Meeting	<ul style="list-style-type: none"> • Boris Lipkin • Simon Whitehorn • Wai Siu (info only) • Sharath Murthy (info only) 	<ul style="list-style-type: none"> • Anne Richman 	<ul style="list-style-type: none"> • Luis Zurinaga 	<ul style="list-style-type: none"> • April Chan • Peter Skinner 	<ul style="list-style-type: none"> • Jim Lawson
Funding Partners Quarterly Meeting	<ul style="list-style-type: none"> • Boris Lipkin • Simon Whitehorn • John Popoff • Sharath Murthy (info only) 	<ul style="list-style-type: none"> • Trish Stoops 	<ul style="list-style-type: none"> • Luis Zurinaga 	<ul style="list-style-type: none"> • April Chan • Peter Skinner 	<ul style="list-style-type: none"> • Krishna Davey • Edwin Castillo • Franklin Wong
Funding Oversight (monthly)	<ul style="list-style-type: none"> • Kelly Doyle 	<ul style="list-style-type: none"> • Anne Richman • Kenneth Folan 	<ul style="list-style-type: none"> • Anna LaForte • Maria Lombardo • Luis Zurinaga • Monique Webster • Ariel Espiritu Santo 	<ul style="list-style-type: none"> • April Chan • Peter Skinner 	<ul style="list-style-type: none"> • Jim Lawson • Marcella Rensi • Michael Smith
Change Management Board (monthly)	<ul style="list-style-type: none"> • Boris Lipkin • Simon Whitehorn 	<ul style="list-style-type: none"> • Trish Stoops • Kenneth Folan 	<ul style="list-style-type: none"> • Luis Zurinaga • Tilly Chang (info only) 	<ul style="list-style-type: none"> • Joe Hurley 	<ul style="list-style-type: none"> • Krishna Davey • Edwin Castillo • Franklin Wong • James Costantini • Jim Lawson
Master Program Schedule Update (monthly)	<ul style="list-style-type: none"> • Wai Siu • Sharath Murthy 	<ul style="list-style-type: none"> • Trish Stoops 	<ul style="list-style-type: none"> • Luis Zurinaga 	<ul style="list-style-type: none"> • Joe Hurley 	<ul style="list-style-type: none"> • Jim Lawson
Risk Assessment Committee (monthly)	<ul style="list-style-type: none"> • Wai Siu • Sharath Murthy 	<ul style="list-style-type: none"> • Trish Stoops 	<ul style="list-style-type: none"> • Luis Zurinaga 	<ul style="list-style-type: none"> • Joe Hurley 	<ul style="list-style-type: none"> • Krishna Davey • Edwin Castillo • Franklin Wong
PCEP Delivery Coordination Meeting (bi-weekly)	<ul style="list-style-type: none"> • Wai Siu • Sharath Murthy 	<ul style="list-style-type: none"> • Trish Stoops 	<ul style="list-style-type: none"> • Luis Zurinaga 	<ul style="list-style-type: none"> • Joe Hurley 	<ul style="list-style-type: none"> • Krishna Davey • Edwin Castillo • Franklin Wong • James Costantini
Systems Integration Meeting (weekly)	<ul style="list-style-type: none"> • Wai Siu • Sharath Murthy 	<ul style="list-style-type: none"> • Trish Stoops 	<ul style="list-style-type: none"> • Luis Zurinaga 	<ul style="list-style-type: none"> • Joe Hurley 	<ul style="list-style-type: none"> • Krishna Davey • Edwin Castillo • Franklin Wong

Appendix C – Schedule

Appendix D – Standard Cost Codes

Peninsula Corridor Electrification Project Monthly Progress Report

Description of Work	FFGA Baseline Budget (A)	Approved Budget (B)	Cost This Month (C)	Cost To Date (D)	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
10 - GUIDEWAY & TRACK ELEMENTS	\$14,256,739	\$28,262,380	\$75,817	\$26,226,706	\$2,182,313	\$28,409,019
10.02 Guideway: At-grade semi-exclusive (allows cross-traffic)	\$2,500,000	\$2,329,281	(\$0)	\$306,052	\$2,023,229	\$2,329,281
10.07 Guideway: Underground tunnel	\$8,110,649	\$25,933,099	\$75,817	\$25,920,654	\$159,083	\$26,079,738
10.07 Allocated Contingency	\$3,646,090	\$0	\$0	\$0	\$0	\$0
30 - SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS	\$2,265,200	\$8,194,234	\$89,861	\$7,199,030	\$1,225,878	\$8,424,908
30.03 Heavy Maintenance Facility	\$1,344,000	\$8,194,234	\$89,861	\$7,199,030	\$1,225,878	\$8,424,908
30.03 Allocated Contingency	\$421,200	\$0	\$0	\$0	\$0	\$0
30.05 Yard and Yard Track	\$500,000	\$0	\$0	\$0	\$0	\$0
40 - SITEWORK & SPECIAL CONDITIONS	\$255,072,402	\$267,521,937	\$8,342,420	\$276,504,786	\$1,851,828	\$278,356,614
40.01 Demolition, Clearing, Earthwork	\$3,077,685	\$10,136,067	\$633,738	\$9,000,252	\$1,132,028	\$10,132,280
40.02 Site Utilities, Utility Relocation	\$62,192,517	\$101,660,154	\$6,097,961	\$147,486,312	(\$41,718,648)	\$105,767,664
40.02 Allocated Contingency	\$25,862,000	(\$0)	\$0	\$0	(\$0)	(\$0)
40.03 Haz. mat'l, contam'd soil removal/mitigation, ground water treatments	\$2,200,000	\$10,129,763	\$202,563	\$11,391,199	\$539,912	\$11,931,111
40.04 Environmental mitigation, e.g. wetlands, historic/archeologic, parks	\$32,579,208	\$19,504,208	\$50	\$2,702,295	\$18,501,913	\$21,204,208
40.05 Site structures including retaining walls, sound walls	\$568,188	\$0	\$0	\$0	\$0	\$0
40.06 Pedestrian / bike access and accommodation, landscaping	\$804,933	\$2,735,000	(\$2,000)	\$603,250	\$2,163,409	\$2,766,659
40.07 Automobile, bus, van accessways including roads, parking lots	\$284,094	\$0	\$0	\$0	\$0	\$0
40.08 Temporary Facilities and other indirect costs during construction	\$107,343,777	\$121,771,745	\$1,410,109	\$105,321,479	\$20,819,260	\$126,140,739
40.08 Allocated Contingency	\$20,160,000	\$1,585,000	\$0	\$0	\$413,953	\$413,953
50 - SYSTEMS	\$504,445,419	\$516,084,320	\$21,640,893	\$363,042,814	\$196,501,525	\$559,544,338
50.01 Train control and signals	\$97,589,149	\$120,562,174	\$2,757,063	\$72,636,938	\$48,252,087	\$120,889,025
50.01 Allocated Contingency	\$1,651,000	\$0	\$0	\$0	\$0	\$0
50.02 Traffic signals and crossing protection	\$23,879,905	(\$0)	\$0	\$0	(\$0)	(\$0)
50.02 Allocated Contingency	\$1,140,000	\$1,140,000	\$0	\$0	\$1,140,000	\$1,140,000
50.03 Traction power supply: substations	\$69,120,009	\$102,639,597	\$7,406,141	\$84,714,600	\$37,196,547	\$121,911,147
50.03 Allocated Contingency	\$31,755,013	\$2,808,090	\$0	\$0	\$2,121,398	\$2,121,398
50.04 Traction power distribution: catenary and third rail	\$253,683,045	\$279,435,200	\$11,340,404	\$204,957,609	\$102,018,591	\$306,976,200
50.04 Allocated Contingency	\$18,064,000	\$3,934,349	\$0	\$0	\$941,568	\$941,568
50.05 Communications	\$5,455,000	\$5,547,000	\$137,285	\$733,667	\$4,813,333	\$5,547,000
50.07 Central Control	\$2,090,298	\$0	\$0	\$0	\$0	\$0
50.07 Allocated Contingency	\$18,000	\$18,000	\$0	\$0	\$18,000	\$18,000
60 - ROW, LAND, EXISTING IMPROVEMENTS	\$35,675,084	\$35,675,084	\$45,453	\$21,804,881	\$14,678,339	\$36,483,220
60.01 Purchase or lease of real estate	\$25,927,074	\$25,927,074	\$45,453	\$21,670,890	\$13,812,331	\$35,483,220
60.01 Allocated Contingency	\$8,748,010	\$8,748,010	\$0	\$0	(\$0)	(\$0)
60.02 Relocation of existing households and businesses	\$1,000,000	\$1,000,000	\$0	\$133,992	\$866,008	\$1,000,000
70 - VEHICLES (96)	\$625,544,147	\$619,286,318	\$6,517,742	\$298,012,979	\$323,744,370	\$621,757,348
70.03 Commuter Rail	\$589,167,291	\$591,215,161	\$2,021,956	\$290,755,020	\$307,145,967	\$597,900,986
70.03 Allocated Contingency	\$9,472,924	\$4,239,405	\$0	\$0	\$24,610	\$24,610
70.06 Non-revenue vehicles	\$8,140,000	\$5,067,821	\$0	\$538,280	\$4,529,541	\$5,067,821
70.07 Spare parts	\$18,763,931	\$18,763,931	\$4,495,786	\$6,719,679	\$12,044,252	\$18,763,931
80 - PROFESSIONAL SERVICES (applies to Cats. 10-50)	\$323,793,010	\$377,302,946	\$8,570,355	\$351,930,167	\$60,196,192	\$412,126,359
80.01 Project Development	\$130,350	\$130,350	\$0	\$289,233	(\$158,883)	\$130,350
80.02 Engineering (not applicable to Small Starts)	\$180,227,311	\$217,802,709	(\$106,505)	\$211,732,995	\$8,739,438	\$220,472,432
80.02 Allocated Contingency	\$1,866,000	\$4,678	\$0	\$0	\$4,678	\$4,678
80.03 Project Management for Design and Construction	\$72,029,265	\$92,879,661	\$8,078,809	\$99,126,004	\$9,379,567	\$108,505,571
80.03 Allocated Contingency	\$9,388,080	\$3,725,231	\$0	\$0	(\$0)	(\$0)
80.04 Construction Administration & Management	\$23,677,949	\$38,941,008	\$528,508	\$29,934,890	\$28,620,039	\$58,554,929
80.04 Allocated Contingency	\$19,537,000	\$4,914,740	\$0	\$0	\$4,914,740	\$4,914,740
80.05 Professional Liability and other Non-Construction Insurance	\$3,500,000	\$4,581,851	\$0	\$4,581,851	\$0	\$4,581,851
80.06 Legal; Permits; Review Fees by other agencies, cities, etc.	\$7,167,275	\$9,254,887	\$69,543	\$6,210,704	\$3,602,514	\$9,813,218
80.06 Allocated Contingency	\$556,000	\$0	\$0	\$0	\$0	\$0
80.07 Surveys, Testing, Investigation, Inspection	\$3,287,824	\$3,418,022	\$0	\$54,490	\$3,444,291	\$3,498,781
80.08 Start up	\$1,797,957	\$1,021,808	\$0	\$0	\$1,021,808	\$1,021,808
80.08 Allocated Contingency	\$628,000	\$628,000	\$0	\$0	\$628,000	\$628,000
Subtotal (10 - 80)	\$1,761,052,001	\$1,852,327,219	\$45,282,542	\$1,344,721,363	\$600,380,443	\$1,945,101,806
90 - UNALLOCATED CONTINGENCY	\$162,620,295	\$68,445,077	\$0	\$0	(\$24,329,510)	(\$24,329,510)
Subtotal (10 - 90)	\$1,923,672,296	\$1,920,772,296	\$45,282,542	\$1,344,721,363	\$576,050,933	\$1,920,772,296
100 - FINANCE CHARGES	\$6,998,638	\$9,898,638	\$0	\$7,754,266	\$2,144,372	\$9,898,638
Total Project Cost (10 - 100)	\$1,930,670,934	\$1,930,670,934	\$45,282,542	\$1,352,475,629	\$578,195,305	\$1,930,670,934
ADDITIONAL BUDGET NEED¹					\$462,438,164	\$462,438,164
Total Project Cost w/ Additional	\$1,930,670,934	\$1,930,670,934	\$45,282,542	\$1,352,475,629	\$1,040,633,469	\$2,393,109,098

Notes:

¹ Caltrain Capital Overhead includes actuals to date new method ICAP as reported in Budget Scrub.

Appendix E – Change Order Logs

**Peninsula Corridor Electrification Project
Monthly Progress Report**

Change Order Logs

Electrification Contract

Change Order Authority (5% of BBII Contract)

5% x \$696,610,558 = \$34,830,528

Date	Change Number	Description	CCO Amount	Change Order Authority Usage¹	Remaining Authority
08/31/17	BBI-053-CCO-001	Track Access Delays Q4 2016	\$85,472	0.25%	\$34,745,056
02/28/18	BBI-053-CCO-003	Deletion of Signal Cable Meggering (Testing)	(\$800,000)	(2.30%)	\$35,545,056
02/21/18	BBI-053-CCO-004	Field Order for Differing Site Condition Work Performed on 6/19/17	\$59,965	0.17%	\$35,485,091
03/12/18	BBI-053-CCO-006	Track Access Delays for Calendar Quarter 1 2017	\$288,741	0.83%	\$35,196,350
04/24/18	BBI-053-CCO-002	Time Impact 01 Associated with Delayed NTP	\$9,702,667	0.00% ²	-
04/24/18	BBI-053-CCO-008	2016 Incentives (Safety, Quality, and Public Outreach)	\$750,000	0.00% ²	-
05/31/18	BBI-053-CCO-009	16th St. Grade Crossing Work Removal from BBII Contract	(\$685,198)	(1.97%)	\$35,881,548
05/31/18	BBI-053-CCO-012	2017 Incentives (Safety, Quality, and Public Outreach)	\$1,025,000	0.00% ²	-
06/25/18	BBI-053-CCO-010	Pothole Change Of Shift	\$300,000	0.86%	\$35,581,548
06/25/18	BBI-053-CCO-013	Field Order for Signal Cable Relocation (FO# 31)	\$95,892	0.28%	\$35,485,656
06/25/18	BBI-053-CCO-015	TASI Pilot Transportation 2017	\$67,345	0.19%	\$35,418,311
06/26/18	BBI-053-CCO-005	Field Orders for Signal Cable Relocation (FO#s 26, 30)	\$191,836	0.55%	\$35,226,475
06/28/18	BBI-053-CCO-014	Field Orders for Signal Cable Relocation (FO-36 & FO-38)	\$145,694	0.42%	\$35,080,781
06/29/18	BBI-053-CCO-007	Track Access Delays for Calendar Quarter 2 2017	\$297,512	0.85%	\$34,783,269
06/29/18	BBI-053-CCO-011	Field Orders for Differing Site Condition (FO#s Partial 07A , 08-14)	\$181,013	0.52%	\$34,602,256
06/29/18	BBI-053-CCO-017	Field Order for NorCal Utility Potholing (FO# 27)	\$93,073	0.27%	\$34,509,183
06/29/18	BBI-053-CCO-018	Field Order for NorCal Utility Potholing (FO# 29)	\$76,197	0.22%	\$34,432,986
06/29/18	BBI-053-CCO-020	Field Orders for Differing Site Condition (FO#s 15-19)	\$118,364	0.34%	\$34,314,622
7/19/2018	BBI-053-CCO-019	Field Order for NorCal Utility Potholing (FO-032)	\$88,956	0.26 %	\$34,225,666
7/19/2018	BBI-053-CCO-021	As In-Service (AIS) Drawings for Segment 2 and 4 Signal Design (CN-009)	\$105,000	0.30 %	\$34,120,666
7/25/2018	BBI-053-CCO-022	CEMOF Yard Traction Power Feed (CN-008)	\$332,700	0.96 %	\$33,787,966
7/31/2018	BBI-053-CCO-028	Sonic Echo Impulse Testing	\$4,541	0.01 %	\$33,783,425
7/31/2018	BBI-053-CCO-026	TASI Pilot Transportation 2018 (CNC-0022)	\$50,409	0.14%	\$33,733,016
7/31/2018	BBI-053-CCO-027	Signal Cable Relocation (FOs-040 & 051)	\$196,114	0.56%	\$33,536,902
9/27/2018	BBI-053-CCO-030	Delete Spare 115k Disconnect Switches	(\$19,000)	(0.05)%	\$33,555,902
9/28/2018	BBI-053-CCO-031	Bldg A HVAC and FOB Card Reader Systems	\$76,500	0.22 %	\$33,479,402
9/28/2018	BBI-053-CCO-025A	Addition of Shunt Wire at Transverse Utility Crossing Locations – Design	\$925,000	0.00% ²	-
9/28/2018	BBI-053-CCO-016A	UPRR MT-1 Pole Relocation - Design Changes	\$903,000	0.00% ²	-
9/28/2018	BBI-053-CCO-024A	PG&E Utility Feed Connection to TPS#1 and TPS#2 (Design Only)	\$727,000	0.00% ²	-
12/17/2018	BBI-053-CCO-032	PS-2 Site Relocation (Design Only)	\$291,446	0.84%	\$33,187,956
1/17/2019	BBI-053-CCO-023	Insulated Rail Joints	\$2,694,519	0.00% ²	-
1/17/2019	BBI-053-CCO-029	CHSRA Early Pole Relocation (Design Only)	\$625,000	0.00% ^{2,3}	-
2/5/2019	BBI-053-CCO-040A	Increase in Potholing Quantity (unit price contract bid item by 25%)	\$1,662,500	4.77 %	\$31,525,456

Peninsula Corridor Electrification Project

Monthly Progress Report

Change Order Authority (5% of BBII Contract)

5% x \$696,610,558 = \$34,830,528

Date	Change Number	Description	CCO Amount	Change Order Authority Usage ¹	Remaining Authority
3/5/2019	BBI-053-CCO-042A	TPSS-2 VTA/BART Pole Relocation (Design Only) (CNPA funded by VTA)	\$110,000	0.32% ³	\$31,415,456
3/11/2019	BBI-053-CCO-036	Field Order for Signal Cable Relocation (FO-064)	\$86,538	0.25%	\$31,328,918
3/20/2019	BBI-053-CCO-035	Millbrae Avenue Existing Overhead Barrier	(\$40,000)	(0.11)%	\$31,368,918
3/19/2019	BBI-053-CCO-046	Training in Design Software and Potholing	\$136,611	0.39%	\$31,232,307
4/8/2019	BBI-053-CCO-041	Grade Crossing Warning System (CN59) – 5 mph Speed Check	\$446,982	1.28%	\$30,785,325
5/30/2019	BBI-053-CCO-044	Additional Daytime Potholing (Increase Quantity by 500 in Segment 4)	\$150,000	0.43 %	\$30,635,325
6/6/2019	BBI-053-CCO-048	Power Metering Devices	\$101,908	0.29 %	\$30,533,417
6/13/2019	BBI-053-CCO-045	Incentive Payment for 2018	\$1,025,000	0.00% ²	-
6/13/2019	BBI-053-CCO-024B	PG&E Utility Feed Connection to TPS #1 and TPS#2 (Material On Hand)	\$1,600,000	4.59 %	\$28,933,417
6/24/2019	BBI-053-CCO-043	PS-5 Site Relocation (Design Only)	\$348,000	1.00 %	\$28,585,417
6/24/2019	BBI-053-CCO-054	Change Design Sequence for OCS Foundations	\$37,500	0.11%	\$28,547,917
7/1/2019	BBI-053-CCO-040B	Increase Quantity for Utilities Potholing (Bid Item #9)	\$1,867,700	5.36 %	\$26,680,217
7/10/2019	BBI-053-CCO-033A	Relocation of PS3 (Design) (CNPA funded by BGSP)	\$500,000	1.44 % ³	\$26,180,217
8/15/2019	BBI-053-CCO-047	CEMOF Slot Drains (Design Only)	\$69,000	0.20%	\$26,111,217
8/16/2019	BBI-053-CCO-055	Sheriff's Deputy in Segment 4B	\$4,644	0.01%	\$26,106,573
9/3/2019	BBI-053-CCO-037	Field Orders for Signal Cable Relocation (FO-053 & FO-059)	\$184,576	0.53%	\$25,921,997
9/7/2019	BBI-053-CCO-057	Mediator with Technical Expertise	\$0	0.00%	\$25,921,997
9/27/2019	BBI-053-CCO-061	Interconnect Renaming of Circuit Numbers	\$58,058	0.17%	\$25,863,939
9/27/2019	BBI-053-CCO-063A	Track Access Delays - Quarter 1 2018 (Partial)	\$343,496	0.99%	\$25,520,443
10/21/2019	BBI-053-CCO-064	TPS-2 VTA Pole Height Redesign (CNPA funded by VTA)	\$31,000	0.09% ³	\$25,489,443
11/15/2019	BBI-053-CCO-038	Field Order for Signal Cable Relocation (FO-079 & FO-085)	\$187,764	0.54 %	\$25,301,680
11/26/2019	BBI-053-CCO-025B	Addition of OCS Shunt Wires in Segments 2 & 4 - Wire Assembly Materials Only - voided below on 7/31/20	\$144,370	0.41 %	\$25,157,310
12/11/2019	BBI-053-CCO-065A	Foundation Inefficiencies S2WA5	\$401,501	1.15%	\$24,755,809
12/17/2019	BBI-053-CCO-025C	Addition of OCS Shunt Wires in Segments 2 & 4 – Pole Assembly Materials Only - voided below on 7/31/20	\$884,500	2.54 %	\$23,871,309
1/7/2020	BBI-053-CCO-066A	Increase Quantity for Contaminated Soils (Bid Unit Price Item #1)	\$950,000	2.73 %	\$22,921,309
2/5/2020	BBI-053-CCO-023B	Insulated Rail Joints De-stressing	\$890,600	2.56 %	\$22,030,709
3/18/2020	BBI-053-CCO-072A	SVP Requirements for Joint SIS & SPS (Task 1) - voided below on 7/9/20	\$80,000	0.23 %	\$21,950,709
3/19/2020	BBI-053-CCO-023C	Portec Insulated Rail Joints	\$375,000	1.08 %	\$21,575,709
3/26/2020	BBI-053-CCO-076	Asbestos Pipe Abatement at CP Shark	\$145,872	0.42 %	\$21,429,837
3/31/2020	BBI-053-CCO-075	Norcal Utility Potholing (FO#39)	\$98,105	0.28 %	\$21,331,733
4/21/2020	BBI-053-CCO-077A	Contaminated Soil (Class 1) at TPS-1	\$701,780	2.01 %	\$20,629,953
4/27/2020	BBI-053-CCO-066B	Increase Quantity for Contaminated Soils (Bid Item #1)	\$926,273	2.66 %	\$19,703,680
4/27/2020	BBI-053-CCO-090A	Signal Cable Relocation (Field Order No. 340)	\$47,258	0.14 %	\$19,656,423
4/27/2020	BBI-053-CCO-091A	Signal Cable Relocation (Field Order No. 340)	\$131,663	0.38 %	\$19,524,759
4/29/2020	BBI-053-CCO-080A	Steel Plates to Protect Utilities (DTDS)	\$135,128	0.39 %	\$19,389,631

**Peninsula Corridor Electrification Project
Monthly Progress Report**

Change Order Authority (5% of BBII Contract)

5% x \$696,610,558 = \$34,830,528

Date	Change Number	Description	CCO Amount	Change Order Authority Usage¹	Remaining Authority
4/29/2020	BBI-053-CCO-081A	Steel Plates to Protect Utilities (DTDS)	\$95,474	0.27 %	\$19,294,157
4/29/2020	BBI-053-CCO-071	Increase Quantity for Tree Pruning (Bid Unit Price Item #4d)	\$375,000	1.08 %	\$18,919,157
5/1/2020	BBI-053-CCO-050	Switch Machine Isolation – Credit	(\$277,430)	(0.80)%	\$19,196,586
5/19/2020	BBI-053-CCO-092A	Signal Cable Relocation (Field Order No. 340)	\$106,773	0.31 %	\$19,089,814
5/19/2020	BBI-053-CCO-093A	Signal Cable Relocation (Field Order No. 340)	\$90,765	0.26 %	\$18,999,049
5/27/2020	BBI-053-CCO-101	Asbestos Pipe Abatement at 46.3-07/08	\$21,037	0.06 %	\$18,978,012
6/15/2020	BBI-053-CCO-049A	Long-reach Foundations Installation - Unit Price	\$46,560	0.13 %	\$18,931,452
6/15/2020	BBI-053-CCO-049B	Long-reach Foundations Installation - Unit Price	\$46,560	0.13 %	\$18,884,892
6/18/2020	BBI-053-CCO-033B	PS-3 Site Relocation FEMA 2019 Update and BGSP Design Coordination – CNPA	\$50,000	0.14 % ³	\$18,834,892
6/30/2020	BBI-053-CCO-082A	Steel Plates to Protect Utilities (DTDS)	\$90,658	0.26 %	\$18,744,235
6/30/2020	BBI-053-CCO-083A	Steel Plates to Protect Utilities (DTDS)	\$181,900	0.52 %	\$18,562,335
6/30/2020	BBI-053-CCO-094A	Signal Cable Relocation (Field Order No. 340)	\$124,633	0.36 %	\$18,437,702
7/9/2020	BBI-053-CCO-072A	SVP Requirements for Joint SIS & SPS (Task 1) – Voided	(\$80,000)	(0.23)%	\$18,517,702
7/9/2020	BBI-053-CCO-072A REV2	SVP Requirements for Joint SIS & SPS (Tasks 0-5) - voided below on 2/23/2021	\$300,000	0.86 %	\$18,217,702
7/16/2020	BBI-053-CCO-100	Remove Tree Stump at 46.4-02	\$1,459	0.00 %	\$18,216,243
7/30/2020	BBI-053-CCO-078	Re-design CEMOF OCS Poles due to Stair 71 Conflict	\$11,796	0.03 %	\$18,204,447
7/30/2020	BBI-053-CCO-084A	Steel Plates to Protect Utilities (DTDS)	\$101,334	0.29 %	\$18,103,113
7/30/2020	BBI-053-CCO-085A	Steel Plates to Protect Utilities (DTDS)	\$94,062	0.27 %	\$18,009,051
7/30/2020	BBI-053-CCO-104	Utility Conflict During PVC Conduit Installation	\$2,657	0.01 %	\$18,006,394
7/31/2020	BBI-053-CCO-103	Track Access Delays – 2017 Quarter 3 - voided below on 2/16/2021	\$145,892	0.42 %	\$17,860,503
7/31/2020	BBI-053-CCO-025B	Addition of OCS Shunt Wires in Segments 2 & 4 - Wire Assembly Materials Only – Voided	(\$144,370)	(0.41)%	\$18,004,873
7/31/2020	BBI-053-CCO-025C	Addition of OCS Shunt Wires in Segments 2 & 4 – Pole Assembly Materials Only – Voided	(\$884,500)	(2.54)%	\$18,889,373
8/3/2020	BBI-053-CCO-063B	Track Access Delays – Quarter 1 2018 (Part 2)	\$92,906	0.27 %	\$18,796,466
8/14/2020	BBI-053-CCO-106	Track Access Delays – 2017 Quarter 4	\$903,794	2.59 %	\$17,892,672
9/10/2020	BBI-053-CCO-025F	OCS Shunt Wire (Construction)	\$9,500,000	0.00% ²	-
9/11/2020	BBI-053-CCO-126	Track Access Delays - 2019 Quarter 3 – OCS Foundations	\$81,223	0.23 %	\$17,811,450
9/24/2020	BBI-053-CCO-127	Track Access Delays – 2019 Quarter 4 – OCS Foundations	\$147,223	0.42 %	\$17,664,227
9/21/2020	BBI-053-CCO-051	CEMOF Yard OCS Changes (Design Only)	\$210,300	0.60 %	\$17,453,927
9/21/2020	BBI-053-CCO-074	Underground Utilities Clearance	\$0	0.00 %	\$17,453,927
10/19/2020	BBI-053-CCO-072C	PCEP SIS & SPS Additional Validation Work	\$27,696	0.08 %	\$17,426,231
10/27/2020	BBI-053-CCO-105	Pole Removal at Location 30.7-01	\$2,297	0.01 %	\$17,423,935
11/30/2020	BBI-053-CCO-056	Delivery of Signal Cable	\$3,391	0.01 %	\$17,420,544
12/22/2020	BBI-053-CCO-111	Incentives Payment for 2019	\$825,000	0.00% ²	-
2/9/2021	BBI-053-CCO-025G	OCS Shunt Wire (Design)	\$0	0.00 %	\$17,420,544
2/11/2021	BBI-053-CCO-047B	CEMOF Yard Slot Drains Relocation (Construction)	\$360,000	1.03 %	\$17,060,544
2/16/2021	BBI-053-CCO-103	Track Access Delays – 2017 Quarter 3 – voided	(\$145,892)	(0.42)%	\$17,206,435

Peninsula Corridor Electrification Project
Monthly Progress Report

Change Order Authority (5% of BBII Contract)

5% x \$696,610,558 = \$34,830,528

Date	Change Number	Description	CCO Amount	Change Order Authority Usage ¹	Remaining Authority
2/16/2021	BBI-053-CCO-103 REV1	Track Access Delays – 2017 Quarter 3	\$164,518	0.47 %	\$17,041,918
2/23/2021	BBI-053-CCO-072A REV2	SVP Requirements for Joint SIS & SPS (Tasks 0-5) – voided	(\$300,000)	(0.86)%	\$17,341,918
2/23/2021	BBI-053-CCO-072B	Requirements for PCEP Joint System Impact Study & Single Phase Study	\$520,000	1.49 %	\$16,821,918
3/17/2021	BBI-053-CCO-203	Increase in Permit Allowance (Bid Allowance Item #5)	\$300,000	0.86 %	\$16,521,918
3/17/2021	BBI-053-CCO-205	Increase in Partnering Allowance (Bid Allowance Item #2)	\$186,000	0.53 %	\$16,335,918
3/26/2021	BBI-053-CCO-192	Abandoned Utility Pole Removal at MP24.72	\$2,766	0.01 %	\$16,333,151
4/23/2021	BBI-053-CCO-108A	Deletion of 5 & 5A Switch Crossover at CP Shark (Part 1)	\$163,996	0.47 %	\$16,169,156
4/23/2021	BBI-053-CCO-024C	TPSS 1&2 PG&E Interconnection-Procurement of Long Lead Materials (Credit)	(\$1,345,033)	(3.86)%	\$17,514,188
4/30/2021	BBI-053-CCO-113A	Walk-in Enclosure at Luther Junction (BBI, PGH Wong and QEI)	\$51,281	0.15 %	\$17,462,907
5/27/2021	BBI-053-CCO-073	South San Francisco Bioswale Redesign	\$26,067	0.07 %	\$17,436,840
6/11/2021	BBI-053-CCO-135A	Protection of On-track Eqpt Traveling thru Gated Crossings	\$133,645	0.38 %	\$17,303,195
6/18/2021	BBI-053-CCO-157	Track Access Delays - July 2017 to October 2020	\$4,350,000	12.49 %	\$12,953,195
6/22/2021	BBI-053-CCO-039	NorCal Utility Potholing CBOSS (FO#35&037)	\$140,691	0.40 %	\$12,812,505
6/22/2021	BBI-053-CCO-079	NorCal Utility Potholing (FO#52)	\$82,108	0.24 %	\$12,730,396
6/27/2021	BBI-053-CCO-204A	Increase in PG&E Service Allowance (Bid Allowance Item #8)	\$3,000,000	8.61 %	\$9,730,396
6/25/2021	BBI-053-CCO-049C	Long-reach Foundations Installation - Unit Price	\$139,680	0.40 %	\$9,590,716
7/6/2021	BBI-053-CCO-096A	Signal Cable Relocation (Field Order No. 342)	\$36,268	0.10 %	\$9,554,448
7/7/2021	BBI-053-CCO-097A	Signal Cable Relocation (Field Order No. 342)	\$63,422	0.18 %	\$9,491,027
7/7/2021	BBI-053-CCO-098A	Signal Cable Relocation (Field Order No. 342)	\$105,576	0.30 %	\$9,385,450
7/16/2021	BBI-053-CCO-060	Contract Relief of DVR Requirements - Credit	(\$41,781)	(0.12)%	\$9,427,231
7/22/2021	BBI-053-CCO-167	CP Stockton Compliance with UPRR Requirements	\$100,315	0.29 %	\$9,326,917
7/27/2021	BBI-053-CCO-062	Bumper Post Conflict at Foundations 9.8-02 & 9.8-D02	\$12,000	0.03 %	\$9,314,917
7/27/2021	BBI-053-CCO-173	Relocate OCS Foundation Rebar Cages from PMI Yard	\$1,050	0.00 %	\$9,313,867
7/27/2021	BBI-053-CCO-191	Foundation Installation at Cal Ave Station	\$4,321	0.01 %	\$9,309,546
7/30/2021	BBI-053-CCO-237	Reroute Utilities in Conflict with Built-in Anchor Bolts	\$10,768	0.03 %	\$9,298,778
8/13/2021	BBI-053-CCO-032B	PS-2 Relocation (Construction)	\$397,500	1.14 %	\$8,901,278
8/17/2021	BBI-053-CCO-188	Permanent Steel Casing at Foundation 47.0-07	\$50,835	0.15 %	\$8,850,443
8/18/2021	BBI-053-CCO-099A	Signal Cable Relocation (Field Order No. 342)	\$148,176	0.43 %	\$8,702,267
8/18/2021	BBI-053-CCO-095A	Signal Cable Relocation (Field Order No. 342)	\$49,401	0.14 %	\$8,652,867
8/19/2021	BBI-053-CCO-152	Mary Ave Advance Pre-emption (BBI Design Coordination Only)	\$16,500	0.05 %	\$8,636,367
8/19/2021	BBI-053-CCO-152	Mary Ave Advance Pre-emption - CNPA	\$116,000	0.33 % ³	\$8,520,367
9/20/2021	BBI-053-CCO-201	Procure and Deliver Electrical Supplies for JPB	\$2,004	0.01 %	\$8,518,363
10/1/2021	BBI-053-CCO-200	Install OCS Foundations Alternate Methods	\$235,000	0.67 %	\$8,283,363
10/4/2021	BBI-053-CCO-187	Deletion of ICE & ISE Requirements - Rev1	(\$2,110,388)	(6.06)%	\$10,393,751
10/5/2021	BBI-053-CCO-189	Spread Footing at CP Dela Cruz	\$68,000	0.20 %	\$10,325,751

**Peninsula Corridor Electrification Project
Monthly Progress Report**

Change Order Authority (5% of BBII Contract)				5% x \$696,610,558 = \$34,830,528	
Date	Change Number	Description	CCO Amount	Change Order Authority Usage¹	Remaining Authority
10/19/2021	BBI-053-CCO-023D	Insulated Rail Joints	\$218,657	0.63 %	\$10,107,094
10/21/2021	BBI-053-CCO-219	Redesign Signal Ductbank per VTA Requirements (CNPA: \$30,000)	\$30,000	0.09 % ³	\$10,077,094
10/27/2021	BBI-053-CCO-040C	Increase Quantity for Utilities Potholing (Bid Item #9)	\$5,700,000	16.36 %	\$4,377,094
10/28/2021	BBI-053-CCO-043B	PS-5 Relocation (Construction)	\$427,000	1.23 %	\$3,950,094
11/30/2021	BBI-053-CCO-066C	Contaminated Soils Increase in Unit Price (Bid Item #1)	\$1,384,802	3.98 %	\$2,565,292
Total			\$60,967,422	92.63 %	\$2,565,292

Notes:

1. When the threshold of 75% is reached, staff may return to the Board to request additional authority.
2. Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.
3. Third party improvements/CNPA projects that are funded with non-PCEP funds.

EMU Contract

Change Order Authority (5% of Stadler Contract)				5% x \$550,899,459 = \$27,544,973	
Date	Change Number	Description	CCO Amount	Change Order Authority Usage¹	Remaining Authority
09/22/2017	STA-056-CCO-001	Contract General Specification and Special Provision Clean-up	\$0	0.00%	-
10/27/2017	STA-056-CCO-002	Prototype Seats and Special Colors	\$55,000	0.20%	\$27,489,973
11/02/2017	STA-056-CCO-003	Car Level Water Tightness Test	\$0	0.00%	-
12/05/2017	STA-056-CCO-004	Onboard Wheelchair Lift 800 Pound Capacity Provisions	\$848,000	3.08%	\$26,641,973
11/03/2017	STA-056-CCO-005	Design Progression (multiple)	\$0	0.00%	-
12/12/2017	STA-056-CCO-006	Prototype Seats and Special Colors	(\$27,500)	(0.10%)	\$26,669,473
01/17/2018	STA-056-CCO-007	Multi-Color Destination Signs	\$130,760	0.47%	\$26,538,713
02/09/2018	STA-056-CCO-008	Adjustment to Delivery and LDs due to delayed FNTP	\$490,000	0.00% ²	-
02/12/2018	STA-056-CCO-009	Ship Cab Mock-up to Caltrain	\$53,400	0.19%	\$26,485,313
04/17/2018	STA-056-CCO-010	Onboard Wheelchair Lift Locations	(\$1,885,050)	(6.84%)	\$28,370,363
04/17/2018	STA-056-CCO-011	Multiple Change Group 3 and Scale Models	\$0	0.00%	-
10/29/2018	STA-056-CCO-012	Multiple Change Group 4	\$0	0.00%	-
10/29/2018	STA-056-CCO-013	Wheelchair Lift Installation Redesign	\$228,400	0.83%	\$28,141,963
12/14/2018	STA-056-CCO-014	PTC System Change	\$0	0.00%	-
12/22/2018	STA-056-CCO-015	EMU Option Cars	\$172,800,047	0.00% ^{2,3}	-
6/26/2019	STA-056-CCO-016	Testing at TTCL (Pueblo Facility) - First Trainset	\$3,106,428	11.28 %	\$25,035,535
8/27/2019	STA-056-CCO-017	Virtual Reality Experience	\$400,000	1.45 %	\$24,635,535
8/21/2019	STA-056-CCO-018	EMI Conducted Emissions Limits	\$0	0.00%	\$24,635,535
8/8/2019	STA-056-CCO-019	Option Car Payment Milestones	\$0	0.00%	\$24,635,535
8/21/2019	STA-056-CCO-020	Multiple No Cost No Schedule Impact Changes Group 5	\$0	0.00%	\$24,635,535
10/28/2019	STA-056-CCO-021	Plugging of High-Level Doorways	\$736,013	2.67%	\$23,899,523
11/13/2019	STA-056-CCO-022	Add Flip-Up Seats into Bike Cars (CNPA: \$1.96M funded by Non-PCEP)	\$1,961,350	7.12% ³	\$21,938,173
4/21/2020	STA-056-CCO-025	Removal of Vandal Film from Windows	(\$374,994)	(1.36)%	\$22,313,167
5/6/2020	STA-056-CCO-023	Deferral of Wheelchair Lifts	\$632,703	2.30 %	\$21,680,464

Peninsula Corridor Electrification Project
Monthly Progress Report

Change Order Authority (5% of Stadler Contract)				5% x \$550,899,459 = \$27,544,973	
Date	Change Number	Description	CCO Amount	Change Order Authority Usage¹	Remaining Authority
7/13/2020	STA-056-CCO-026	Update VR Experiences (CNPA: \$43K funded by Non-PCEP)	\$43,000	0.16 % ³	\$21,637,464
9/14/2020	STA-056-CCO-027	EMU Liquidated Damages, and Delivery and Testing Schedule Modifications	\$0	0.00 %	\$21,637,464
10/12/2020	STA-056-CCO-029	Multiple No Cost / No Schedule Impact Changes Group 7	\$0	0.00 %	\$21,637,464
1/28/2021	STA-056-CCO-028	Procure Pantograph Automated Inspection System	\$790,211	2.87 %	\$20,847,253
2/26/2021	STA-056-CCO-031	Bike Car Dividers	\$194,940	0.71 %	\$20,652,313
3/8/2021	STA-056-CCO-030	Video of trainset while at TTC	\$9,833	0.04 %	\$20,642,481
3/25/2021	STA-056-CCO-032	Credit for Waived Testing	(\$1,040,000)	(3.78)%	\$21,682,481
6/23/2021	STA-056-CCO-033	Multiple Changes Group 8	\$0	0.00 %	\$21,682,481
Total			\$179,152,539	21.28 %	\$21,682,481

Notes:

1. When the threshold of 75% is reached, staff may return to the Board to request additional authority.
2. Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.
3. Third party improvements/CNPA projects that are funded with non-PCEP funds.

SCADA Contract

Change Order Authority (15% of ARINC Contract)				15% x \$3,446,917 = \$517,038	
Date	Change Number	Description	CCO Amount	Change Order Authority Usage¹	Remaining Authority
2/11/2021	ARINC-061-CCO-001	Traction Power Facility SCADA Database Changes	\$395,538	76.50 %	\$121,500
8/9/2021	ARINC-061-CCO-002	Traction Power Facility SCADA Database Changes - Rev - 10 & 11	\$174,916	0.00% ²	\$121,500
11/23/2021	ARINC-061-CCO-003	Traction Power Facility SCADA Database Changes - Rev - 12	\$170,360	22.30% ³	\$6,224
Total			\$740,814	98.80 %	\$6,224

Notes:

1. When the threshold of 75% is reached, staff may return to the Board to request additional authority.
2. Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.
3. Change partially covered by the Board of Directors approval – not counted against the Executive Director's Change Order Authority.

Tunnel Modifications Contract

Change Order Authority (10% of ProVen Contract¹)				10% x \$55,077,777 = \$5,507,778	
Date	Change Number	Description	CCO Amount	Change Order Authority Usage²	Remaining Authority
3/27/2019	PROV-070-CCO-003	Track Access Delay	\$25,350	0.46 %	\$5,482,428
3/27/2019	PROV-070-CCO-004	Additional OCS Potholing Due to Conflict with Existing Utilities	\$70,935	1.29 %	\$5,411,493
3/27/2019	PROV-070-CCO-005	Install Tie Backs and Piles in Boulders at Tunnel 4	\$29,478	0.54 %	\$5,382,015
3/28/2019	PROV-070-CCO-001	Partnering Meetings (50% PCEP)	\$14,443	0.26 % ⁴	\$5,367,572
4/25/2019	PROV-070-CCO-002	Furnish Galvanized E-clips	\$37,239	0.68 %	\$5,330,333
4/30/2019	PROV-070-CCO-006	Additional Rock Bolts and Testing	\$22,549	0.41 %	\$5,307,784
5/23/2019	PROV-070-CCO-013	Late Removal of Leaky Feeder Tunnel 4 (T-4)	\$21,225	0.39 %	\$5,286,559
5/28/2019	PROV-070-CCO-014	OCS Piles Utility Conflict at Tunnel-1 South (T-1S)	\$16,275	0.30 %	\$5,270,284

**Peninsula Corridor Electrification Project
Monthly Progress Report**

Change Order Authority (10% of ProVen Contract¹)

10% x \$55,077,777 = \$5,507,778

Date	Change Number	Description	CCO Amount	Change Order Authority Usage²	Remaining Authority
5/29/2019	PROV-070-CCO-012	OCS Piles Utility Conflict at T-4S	\$6,871	0.12 %	\$5,263,413
5/31/2019	PROV-070-CCO-016A	Portal Structure Detailing Changes	\$84,331	1.53 %	\$5,179,082
6/18/2019	PROV-070-CCO-009	Creosote Ties Covering (CNPA - Drainage \$3,116.00)	\$3,116	0.06 % ⁴	\$5,175,966
6/28/2019	PROV-070-CCO-008	Micropiles at South Tunnel-2 South (T-2S)	\$41,322	0.75 %	\$5,134,644
6/28/2019	PROV-070-CCO-010	Salvage Transition Panels (CNPA - Drainage \$6,144.00)	\$6,144	0.11 % ⁴	\$5,128,500
6/28/2019	PROV-070-CCO-011	Demo PVC and Plug Tunnel-1 South (T-1S) (CNPA - Drainage \$4,035.00)	\$4,035	0.07 % ⁴	\$5,124,465
6/28/2019	PROV-070-CCO-020	Unidentified SD Conflict with Junction Inlet (CNPA - Drainage \$1,976.00)	\$1,976	0.04 % ⁴	\$5,122,489
9/26/2019	PROV-070-CCO-007	Canopy Tube Drilling	\$89,787	1.63%	\$5,032,702
9/26/2019	PROV-070-CCO-023	Over-excavate Trapezoidal Ditch at T-1N (CNPA - Drainage \$46,914.00)	\$46,914	0.85% ⁴	\$4,985,788
10/4/2019	PROV-070-CCO-029	Additional DryFix Pins	\$105,000	1.91%	\$4,880,788
10/4/2019	PROV-070-CCO-021	Out of Sequence Piles	\$185,857	3.37 %	\$4,694,931
10/30/2019	PROV-070-CCO-017	Hard Piping in T-4 (CNPA - Drainage \$2,200.00)	\$2,200	0.04 % ⁴	\$4,692,731
1/25/2020	PROV-070-CCO-027	Grout Quantity Underrun	(\$1,216,000)	(22.08)%	\$5,908,731
1/29/2020	PROV-070-CCO-026	HMAC Quantity Overrun (CNPA - Drainage \$160,000.00)	\$160,000	2.9 % ⁴	\$5,748,731
5/11/2020	PROV-070-CCO-025	NOPC #1 CWR (CNPA - Drainage \$660,000.00)	\$660,000	11.98 % ⁴	\$5,088,731
7/31/2020	PROV-070-CCO-032	Stone Masonry Fabrication at T-4S	\$26,367	0.48 %	\$5,062,364
7/31/2020	PROV-070-CCO-035	Low Overhead Obstruction at T-1N	\$18,894	0.34 %	\$5,043,470
8/20/2020	PROV-070-CCO-034	Milestone No. 2 - Overall Substantial Completion	\$0	0.00 %	\$5,043,470
1/27/2021	PROV-070-CCO-037	Additional Fence	\$15,651	0.28 %	\$5,027,819
7/26/2021	PROV-070-CCO-019	Drainage Conflicts at T1N	\$30,000	0.54 %	\$4,997,819
7/26/2021	PROV-070-CCO-022	OCS Foundation Redesign Support	\$4,902	0.09 %	\$4,992,917
7/26/2021	PROV-070-CCO-024	Reroute Leaky Feeder Cable at T-1	\$19,554	0.36 %	\$4,973,363
7/26/2021	PROV-070-CCO-039	Staging and Carroll Avenue	\$70,000	1.27 %	\$4,903,363
7/26/2021	PROV-070-CCO-041	Additional Mechanical Anchors at T-2	\$36,925	0.67 %	\$4,866,438
7/26/2021	PROV-070-CCO-042	Install Wedge Anchors in Tunnel 2	\$45,261	0.82 %	\$4,821,177
7/26/2021	PROV-070-CCO-043	Post Insulators at Tunnel Portals	\$45,557	0.83 %	\$4,775,620
7/26/2021	PROV-070-CCO-044	Water Leaking onto Conductor Rail	\$15,216	0.28 %	\$4,760,404
7/26/2021	PROV-070-CCO-038	Inability to Perform Work due to Special Events	\$64,458	1.17 %	\$4,695,946
7/26/2021	PROV-070-CCO-040	Longer Crew Shifts due to Staged Trains on Tracks	\$70,000	1.27 %	\$4,625,946
7/29/2021	PROV-070-CCO-049	Feeder Cable Lashing	\$113,000	2.05 %	\$4,512,946
9/30/2021	PROV-070-CCO-015	Demo High Spots on Tunnel Invert	\$14,726	0.27 %	\$4,498,220
9/30/2021	PROV-070-CCO-018	Clean Water and Mud from Tunnel Invert	\$40,000	0.73 %	\$4,458,220
9/30/2021	PROV-070-CCO-045	Masonry Rebuild at South Portal T-4 (Part 2)	\$65,806	1.19 %	\$4,392,414
9/30/2021	PROV-070-CCO-047	Additional Drop Tubes and Anchors	\$99,000	1.80 %	\$4,293,414
9/30/2021	PROV-070-CCO-050	OCRS Portal Structure Delays	\$6,000	0.11 %	\$4,287,414
9/30/2021	PROV-070-CCO-051	Disposal of Excess Soils from T-1N Portal	\$22,683	0.41 %	\$4,264,731

Peninsula Corridor Electrification Project
Monthly Progress Report

Change Order Authority (10% of ProVen Contract¹)

10% x \$55,077,777 = \$5,507,778

Date	Change Number	Description	CCO Amount	Change Order Authority Usage ²	Remaining Authority
9/30/2021	PROV-070-CCO-052	Install Portal Structures Under Single Tracking	\$99,500	1.81 %	\$4,165,231
9/30/2021	PROV-070-CCO-053	Procure Additional Drop Tubes	\$33,000	0.60 %	\$4,132,231
10/4/2021	PROV-070-CCO-046	OCS Portal Structure Delays	\$130,000	2.36 %	\$4,002,231
10/30/2021	PROV-070-CCO-051	Disposal of Excess Soils from T-1N Portal	\$22,683	0.41 %	\$4,134,731
10/30/2021	PROV-070-CCO-052	Install Portal Structures Under Single Tracking	\$99,500	1.81 %	\$4,035,231
10/30/2021	PROV-070-CCO-053	Procure Additional Drop Tubes	\$33,000	0.60 %	\$4,002,231
11/30/2021	PROV-070-CCO-054	Procure Surge Arrestors	\$10,580	0.19 %	\$3,991,651
11/30/2021	PROV-070-CCO-055	Cantilever Drop Tubes	\$27,409	0.50 %	\$3,964,242
Total			\$1,543,535	28.02 %	\$3,964,242

Notes:

1. Tunnel modifications contract (\$55,077,777) includes: Notching (\$25,281,170), Drainage (\$13,196,607) and OCS Installation (\$16,600,000).
2. When the threshold of 75% is reached, staff may return to the Board to request additional authority.
3. Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.
4. Third Party Improvements/CNPA Projects that are funded with non-PCEP funds.

CEMOF Modifications Contract

Change Order Authority (10% of ProVen Contract)

10% x \$6,550,777 = \$655,078

Date	Change Number	Description	CCO Amount	Change Order Authority Usage ¹	Remaining Authority
1/16/2020	PROV-071-CCO-001	Change Casing Size of Siphon Line to Schedule 80 PVC Pipe	\$3,849	0.59 %	\$651,229
1/13/2020	PROV-071-CCO-002	Leakage test for IW line	\$1,339	0.20 %	\$649,890
1/15/2020	PROV-071-CCO-003	Roughen surface of existing concrete	\$3,159	0.48 %	\$646,731
1/9/2020	PROV-071-CCO-004	Change Catch Basin Size from 24"X24" to 36" Round	\$14,415	2.20 %	\$632,316
1/15/2020	PROV-071-CCO-005	Hand Dig around Communication Lines	\$906	0.14 %	\$631,410
1/17/2020	PROV-071-CCO-008	Change Storm Drain Line A Material from 12-inch RCP Pipe to 12-inch PVC Pipe	\$3,583	0.55 %	\$627,827
1/16/2020	PROV-071-CCO-009	Demolition of Existing Exterior Light	\$1,558	0.24 %	\$626,269
2/13/2020	PROV-071-CCO-010	Deletion of Plastic Bollards Around New Inspection Pit	(\$3,324)	(0.51)%	\$629,593
2/13/2020	PROV-071-CCO-011	Fixing Broken Conduit in Concrete Slab North of Maintenance Building	\$4,286	0.65 %	\$625,307
2/13/2020	PROV-071-CCO-012	Epoxy Dowels at New Stairwells	\$3,526	0.54 %	\$621,781
2/13/2020	PROV-071-CCO-013	Deletion of the Removal and Replacement of Pump Disconnect Switches	(\$7,007)	(1.07)%	\$628,788
2/13/2020	PROV-071-CCO-014	Recycled Base Rock for Backfill at Pressurized Water Line at Parts Storage Warehouse	\$1,411	0.22 %	\$627,377
2/20/2020	PROV-071-CCO-015	Cut and Cap Oil Line	\$1,002	0.15 %	\$626,375
2/25/2020	PROV-071-CCO-016	Installation of Homerun Conduit	\$27,404	4.18 %	\$598,971
2/25/2020	PROV-071-CCO-017	Potholing for Boosted Water Line	\$18,476	2.82 %	\$580,495
2/28/2020	PROV-071-CCO-018	Cap Compressed Air Line	\$9,519	1.45 %	\$570,976
2/28/2020	PROV-071-CCO-019	Acoustic Ceiling Removal at Component Test Room	\$4,253	0.65 %	\$566,723
3/5/2020	PROV-071-CCO-020	Ground Wire Relocation	\$14,117	2.16 %	\$552,606
3/13/2020	PROV-071-CCO-021	Zurn Drain Assembly in Lieu of Fibrelyte	\$1,104	0.17 %	\$551,502

**Peninsula Corridor Electrification Project
Monthly Progress Report**

Change Order Authority (10% of ProVen Contract)

10% x \$6,550,777 = \$655,078

Date	Change Number	Description	CCO Amount	Change Order Authority Usage¹	Remaining Authority
4/8/2020	PROV-071-CCO-022	Deletion of Concrete Pad and Double Plywood Floor at PSW	(\$1,409)	(0.22)%	\$552,911
4/8/2020	PROV-071-CCO-023	Flashing at Overflow Drain at Component Test Room	\$2,981	0.46 %	\$549,930
4/9/2020	PROV-071-CCO-024	Parts Storage Warehouse Power Feed	\$16,412	2.51 %	\$533,518
4/22/2020	PROV-071-CCO-025	Removal of Hazardous Soil from PSW Subgrade Excavation	\$43,444	6.63 %	\$490,073
4/22/2020	PROV-071-CCO-026A	Removal of Hazardous Soil from PSW Footing Excavation	\$35,808	5.47 %	\$454,266
4/27/2020	PROV-071-CCO-027	480 Volt Duct Bank and Wire Removal	\$5,015	0.77 %	\$449,251
5/28/2020	PROV-071-CCO-031A	Temporary Facilities - Eye Wash Stations	\$656	0.10 %	\$448,595
6/3/2020	PROV-071-CCO-032A	Water Diversion Pump for Catch Basin Work	\$2,745	0.42 %	\$445,850
6/3/2020	PROV-071-CCO-033A	Light Towers for Maintenance Building Yard	\$3,897	0.59 %	\$441,953
6/3/2020	PROV-071-CCO-034	Investigation of Concrete Underneath Ties at Track 5	\$5,060	0.77 %	\$436,893
6/16/2020	PROV-071-CCO-029A	Shoring Design for Boosted Water Line Work	\$14,307	2.18 %	\$422,586
6/16/2020	PROV-071-CCO-030A	Investigation and Re-wiring of Electrical Receptacles at CTR	\$7,783	1.19 %	\$414,803
6/10/2020	PROV-071-CCO-028	Credit for Electrical Feed to Parts Storage Warehouse	(\$18,682)	(2.85)%	\$433,485
7/24/2020	PROV-071-CCO-029B	Shoring Design for Boosted Water Line Work	\$2,175	0.33 %	\$431,310
7/24/2020	PROV-071-CCO-032B	Water Diversion Pump for Catch Basin Work	\$3,621	0.55 %	\$427,689
7/24/2020	PROV-071-CCO-035	Settlement Slab Demolition	\$479	0.07 %	\$427,210
7/24/2020	PROV-071-CCO-036	Storm Drain Line A	\$2,066	0.32 %	\$425,144
7/30/2020	PROV-071-CCO-037	Owner Supplied WSP Cabinet - Added Mechanical Pad and Conduit Pull	\$5,922	0.90 %	\$419,222
7/30/2020	PROV-071-CCO-038	Interior and Exterior Metal Wall Panels at CTR	\$10,317	1.57 %	\$408,905
7/30/2020	PROV-071-CCO-039	Exterior CMU Wall at CTR	\$16,152	2.47 %	\$392,753
7/30/2020	PROV-071-CCO-040	Membrane Waterproofing Specification Modifications	\$36,233	5.53 %	\$356,520
12/17/2019	PROV-071-CCO-007	Demolition of Existing Transition Slab at North and South Pits	\$8,101	1.24 %	\$348,419
8/13/2020	PROV-071-CCO-041	Abandonment of Drainage Structure in Conflict with Shoring at Stair No. 71	\$11,015	1.68 %	\$337,404
8/14/2020	PROV-071-CCO-043	Lighting Circuit Restoration	\$2,980	0.45 %	\$334,424
8/18/2020	PROV-071-CCO-026B	Removal of Hazardous Soil from PSW Ductbank Excavation	\$6,838	1.04 %	\$327,586
8/24/2020	PROV-071-CCO-044	Aerial Cable and Waterproofing Cable Penetrations at the CCF and PSW Buildings	\$14,589	2.23 %	\$312,997
8/24/2020	PROV-071-CCO-045	Conduit Outside Component Test Room	\$6,865	1.05 %	\$306,132
9/15/2020	PROV-071-CCO-030B	Component Test Room Data and Electrical Outlets and Masonry Work	\$12,530	1.91 %	\$293,602
9/17/2020	PROV-071-CCO-042	Shallow Fire Sprinkler Line	\$162,000	0.00% ²	-
10/19/2020	PROV-071-CCO-046A	Electrical Duct Bank Extension from Parts Storage Warehouse to CCF Building	\$20,307	3.10 %	\$273,295
10/19/2020	PROV-071-CCO-047	Removal of Oil Line at the Exterior of the Maintenance Building in the Way of Storm Drain Line A	\$262	0.04 %	\$273,033
10/20/2020	PROV-071-CCO-048	Electrical Conduit and Wires at Track 5	\$6,770	1.03 %	\$266,263
11/30/2020	PROV-071-CCO-033B	Light Towers for Maintenance Building Yard	\$10,393	1.59 %	\$255,870
11/17/2020	PROV-071-CCO-049	Lighting at Parts Storage Warehouse	\$6,358	0.97 %	\$249,512
11/25/2020	PROV-071-CCO-050	NTP Delay – Non-Compensable Time Extension	\$0	0.00 %	\$249,512

Peninsula Corridor Electrification Project
Monthly Progress Report

Change Order Authority (10% of ProVen Contract)

10% x \$6,550,777 = \$655,078

Date	Change Number	Description	CCO Amount	Change Order Authority Usage ¹	Remaining Authority
11/19/2020	PROV-071-CCO-051	Relocation of an Existing Boosted Water Line in Conflict with South Pit Extension	\$250,000	0.00% ²	-
2/26/2021	PROV-071-CCO-052	Acoustic Ceiling Framing at the Component Test Room	\$3,998	0.61 %	\$245,514
2/26/2021	PROV-071-CCO-053	Temporary Sanitary Facilities During Boosted Water/Copper Line Work	\$963	0.15 %	\$244,551
3/3/2021	PROV-071-CCO-054	Relocation of Material Onsite for OCS Foundation Project	\$1,772	0.27 %	\$242,779
5/7/2021	PROV-071-CCO-055	Windows and Glazing at Component Test Room	\$17,679	2.70 %	\$225,100
7/16/2021	PROV-071-CCO-056	Fire Alarm System in Part Storage Warehouse	\$11,268	1.72 %	\$213,832
Total			\$853,246	67.36 %	\$213,832

Notes:

- ¹ When the threshold of 75% is reached, staff may return to the Board to request additional authority.
- ² Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.

AMTRAK AEM-7 Contract

Change Order Authority (Lump Sum)

Up to \$150,000

Date	Change Number	Description	CCO Amount	Change Order Authority Usage ¹	Remaining Authority
10/25/2019	AMTK-066-CCO-001	Change to Amtrak Contract for Test Locomotives	(72,179)	(48.12%)	222,179
Total			(72,179)	(48.12%)	\$222,179

Notes:

When the threshold of 75% is reached, staff may return to the Board to request additional authority.

Appendix F – Risk Table

Listing of PCEP Risks and Effects in Order of Severity

ID	RISK DESCRIPTION	EFFECT(S)
010	Potential for Stadler's sub-suppliers to fall behind schedule or delays in parts supply chain result in late completion of vehicles.	<ul style="list-style-type: none"> • Delay in obtaining parts / components. • Cost increases. (See Owner for allocation of costs) • Schedule increase - 3 months (See Owner for allocation of damages associated with this Risk)
240	Property not acquired in time for contractor to do work. Property Acquisition not complete per contractor availability date <>Fee <>Easement <>Contract stipulates that if parcels are not available by contract date, there is only a delay if parcels are not available by the time contractor completes the Segment	Potential delays in construction schedule
267	Additional property acquisition is necessitated by change in design.	New project costs and delays to schedule.
314	The contractor may not complete signal and communication design, installation and testing for the Two-speed check (2SC) modifications within budget and schedule.	Delay to integrated testing and operations/revenue service
333	Remediation of issues associated with the CEMOF pit may result in additional costs and additional time to issue the charge order and implement the work.	Additional costs and delay to completion of CEMOF project.
303	Extent of differing site conditions and associated redesign efforts results in delays to the completion of the electrification contract and increases program costs.	Extends construction of design-build contract with associated increase in project costs <ul style="list-style-type: none"> • DSC design cost • Inefficiencies • Construction costs related to DSCs (i.e., larger foundations) • Additional potholing
308	Rejection of DVR for ATF and static wires results in cost and schedule impacts to PCEP.	Delay and delay claims
318	Change of vehicle sub-suppliers results in additional first article inspections at cost to JPB (i.e., COVID, bankruptcy)	PCEP incurs additional cost to validate supplier and product, including repeat FAIs as needed

Peninsula Corridor Electrification Project
Monthly Progress Report

ID	RISK DESCRIPTION	EFFECT(S)
223	Major program elements may not be successfully integrated with existing operations and infrastructure in advance of revenue service.	Proposed changes resulting from electrification may not be fully and properly integrated into existing system. Rework resulting in cost increases and schedule delays
304	Solution to FRA concerns over bike storage impeding path to emergency exit windows path results in increased costs and potential rework.	Protracted negotiations with FRA to achieve original design
330	PG&E interconnection work may not be completed on time resulting in delays to the reimbursement of PG&E Exhibit B Cost Allocation from PG&E.	<ul style="list-style-type: none"> • Potential cash flow issue requiring use of line-of-credit • Failure to receive reimbursement during course of project • Delay or otherwise affect close-out of FFGA
209	TASI may not have sufficient number of signal maintainers for testing.	<ul style="list-style-type: none"> • Delays to construction/testing. • Delays to completion of infrastructure may delay acceptance of vehicles
313	Sub-optimal contractor sequencing, when progressing design and clearing foundation locations may result in construction inefficiencies	Contractor claims for increase in construction and design costs, and reduced production rates extending construction duration
067	Relocation of overhead utilities must precede installation of catenary wire and connections to TPSs. Relocation work will be performed by others and may not be completed to meet BBII's construction schedule.	Delay in progress of catenary installation resulting in claims and schedule delay
261	Although EMUs meets their electromagnetic emissions limits and wayside signal system track circuits meet their susceptibility requirements there are still compatibility issues leading to improper signal system operation	Changes on the EMU and/or signal system require additional design and installation time and expense.
285	Potential for inflation, (except with respect to Maintenance Option) to increase contractor costs.	Higher cost
286	Potential for wage escalation, (except for Maintenance Option) to increase contractor costs.	Higher cost
332	Resolution of open items with UPRR: 1 Switch Machine installation on UPRR owned MT-1 (San Jose) 2. UPRR approval of Reed Street Signal Modification and UPRR PTC support for cutover	Switch Machine 1. May require re-work or modification of switch machine installation Reed Street 2. Will prevent end to end integrated testing

**Peninsula Corridor Electrification Project
Monthly Progress Report**

ID	RISK DESCRIPTION	EFFECT(S)
056	Lack of operations personnel for testing.	<ul style="list-style-type: none"> • Testing delayed. • Change order for extended vehicle acceptance.
115	Other capital improvement program projects compete with PCEP for track access allocation and requires design coordination (design, coordination, integration).	Schedule delay as resources are allocated elsewhere, won't get track time, sequencing requirements may delay PCEP construction, track access requirements must be coordinated.
242	Track access does not comply with contract-stipulated work windows.	Contractor claims for delays, schedule delays and associated costs to owner's representative staff.
244	Delays to completion of Segment 4 and then the entire alignment would create storage issues and impede the ability to exercise (power up and move) EMUs and delay testing of the delivered EMUs.	Delay claims from the EMU contractor (Stadler) and expiration of the EMU 2-year warranty before putting significant mileage on the EMUs. Inability to exercise EMUs
253	Permits for bridges may not be issued in a timely manner.	Delays to issuance of permit for construction of bridge attachments could delay OCS wire installation and energization.
289	Coordination and delivery of permanent power for power drops for everything except traction power substations along alignment	Can't test resulting in delays to schedule and associated additional project costs.
319	Failure of BBI to order cages in advance results in delays to foundation installation	Delays in installation of catenary system and additional cost for track protection and oversight.
321	Single Phase Study and interconnection agreement may be delayed but will not prevent energization of Segment 4 for milestone 1; may require additional work for PCEP (note this study also includes issues with regeneration of electricity.)	
082	Unexpected restrictions could affect construction progress: <> night work <> noise <> local roads <> local ordinances	<ul style="list-style-type: none"> • Reduced production rates. • Delay
012	Potential for electromagnetic interference (EMI) to private facilities with sensitive electronic equipment caused by vehicles.	<ul style="list-style-type: none"> • Increased cost due to mitigation • Potential delay due to public protests or environmental challenge.
014	Contractor's proposal on stakeholder requested changes to the vehicles may significantly exceed JPB authorized amount.	<p>Schedule delay.</p> <p>Cost increase.</p>

Peninsula Corridor Electrification Project
Monthly Progress Report

ID	RISK DESCRIPTION	EFFECT(S)
087	Unanticipated HazMat or contaminated hot spots encountered during foundation excavations for poles, TPSS, work at the yards.	Increased cost for clean-up and handling of materials and delay to schedule due to HazMat procedures.
088	Construction safety program fails to sufficiently maintain safe performance.	Work stoppages due to safety incidents resulting in schedule delay and additional labor costs.
171	Electrification facilities could be damaged during testing.	Delay in commencing electrified operations.
247	Timely resolution of 3rd party design review comments to achieve timely approvals	Delay to completion of design and associated additional labor costs.
251	Subcontractor and supplier performance to meet aggressive schedule <>Potential issue meeting Buy America requirements	Delay to production schedule resulting in increased soft costs and overall project schedule delay.
263	Collaboration across multiple disciplines to develop a customized rail activation program may fail to comprehensively address the full scope of issues required to operate and maintain an electrified railroad and decommission the current diesel fleet.	Delay in testing of EMUs. Delay in Revenue Service Date. Additional costs for Stadler and BBII due to overall schedule delays.
272	Final design based upon actual Geotech conditions	Could require changes
287	Design changes may necessitate additional implementation of environmental mitigations not previously budgeted.	Increased cost for environmental measures and delays to construct and overall delay in construction schedule
291	Order/manufacture of long lead items prior to 100% IFC design document that proves to be incorrect	Design change and/or delays
317	JPB may not make timely acquisition of resources to staff rail activation plan with key personnel.	Delay in operating electrified railroad - delay of RSD.
326	EMU production delay. Possible that there are failed factory tests	Schedule Increase
329	Work on installation of signal house as part of SSF project, that is being constructed for PCEP may not be completed in accordance with the BBII project schedule.	Delay to BBII construction progress and associated delay claims
027	Vehicle power consumption may not meet requirements. <>System impact study and load flow show no issues	Issue with PG&E. Can't run full acceleration.
031	New cars possibly not reliable enough to be put into service as scheduled	Operating plan negatively impacted

**Peninsula Corridor Electrification Project
Monthly Progress Report**

ID	RISK DESCRIPTION	EFFECT(S)
101	PG&E may not be able to deliver permanent power for the project within the existing budget and in accordance with the project schedule	Additional project costs; potential delay to revenue service date
150	Number of OCS pole installation is significant. Any breakdown in sequencing of operations or coordination of multiple crews will have a substantial effect on the project.	Delay.
245	Failure of BBI to submit quality design and technical submittals in accordance with contract requirements <ul style="list-style-type: none"> • \$3-\$5M/month burn rate for Owner's team during peak 	Delays to project schedule and additional costs for preparation and review of submittals.
252	Failure of BBI to order/manufacture long lead items prior to 100% IFC design document approval by JPB	Delays to project schedule and additional cost for contractor and JPB staff time.
271	Need for additional construction easements beyond that which has been provided for Contractor proposed access and staging	Additional cost and time
296	PG&E may not complete circuit 1 interconnection for interim power	Unable to receive power for remaining testing.
306	Possible legal challenge and injunction to any changes in PCEP requiring subsequent CEQA or NEPA environmental clearance documentation/actions.	Worst case: a judge issues an injunction, which would prohibit any work ONLY on the project scope of the environmental document. Impact to the project from cost and schedule impact depends on if work is on the critical or becomes on the critical path.
322	BBII needs to complete traction power substations to be sufficiently complete to accept interim power	Delay in testing and increased costs
025	Potential that vehicles cannot meet requirements for "Mean Time to Repair" (MTTR).	Increased maintenance cost.
053	Failure to meet Buy America requirements. (Contractor definition of component v. sub-component may not be accepted by Caltrain / FTA.)	Potential need for negotiations that might lead to delay of project award. (BA is not negotiable)
069	Potential need for additional construction easements. Especially for access and laydown areas. Contractor could claim project is not constructible and needs more easements after award.	Increased cost Delay

Peninsula Corridor Electrification Project
Monthly Progress Report

ID	RISK DESCRIPTION	EFFECT(S)
106	<p>Potential that DB contractor will have insufficient field resources (personnel or equipment) to maintain aggressive schedule.</p> <p>Multiple segments will need to be under design simultaneously.</p> <p>Labor pool issue. 32 qualified linemen will be needed. Potential there is not enough available. Big storm damage anywhere in US will draw from the pool to make line repairs.</p> <p>Possible shortages with other specialty crafts as well.</p>	Delay.
151	Public could raise negative concerns regarding wheel/rail noise.	Increased cost to mitigate: <> grind rails <> reprofile wheels <> sound walls
161	Unanticipated costs to provide alternate service (bus bridges, etc.) during rail service disruptions.	Cost increase.
192	Environmental compliance during construction. - Potential impact to advancing construction within the vicinity of any cultural finds that are excavated. - Failure to meet the commitments contained within the PCEP EA, FEIR and permit conditions	<ul style="list-style-type: none"> • Delay • Cost increase
195	Introduction of electrified train service will require training of first responders in working in and around the rail corridor. The new vehicles will be considerably quieter than the existing fleet and the presence of high voltage power lines will require new procedures for emergency response. A new training program will need to be developed and disseminated for: <ul style="list-style-type: none"> • Fire, police, and first responders • Local communities • Schools 	Safety hazards resulting in incidents that delay construction and increase labor cost. Delays in RSD until training is completed as requirement of safety certification process.

**Peninsula Corridor Electrification Project
Monthly Progress Report**

ID	RISK DESCRIPTION	EFFECT(S)
237	JPB needs an agreement with each city in which catenary will be strung over an existing grade crossing (17 in all) under GO-88 (grade crossings). These agreements must be executed subsequent to installing overhead catenary. JPB is preparing a response to CPUC while working with the cities. Delays in reaching agreement could have impacts on schedule and budget.	Not completing the grade crossing diagnostics and getting agreement from the cities on the results can result in delays to necessary approvals for the project and revenue service.
248	3rd party coordination <>Jurisdictions, Utilities, UP, Contractors <>D/B needs to provide timely information to facilitate 3rd party coordination <>Risk is for construction	Delays in approvals resulting in project schedule delays and associated costs.
250	Potential for municipalities and other agencies to request betterments as part of the electrification project	Delay to project schedule in negotiating betterments as part of the construction within municipalities and associated increased cost to the project as no betterments were included in the project budget.
254	Potential that bridge clearance data are inaccurate and that clearances are not sufficient for installation of catenary.	Results in additional design and construction to create sufficient clearance.
266	Verizon poles in conflict with OCS may not be removed in advance of OCS installation.	Delay in progress of catenary installation resulting in claims and schedule delay
270	OCS poles or structures as designed by Contractor fall outside of JPB row	Additional ROW Take, additional cost and time
274	JPB as-built drawings and existing infrastructure to be used as basis of final design and construction is not correct	Additional cleanup of as-builts after PCEP construction
275	DB fails to verify as-built drawings and existing infrastructure	Additional cleanup of as-builts after PCEP construction
278	Failure of D/B contractor and subcontractors and suppliers to meet Buy America requirements	Delays while acceptable materials are procured and additional costs for delays and purchase of duplicative equipment.
282	Failure to maintain dynamic envelope and existing track clearances consistent with requirements.	Redesign entailing cost and schedule impacts.
284	Compliance with project labor agreement could result in inefficiencies in staffing of construction.	Increase in labor costs and less efficient construction resulting in schedule delays.
290	Delays in agreement and acceptance of initial VVSC requirements database.	Delay to design acceptance

Peninsula Corridor Electrification Project
Monthly Progress Report

ID	RISK DESCRIPTION	EFFECT(S)
292	Communications equipment, including the UPS, will not fit in the spaces allotted to communications work within the buildings.	Requisite equipment under design criteria could result in the need for larger unit than originally planned, resulting in design and fabrication changes and associated schedule delays and costs.
311	Although project recordable injuries remain below the industry average, there have been numerous small impact incidents occurring that could potentially lead to a more serious event occurring.	The occurrence of a high impact safety event could result in project rework, construction delays, and increased project costs.
331	Theft of impedance bond cables.	<p>Delays to project because signal locations cannot be cutover and put into service without the required impedance bond cables to make the signal system 25kV compatible.</p> <p>Cost of theft should be borne by the contractor as security of contractor installed materials are a contract requirement</p>

Appendix G – MMRP Status Log

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
AES-2a: Minimize OCS construction activity on residential and park areas outside the Caltrain ROW.	X	X			Ongoing	The D-B OCS proposed construction schedule has been provided to the JPB. OCS construction began the week of October 2, 2017. The D-B has utilized the potholing process to assist in locating conflicts in the 35% design and attempting to relocate OCS pole locations within the ROW.
AES-2b: Aesthetic treatments for OCS poles, TPFs in sensitive visual locations, and Overbridge Protection Barriers.	X				Ongoing	The D-B requirements indicated in the measure have been implemented as described, and coordination with the specific jurisdictions regarding pole colors and design is ongoing. Coordination with the JPB & local jurisdiction regarding Overbridge Protection Barriers and TPFs is ongoing.
AES-4a: Minimize spillover light during nighttime construction.		X			Ongoing	The D-B OCS construction began the week of October 2, 2017; and the BBI community relations lead has notified nearby residents of upcoming construction. During construction, lighting is faced inward, towards the railroad tracks, and any complaints will be documented and addressed by the BBI community relations lead.
AES-4b: Minimize light spillover at TPFs.	X				Upcoming	The D-B requirements indicated in the measure are being utilized in the design and construction process.
AQ-2a: Implement BAAQMD basic and additional construction mitigation measures to reduce construction-related dust.	X	X			Ongoing	The D-B Dust Mitigation Plan was submitted to the JPB and approved. The requirements in the Dust Mitigation Plan will be implemented throughout the construction period and documented in daily reports.

Peninsula Corridor Electrification Project
Monthly Progress Report

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
AQ-2b: Implement BAAQMD basic and additional construction mitigation measures to control construction-related ROG and NOX emissions.	X	X			Ongoing	The D-B Equipment Emissions Control Plan was submitted to the JPB and approved. The requirements in the Equipment Emissions Control Plan will be implemented throughout the construction period and documented in daily reports.
AQ-2c: Utilize clean diesel-powered equipment during construction to control construction-related ROG and NOX emissions.	X	X			Ongoing	The D-B Equipment Emissions Control Plan was submitted to the JPB and approved. The requirements in the Equipment Emissions Control Plan will be implemented throughout the construction period and documented in daily reports.
BIO-1a: Implement general biological impact avoidance measures.	X	X			Ongoing	Worker Environmental Awareness Training is provided by the D-B to all project-related personnel before they work on the project. All measures as described will be implemented throughout the construction period and documented in daily reports.
BIO-1b: Implement special-status plant species avoidance and revegetation measures.	X	X	X		Complete	Not applicable. Subsequent habitat assessment and avoidance of Communication Hill eliminated any potential to affect special-status plant species. The measure is not needed.

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
BIO-1c: Implement California red-legged frog and San Francisco garter snake avoidance measures.	X	X			Ongoing	Pre-construction surveys are occurring no more than 7 days prior to the initiation of construction activities nearby/adjacent to potential habitat for CRLF and SFGS. The Wildlife Exclusion Fencing Plans for Segments 1 and 4 were submitted and approved by the wildlife agencies, and installation and monitoring of wildlife exclusion fencing is ongoing. No CRLF / SFGS or sign of each species has been observed to date on the Project.
BIO-1d: Implement western pond turtle avoidance measures.	X	X			Ongoing	Pre-construction surveys are occurring no more than 7 days prior to the initiation of construction activities nearby/adjacent to potential habitat for WPT. No WPT or WPT sign have been observed to date on the Project.
BIO-1e: Implement Townsend’s big-eared bat, pallid bat, hoary bat, and fringed myotis avoidance measures.	X	X			Ongoing	Pre-construction surveys are occurring no more than 7 days prior to the initiation of construction activities with the potential to disturb bats or their habitat. No special-status bats or sign have been observed to date on the Project.
BIO-1f: Implement western burrowing owl avoidance measures.	X	X			Ongoing	Protocol surveys for Western Burrowing Owl have been conducted from April–July, in 2017, 2018, 2019, 2020, and 2021 at previously identified potentially suitable habitat locations. Note that all of these locations are in Construction Segment 4 (southern Santa Clara and San Jose). No Burrowing Owls have been observed during the 2017-2019 or 2021 surveys. Survey reports for the 2017, 2018, 2019, and 2020 surveys have been submitted

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
						<p>to the JPB for the project record. In addition, pre-construction surveys of the potential BUOW habitat areas in Segment 4 are ongoing, as needed, they occur no more than 7 days prior to the onset of new ground-disturbing construction activities.</p> <p>During a 2020 pre-construction survey (March 24, 2020), two burrowing owls were observed adjacent to the Caltrain ROW, near MP 44.6. The owls were located approximately 150 feet away from the Caltrain ROW. A 200-meter no-disturbance buffer and a combination of full-time monitoring and weekly spot-checks, as approved by the CDFW, were implemented during the breeding season (March through August). No impacts to the BUOW were observed, and the BUOW was consistently observed at the northern most potential BUOW burrow location during the monitoring effort. On September 1, since there was some potential for indirect impacts during the non-breeding season (September 1 through January 31), the disturbance buffer was reduced from 200 meters to 75 meters, as approved by the CDFW. On February 2, 2021, while conducting nesting bird surveys in the area, a biologist checked the burrow and there were no sign of use and cobwebs were present. Subsequent check-ins of the area revealed the same results, and it was determined the burrow was no longer active, and the buffer was removed. The second</p>

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
						<p>round of protocol BUOW surveys were conducted in May and no BUOWs or signs were detected. The final two rounds of surveys were conducted this month and no BUOW or associated signs were observed.</p> <p>The Biologist will continue to conduct preconstruction surveys for nesting burrowing owls no more than 7 days prior to ground disturbance as needed throughout the 2021 nesting season.</p>
BIO-1g: Implement northern harrier, white-tailed kite, American peregrine falcon, saltmarsh common yellowthroat, purple martin, and other nesting bird avoidance measures.	X	X			Ongoing	<p>Nesting bird surveys were conducted from February 1 through September 15 in 2017, 2018, 2019, 2020 and 2021, prior to project-related activities with the potential to impact nesting birds.</p>
BIO-1h: Conduct biological resource survey of future contractor-determined staging areas.	X	X			Ongoing	<p>The agency-approved Qualified Biologist has conducted surveys of the staging areas currently being used for construction activities. No special-status species, or other potentially sensitive biological resources were observed. The agency-approved Qualified Biologist will continue to survey ahead of the initiation of activities at planned staging areas as the Project moves into new construction areas.</p>
BIO-1i: Minimize impacts on Monarch butterfly overwintering sites.	X	X			Ongoing	<p>The agency-approved Qualified Biologist has periodically monitored the project limits to evaluate the presence of Monarch butterfly overwintering sites. No Monarch butterfly overwintering sites have been observed on the Project to date.</p>

Peninsula Corridor Electrification Project
Monthly Progress Report

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
BIO-1j: Avoid nesting birds and bats during vegetation maintenance.				X	Upcoming	To be completed during Project operation.
BIO-2: Implement serpentine bunchgrass avoidance and revegetation measures.	X	X	X		Complete	Not applicable. Subsequent habitat assessment and avoidance of Communication Hill eliminated any potential to affect serpentine bunchgrass. This measure is no longer needed.
BIO-3: Avoid or compensate for impacts on wetlands and waters.	X	X	X		Complete	The JPB has compensated for unavoidable wetland impacts by purchasing adequate credits from a wetlands mitigation bank approved by USACE and SFRWQCB.
BIO-5: Implement Tree Avoidance, Minimization, and Replacement Plan.	X	X	X		Ongoing	Tree removal and pruning activities were initiated in August 2017, and are ongoing, under the guidance of the BBI Arborist, and in accordance with the Tree Avoidance, Minimization, and Replacement Plan. Tree Removal and Pruning status is provided to the JPB on a regular basis.
BIO-6: Pay <i>Santa Clara Valley Habitat Plan</i> land cover fee (if necessary).	X				Complete	Not applicable. The SCVHP does not apply to the Project because TPS2, Option 1 was not selected and OCS does not extend to Communication Hill. This measure is not needed.
CUL-1a: Evaluate and minimize impacts on structural integrity of historic tunnels.	X				Upcoming	To be implemented prior to construction in tunnels.

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
CUL-1b: Minimize impacts on historic decorative tunnel material.	X				Ongoing	To be implemented prior to construction in tunnels.
CUL-1c: Install project facilities in a way that minimizes impacts on historic tunnel interiors.	X				Upcoming	To be implemented prior to construction in tunnels.
CUL-1d: Implement design commitments at historic railroad stations	X				Complete	The Qualified Architectural Historian completed and submitted the HABS Level III documents to the JPB for all seven of the historic stations. Pole placement has been designed to minimize the visual impact to historic stations and all design changes are reviewed by the Environmental Compliance Lead to ensure the mitigation measure is being implemented as the design of the project progresses.
CUL-1e: Implement specific tree mitigation considerations at two potentially historic properties and landscape recordation, as necessary.	X	X			Complete	It was determined that the project is not acquiring any ROW at either of the subject properties so all tree effects would be within the JPB ROW. Therefore, the APE does not include these two historic properties. This measure is no longer needed.

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
CUL-1f: Implement historic bridge and underpass design requirements.	X				Ongoing	This measure is being implemented as described during the design process and will be incorporated into the final design by the D-B. The four bridges that are included in the MMRP are Rail Bridges crossing over another feature. Design of the OCS system is taking into account that there are requirements that restrict the design. Thus far the designs for Segments 1, 2, 3 & 4 are in process and designs are not yet complete. The D-B will forward to the Architectural Historian once complete.
CUL-2a: Conduct an archaeological resource survey and/or monitoring of the removal of pavement or other obstructions to determine if historical resources under CEQA or unique archaeological resources under PRC 21083.2 are present.	X				Ongoing	Periodic inspections of ground surface areas along the alignment, in conjunction with cultural monitoring as-needed of project activities in culturally sensitive areas are ongoing by the D-B. The Archaeological Final Report will be provided at the conclusion of construction activities.
CUL-2b: Conduct exploratory trenching or coring of areas where subsurface project disturbance is planned in those areas with “high” or “very high” potential for buried site.	X				Ongoing	Exploratory trenching and subsurface testing of all potentially culturally sensitive areas occurred prior to the initiation of construction activities in those areas by the D-B. The results will be included in the Archaeological Final Report. No cultural resources requiring the development of a treatment plan were observed. A Native American monitor has been present for all exploratory trenching and subsurface testing work.

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
CUL-2c: Conduct limited subsurface testing before performing ground-disturbing work within 50 meters of a known archaeological site.	X				Ongoing	Exploratory trenching and subsurface testing of all potentially culturally sensitive areas occurred prior to the initiation of construction activities in those areas by the D-B. The results will be included in the Archaeological Final Report. No cultural resources requiring the development of a treatment plan were observed. A Native American monitor has been present for all exploratory trenching and subsurface testing work.
CUL-2d: Conduct exploratory trenching or coring of areas within the three zones of special sensitivity where subsurface project disturbance is planned.	X				Ongoing	Exploratory trenching and subsurface testing of all potentially culturally sensitive areas occurred prior to the initiation of construction activities in those areas by the D-B. The results will be included in the Archaeological Final Report. No cultural resources requiring the development of a treatment plan were observed. A Native American monitor has been present for all exploratory trenching and subsurface testing work.
CUL-2e: Stop work if cultural resources are encountered during ground-disturbing activities.	X	X			Ongoing	No prehistoric or historic-period cultural materials have been observed during cultural monitoring by the D-B.
CUL-2f: Conduct archaeological monitoring of ground-disturbing activities in areas as determined by JPB and SHPO.		X			Ongoing	Cultural monitoring as-needed of project activities in culturally sensitive areas is ongoing by the D-B. The Archaeological Final Report will be provided at the conclusion of construction activities.

Peninsula Corridor Electrification Project
Monthly Progress Report

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
CUL-3: Comply with state and county procedures for the treatment of human remains discoveries.		X			Ongoing	No human remains have been observed to date on the Project by the D-B. On June 18, 2021, construction crews observed a series of bones at the PS-3 work area. Upon inspection by a qualified archaeologist, the bones were determined to be from two medium-sized terrestrial mammals (not human). In addition, due to the lack of cultural resources found in proximity to the bones, the archaeologist concluded that the find was not archaeological in nature, and released the crew to continue work in the area.
EMF-2: Minimize EMI effects during final design, Monitor EMI effects during testing, commission and operations, and Remediate Substantial Disruption of Sensitive Electrical Equipment.	X	X	X		Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. Designs are submitted and reviewed/commented on by JPB. Monitoring EMI effects will occur post construction.
GEO-1: Perform a site-specific geotechnical study for traction power facilities.	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. Geotechnical studies are being conducted by Parikh under subcontract with PGH Wong. Studies and results are submitted to JPB as completed.

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
GEO-4a: Identification of expansive soils.	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. Geotechnical studies are being conducted by Parikh under subcontract with PGH Wong. Studies and results are submitted to JPB as completed.
GEO-4b: Mitigation of expansive soils.	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. Geotechnical studies are being conducted by Parikh under subcontract with PGH Wong. Studies and results are submitted to JPB as completed.
HAZ-2a: Conduct a Phase II Environmental Site Assessment prior to construction.	X				Complete	A Phase II Environmental Assessment was completed prior to construction by the JPB consultant, and the results were provided the D-B, and the required mitigation is being implemented prior to the initiation of construction activities.

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
HAZ-2b: Implement engineering controls and best management practices during construction.	X	X			Ongoing	D-B field activities are being monitored daily for significant color changes or odors which may indicate contamination. In addition, assessments of existing subsurface pipes by a certified asbestos consultant are occurring as needed throughout the project as they are observed. Following the assessments, a specification describing the methods for removal and disposal are provided to the certified asbestos contractor. The removal and disposal work performed by the certified asbestos contractor is monitored by the certified asbestos consultant.
HYD-1: Implement construction dewatering treatment, if necessary.	X	X			Ongoing	The D-B has facilities & BMPs in place to deal with this requirement should it arise in the OCS foundations of the TPFs.
HYD-4: Minimize floodplain impacts by minimizing new impervious areas for TPFs or relocating these facilities.	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. The TPFs for Segments 2 & 4 are in final design and design currently and Segment 1 & 3 have begun. The design minimizes hardscape only to required structure foundations; yard areas are to receive a pervious material.
HYD-5: Provide for electrical safety at TPFs subject to periodic or potential flooding.	X			X	Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. The TPFs in Construction Segments 2 & 4 are currently in final design currently and Segments 1 & 3 have begun. The

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
						design plan currently raises the TPFs above the flood plain.
HYD-7: Implement sea level rise vulnerability assessment and adaptation plan.				X	Ongoing	This measure has not yet been initiated.
NOI-1a: Implement Construction Noise Control Plan.	X	X			Ongoing	Field activity is monitored per the submitted and approved Noise and Vibration Control Plan by the D-B. If allowable noise levels are near, or exceed allowable levels, mitigation such as blankets are utilized from that point forward.
NOI-1b: Conduct site-specific acoustical analysis of ancillary facilities based on the final mechanical equipment and site design and implement noise control treatments where required.	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. PGH Wong has completed analysis and design and issued for JPB review.
NOI-2a: Implement Construction Vibration Control Plan.	X	X			Ongoing	Field activity is monitored per the submitted and approved Noise and Vibration Control Plan by the D-B.
PSU-8a: Provide continuous coordination with all utility providers.	X	X			Ongoing	The design requirements indicated in the measure will be implemented through the final design by the D-B as described. Coordination with utility providers is ongoing and there

Peninsula Corridor Electrification Project
Monthly Progress Report

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
						have not been any service interruptions thus far.
PSU-8b: Adjust OCS pole foundation locations.	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described.
PSU-8c: Schedule and notify users about potential service interruptions.	X	X			Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. There have not been any service interruptions thus far.
PSU-9: Require application of relevant construction mitigation measures to utility relocation and transmission line construction by others.	X	X			Ongoing	JPB has initiated coordination with PG&E regarding transmission line construction. Construction has not begun
TRA-1a: Implement Construction Road Traffic Control Plan.	X	X			Ongoing	The D-B has begun traffic control design and permit applications with the City of Millbrae, Burlingame and San Mateo. Other communities will follow. Designs have been completed for all cross-over bridges in Segments 2 & 4 and submitted.
TRA-1c: Implement signal optimization and roadway geometry improvements at	X	X			Upcoming	This measure has not started

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
impacted intersections for the 2020 Project Condition.						
TRA-2a: Implement construction railway disruption control plan.	X	X			Ongoing	The D-B is implementing this measure in accordance with the Construction Railway Disruption Control Plan and sections SP1011, SP1040 and SP1045.
TRA-3b: In cooperation with the City and County of San Francisco, implement surface pedestrian facility improvements to address the Proposed Project's additional pedestrian movements at and immediately adjacent to the San Francisco 4th and King Station.	X	X	X		Upcoming	This measure has not started.
TRA-4b: Continue to improve bicycle facilities at Caltrain stations and partner with bike share programs where available following guidance in Caltrain's Bicycle Access and Parking Plan.				X	Upcoming	This measure will be implemented during project operation.
NOI-CUMUL-1: Implement a phased program to reduce cumulative train noise along the Caltrain corridor as necessary to address future cumulative noise increases over FTA thresholds				X	Upcoming	This measure will be implemented during project operation.

Peninsula Corridor Electrification Project
Monthly Progress Report

Mitigation Monitoring and Reporting

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
NOI-CUMUL-2: Conduct project-level vibration analysis for Blended System operations and implement vibration reduction measures as necessary and appropriate for the Caltrain corridor				X	In Progress	CHSRA is conducting this analysis as part of the EIR/EIS for the San Francisco to San Jose section.
TRA-CUMUL-1: Implement a phased program to provide traffic improvements to reduce traffic delays near at-grade crossings and Caltrain stations				X	Upcoming	This measure will be implemented during project operation.
TRA-CUMUL-2: Implement technical solution to allow electric trolley bus transit across 16th Street without OCS conflicts in cooperation with SFMTA.	X				Complete	Not applicable. SFMTA has elected to not electrify the 16 th Street crossing. This measure no longer applies.
Mitigation Measure TRA-CUMUL-3: As warranted, Caltrain and freight operators will partner to provide Plate H clearance as feasible between San Jose and Bayshore.				X	Upcoming	This measure will be implemented during project operation.

PENINSULA CORRIDOR JOINT POWERS BOARD
RESOLUTION EXPRESSING APPRECIATION TO

DEV DAVIS

FOR HER OUTSTANDING SERVICE ON THE
CALTRAIN BOARD OF DIRECTORS

WHEREAS, DEV DAVIS was appointed to serve as Chair of the Caltrain Board of Directors on January 7, 2021; and

WHEREAS, DEV DAVIS has been an advocate for important transportation issues and improvements, bringing a strong sense of initiative to the Board and furthering Caltrain's goal of providing excellent transportation service to improve the quality of life for the communities we serve along the corridor; and

WHEREAS, DEV DAVIS took the reins of the Board in the middle of the coronavirus (COVID-19) pandemic, and brought a sense of confidence and level-headedness necessary to combat the devastating and severe impact that this public health crisis has had on transit ridership; and

WHEREAS, DEV DAVIS has been significant part of the decision-making process related to the COVID-19 pandemic, including the endorsement of the Bay Area Healthy Transit Plan, a regional transit plan that outlines best practices for the safe and responsible operation of public transit amidst a global pandemic, as well as providing the community with free transportation to vaccination sites and bringing pop-up vaccination clinics to San Jose Diridon Station, which helped to vaccinate 1100 people; and

WHEREAS, DEV DAVIS has been a major supporter of the Peninsula Corridor Electrification Project (PCEP), which under her tenure has seen new project leadership and an updated settlement with our partners to deliver the project by 2024 and reinvent transit along the Peninsula; and

WHEREAS, DEV DAVIS has advocated for major safety improvements at grade crossings, presiding over the completion of the 25th Avenue Grade Separation Project, as well as grade crossing improvement projects in San Mateo and Menlo Park, removing traffic bottlenecks in surrounding communities and ensuring that the Caltrain corridor becomes safer; and

WHEREAS, DEV DAVIS has been vital to the discussion regarding the governance of Caltrain, providing a cool head that ensured that effort was focused and productive; and

WHEREAS, DEV DAVIS guided Caltrain through the process of selecting its General Counsel, a first for the agency; and

WHEREAS, DEV DAVIS presided over a major expansion of Caltrain service, which resulted in Caltrain running 104 trains every weekday, higher than any point in the agency's history, improving Caltrain's connections to BART and helping to restore the system's ridership ; and

WHEREAS, DEV DAVIS supported measures to make Caltrain a more equitable service, including the adoption Caltrain's participation in the Clipper START program, which allows lower-income adults to receive fare discounts on select transit services around the region as well as the Go Pass Donation Program, which has provided community service organizations with donated Go Passes so more people can enjoy the benefits of Caltrain ridership; and

NOW, THEREFORE, BE IT RESOLVED that the Caltrain Board of Directors does hereby thank and commend **DEV DAVIS** for her outstanding leadership as an important member of the Board of Directors. Passed and adopted this 6th day of January, 2022.

NEW CHAIR, Chair
Peninsula Corridor Joint Powers Board

