



JPB Board of Directors
Meeting of September 2, 2021

Correspondence as of September 1, 2021

Subject

- 1 World Stroke Day - October 2021
- 2 Diridon Real Estate Update
- 3 Item 6.g. Report of the Chief Financial Officer (CFO)
- 4 Item 3.b. Closed Session: Conference with Real Property Negotiator

From: nithya@psastroke.org
To: [Communications](#)
Cc: [Bartholomew, Tasha](#); [Clomon, Cassandra](#)
Subject: World Stroke Day - October 2021 - Expressive Activity - Requesting Ridership information for PSA's Outreach Campaign
Date: Tuesday, August 31, 2021 9:48:36 AM
Attachments: [image007.png](#)
[image008.png](#)

Some people who received this message don't often get email from nithya@psastroke.org. [Learn why this is important](#)

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Greetings Communications Manager - CalTrain

My name is Nithya, and I am writing on behalf of Pacific Stroke Association (PSA). Pacific Stroke Association is non-profit organization serving the San Mateo and Santa Clara counties.

In past years, Bay Area Emergency Medical Service (EMS) agencies, fire departments, and hospitals have partnered with PSA on National Stroke Alert Day to distribute B.E.F.A.S.T. cards at **CalTrain Stations** (and BART Stations) throughout the bay area, educating commuters about recognizing the signs of STROKE and the importance of calling 9-1-1 immediately at the onset of one of its symptoms.

This year the World Stroke Day falls on last week of October.

I understand that due to the pandemic there has been a decline in ridership for the last 12- 15 months. I would like to know if the situation improved in last few months. Has there been an increase in ridership since June of 2021?

The ridership information will help us understand the current situation and reach out to PSA volunteers to help with our Community Outreach Campaign.

Please help direct this email to the right person. Looking forward to hearing back from someone regarding my request.

Regards,

Nithya Sankararaman
Program Coordinator
www.PacificStrokeAssociation.org
650-565-8485

On 03/29/2019 9:41 AM Clomon, Cassandra <clomonc@samtrans.com> wrote:

Good Morning Nithya,

As you will not be setting up tables no permit is needed. I will inform

Security (via this email) of your planned event. If there is visible security at any of these stations, please be sure to check in with them and be prepared to show a copy of this email if requested.

Cassandra G. Clomon

Real Estate Department Specialist

San Mateo County Transit District

1250 San Carlos Avenue

San Carlos, CA 94070

Phone: 650 508 6304



From: nithya@psastroke.org [mailto:nithya@psastroke.org]
Sent: Friday, March 29, 2019 9:28 AM
To: Clomon, Cassandra; Bartholomew, Tasha; Communications
Cc: pamela@psastroke.org; Rezvan Moghaddam
Subject: PSA-Stroke Alert Day, Tuesday, May 7th, 2019 - Requesting Permits

Dear Communications Manager,

My name is Nithya Sankararaman and I am writing on behalf of Pacific Stroke Association (PSA). In past years, Bay Area Emergency Medical Service (EMS) agencies, fire departments, and hospitals have partnered with PSA on National Stroke Alert Day to distribute F.A.S.T. cards at CalTrain Stations (and BART Stations) throughout the bay area, educating commuters about recognizing the signs of STROKE and the importance of calling 9-1-1 immediately at the onset of one of its symptoms.

This year, National Stroke Alert Day is **Tuesday, May 7, 2019.**

I would like to request permission to PSA and its volunteers for the opportunity on May 7th to distribute Stroke F.A.S.T. cards at the Caltrain stations. We would like to have the permit for the following locations in:

Gilroy, San Jose Diridon, Santa Clara, Palo Alto, Redwood City & Millbrae (6 total).

Our volunteer physicians, nurses, and paramedics are planning to be at

these stations on the morning of Tuesday, May 7, 2019 from 6:45am - 8:30am.

We expect 5-8 volunteers to be assigned at each station to [distribute the FAST postcards](#).

We do not intend on having any tables set up at these stations and will be mindful to not cause any interference to the flow of traffic.

Pacific Stroke Association is a local nonprofit organization serving San Mateo and Santa Clara Counties, with partnerships throughout the Bay Area. As part of our mission, we work to reduce the incidence of stroke through community education.

The partnership with CalTrain over the past few years has been invaluable. We look forward to your support regarding approval for this important outreach campaign again in 2019.

I look forward to hearing from you.

Best Regards,

Nithya Sankararaman

Program Coordinator

Pacificstrokeassociation.org

650.565.8485



**PRESERVATION ACTION
COUNCIL OF SAN JOSE**
History Park
1650 Senter Road
San Jose, CA 95112
Phone: 408-998-8105
www.preservation.org

August 31, 2021

Peninsula Corridor Joint Powers Board
Dev Davis, Chair
Steve Heminger, Vice-Chair
Monique Zmuda, Shamann Walton, Charles Stone, Dave Pine, Jeff Gee,
Cindy Chavez, Glenn Hicks, Directors

VIA EMAIL (publiccomment@caltrain.com)

RE: 9/2/21 AGENDA ITEM #7: DIRIDON REAL ESTATE UPDATE

Dear Chairperson Davis, Vice Chairperson Heminger, and Directors,

As you are no doubt aware, the Peninsula Corridor Joint Powers Board is the owner and primary steward of San Jose's beloved landmark Diridon Station, constructed in 1935 as the crown jewel of the Southern Pacific Railroad's San Francisco-San Jose line. The station's architectural significance and civic prominence are both unparalleled: it remains the largest, grandest, and most intact historic station in the Caltrain network and within the greater San Francisco Bay area. Befitting its historic and cultural stature, the depot and surrounding support structures were listed in the National Register of Historic Places in 1993, designated a San Jose City Landmark in 1994, and are protected by a legally-binding preservation covenant with the South Bay Historical Railroad Society. Each of these designations is intended to ensure that the historic station's character-defining features are protected from demolition or adverse alteration, and that the landmark structure remains an integral part of San Jose's urban fabric for current and future generations.

Despite these intended protections, it is with extreme concern and growing alarm that the Preservation Action Council of San Jose is compelled to raise the issue of the station's fate in the future redevelopment of the surrounding area. Both the Diridon Station Area Plan (DSAP), approved by the City of San Jose in May 2021, and the in-progress Diridon Integrated Station Concept (DISC) planning process have been frustratingly silent on the issue of the station's preservation. To date, no assurances have been made by the Peninsula Corridor Joint Powers Board, the City of San Jose, or any other relevant stakeholders that preservation of the historic depot will be a guiding priority in redevelopment plans affecting the surrounding station area. This is simply unacceptable.

PAC* SJ BOARD

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While we recognize that planned track expansions, realignments, and the addition of future transportation services will require significant station additions and expansions, we believe that this modernization can and must include preservation and adaptive reuse of the existing historic station structure, ideally in its current location, but possibly relocated within the immediate station vicinity if necessary. This effort will obviously require careful planning and close coordination with other elements of the DISC and DSAP plans, and must be planned *in tandem with* these other elements—not *after* these other elements are already set in stone.

It is for this reason that PAC* SJ is strongly opposed to proceeding with any conceptual redevelopment plans for the two JPB-owned parcels immediately east of the station, *before and without* a detailed analysis of how this redevelopment would affect preservation/adaptive reuse alternatives for the station itself. As owner and steward of this irreplaceable historic resource, JPB is obligated to pursue all viable options for its preservation. JPB-owned land immediately adjacent to the station is a significant asset that should be considered integral to these efforts, either as a receiver site for potential relocation or as a functional and visual complement to a repurposed station structure. Without knowing if or how the historic station will ultimately be repurposed, or even where in the project area it could or should ultimately be located, we believe it is premature and irresponsible to proceed with redevelopment plans that could potentially foreclose otherwise viable preservation alternatives.

In 1963, New York City made the shortsighted—and now universally regretted—decision to demolish its historic Penn Station, a tragedy that in no small measure inspired the rise of the current historic preservation movement in the United States. Since then, remarkably few cities have dared repeat New York’s mistake, and the preservation and adaptive reuse of historic train stations have become a bedrock strategy for urban redevelopment and place-making efforts in towns and cities across the country. Even the nation’s most celebrated new multi-modal transit centers, including Denver’s ultra-modern and award-winning Union Station, have included the preservation of historic resources as fundamental elements of their design. JPB and San Jose should demand nothing less for Diridon Station, and must be proactive, comprehensive, and publicly-transparent in its planning efforts to do so.

Sincerely,

Ben Leech
Executive Director
Preservation Action Council of San Jose



**PRESERVATION ACTION
COUNCIL OF SAN JOSE**

History Park
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San Jose, CA 95112
Phone: 408-998-8105

www.preservation.org

cc: Sam Liccardo, Mayor, City of San Jose
Chris Burton, Director of Planning, Building, and Code Enforcement, City of San Jose
Lori Severino, Diridon Program Manager, City of San Jose
Lorie Garcia, Covenant Representative, South Bay Historical Railroad Society
Carolyn Gonot, General Manager & CEO, Santa Clara Valley Transportation Authority
Board of Directors Secretary, Santa Clara Valley Transportation Authority
Brian Kelly, CEO, California High Speed Rail Authority
Board of Directors Secretary, California High Speed Rail Authority

From: [Roland Lebrun](#)
To: [Board \(@caltrain.com\)](#)
Cc: [MTC Info](#); [SFCTA Board Secretary](#); [Baltao, Elaine \[board.secretary@vta.org\]](#); [SFCTA CAC](#); [cacsecretary \[@caltrain.com\]](#)
Subject: Item 6.g. Report of the Chief Financial Officer (CFO)
Date: Wednesday, September 1, 2021 1:55:30 PM
Attachments: [December 2020 - FTA Risk Refresh Report.pdf](#)

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Dear Caltrain Board,

The intent of this email is to highlight comments made by the FTA's Program Management Oversight Consultant (PMOC) in the June 2021 Risk Refresh report (<https://www.caltrain.com/Assets/Caltrain+Modernization+Program/Documents/PMOC+Reports/December+2020+-+FTA+Risk+Refresh+Report.pdf>), specifically:

FTA Led Risk Refresh Report - caltrain.com

Doc. No.: TO 69319520F300099.PCEP.CLIN2002.01 - 021 FTA Led Risk Refresh Report Peninsula Corridor Electrification Project (PCEP) San Francisco to San Jose, CA

www.caltrain.com

- **PG&E's refusal to energize temporary power for EMU testing until the interconnection agreement is signed** (page 14)
- **PG&E's reimbursement of \$25.6M for PCEP prepaid substation improvement costs** (page 20)

Pages 13-14 (attached for your convenience)

The original budget for the PCEP included costs for private utility relocations and 115 kV interconnections to the local electrical grid. The estimate did not contemplate the cost of modifications to the two existing PG&E substations that will supply power to the PCEP's TPSS #1 and #2, and significantly underestimated the cost of the design and construction of the interconnections as well as other PG&E costs. Modifications to PG&E's existing FMC (originally known as Food Machinery Corporation) and East Grand substations are underway. Construction of the interconnect between FMC and TPSS #2 is complete but not tested or energized. **The interconnect between East Grand and TPSS #1 is being redesigned as a mostly underground feed which will result in a substantial Change Order.** Temporary power to allow initial testing of the EMUs and the OCS and TPS is in place at the FMC substation, however, **PG&E will not energize the temporary power** (or permanent power when it becomes available) **until an interconnection agreement is signed by the JPB. The interconnection agreement is currently on-hold due to a disagreement between the JPB, PG&E, and Silicon Valley Power over a largely complete Single-Phase Study which looks at the impacts of the PCEP load on the local electric grid.**

Page 20 (attached for your convenience)

The key challenge in estimating the final project cost is to evaluate change orders that are likely to occur between now and the end of the project. **PCEP reports future potential change orders in two different reports.** The PCEP Trend Update Report presents identified potential change orders (trends) and credits with a rough order of magnitude cost attached to each trend or credit. As of October 2020, the total trend value was (\$12.1M), representing **a net credit to PCEP, largely due to an anticipated PG&E reimbursement of \$25.6 million for PCEP prepaid substation improvement costs based on an agreed cost allocation formula.** The PMOC recognizes that

trend change orders likely represent only a small fraction of the remaining project risk.

I hope this information is useful.

Roland Lebrun

CC

SFCTA Commissioners

MTC Commissioners

VTA Board

SFCTA CAC

Caltrain CAC

VTA CAC

3 PROJECT SCOPE AND PROJECT DELIVERY REVIEW

3.1 PMOC Assessment of Project Scope

The scope of the PCEP has remained relatively unchanged from the time of FFGA execution. The most prominent exceptions are as follows:

- The full Notice to Proceed for both the design-build electrification contract and the EMU vehicle contract was delayed by a later than anticipated award of the FFGA. This delay resulted in the early issuance of Change Orders to both contracts.
- The JPB was in the process of installing a Communication Based Overlay Signal System (CBOSS) Positive Train Control (PTC) system to meet federal requirements prior to the award of the FFGA. The JPB subsequently cancelled the CBOSS contract, and re-procured a PTC system from WABTEC, known as the Interoperable-Electronic Train Management System (I-ETMS). The I-ETMS uses a different control methodology than the CBOSS, which was specified as an existing condition in the Electrification contract. This change led to a dispute between the JPB and its Electrification contractor, Balfour-Beatty Infrastructure Inc. (BBII) and its signal subcontractors. The JPB's originally specified CBOSS was an element in providing the federally required grade crossing warning time. Design and construction of the signals work was delayed for many months as a satisfactory technical solution which met federal, state and Union Pacific Railroad (UPRR) requirements was identified. The agreed upon solution is known as Two Speed Check (2SC). The completion of design and installation of the 2SC solution is now the critical path for substantial completion of the Electrification contract and the operation of the EMUs on an electrified Caltrain system. The dispute over the commercial implications of implementing 2SC has been the subject of a technically facilitated mediation between the JPB and BBII since October 2019, and currently also involves BBII's two signals subcontractors. *Design and installation of 2SC is underway; however, the design progress is slower than expected and only three (3) of twenty (20) planned signal cutovers have been completed to date. Electrified trains cannot run in revenue service without a signal system that has been properly modified for the electrified environment.* The JPB reports that it is meeting frequently with the mediator and its contractors in an effort to reach an acceptable settlement. ***The PMOC is unable to assess the potential cost and schedule implications of the settlement negotiations between the JPB, BBII and its subcontractors, and therefore, did not consider them in its risk refresh. The PMOC did, however, consider the implications of the underlying dispute and the documentation related to BBII's Change Order Cost Proposal and the associated Time Impact Analysis (TIA) 2.***
- The original budget for the PCEP included costs for private utility relocations and 115 kV interconnections to the local electrical grid. The estimate did not contemplate the cost of modifications to the two existing PG&E substations that will supply power to the PCEP's TPSS #1 and #2, and significantly underestimated the cost of the design and construction of the interconnections as well as other PG&E costs. *Modifications to PG&E's existing FMC (originally known as Food Machinery Corporation) and East Grand substations are underway. Construction of the interconnect between FMC and TPSS #2 is complete but not tested or energized. The interconnect between East Grand and TPSS #1 is being redesigned as a mostly underground feed which will result in a substantial Change Order. Temporary power to allow initial testing of the EMUs and the OCS and TPS is in place at the FMC substation, however, PG&E will not energize the temporary power (or permanent power when it becomes available) until an interconnection agreement is signed by the JPB. The*

interconnection agreement is currently on-hold due to a disagreement between the JPB, PG&E, and Silicon Valley Power over a largely complete Single-Phase Study which looks at the impacts of the PCEP load on the local electric grid.

- The original budget for Electrification related work included scope for a Supervisory Control and Data Acquisition (SCADA) system. However, the SCADA scope was not included in the Electrification contract and a separate contract was awarded on a sole-source basis after the start of the project. *This work is underway and mostly complete.*
- The Electrification contract included an Option for construction of an Overhead Contact System within the four (4) existing tunnels. The JPB was unsuccessful in negotiating an acceptable Change Order with the Electrification contractor, and the work had to be added to the tunnel notching contract via modification. *This work is complete except for final integrated testing.*
- The PCEP did not assign responsibility for integration of the electrification, signals, SCADA, and EMU vehicles contracts and the JPB's PTC system to a single individual, consultant, or contractor, which leaves responsibility for this vital function resting with the JPB. Currently a single individual is leading this effort on a part-time basis along with other responsibilities.

3.2 PMOC Assessment of Project Delivery

The PCEP is using a combination of delivery methods. The Electrification work is being delivered using a design-build contract. The tunnel notching contract was competitively bid as was the CEMOF Modifications contract. The EMU procurement was a competitive two-step procurement. The tunnel contract is complete except for final integrated testing. The CEMOF modification contract is expected to be substantially complete in March 2021. The delivery of the first EMU trainset to the JPB is scheduled for July 2021. Substantial completion of the Electrification contract is currently projected for July 14, 2023. The PMOC's opinion is that the delivery plan for the PCEP was thoughtfully conceived and reasonable given the scope of the project.

One consequence of the delayed completion of the electrified railroad is the change in testing and acceptance of the EMU trainsets. Performance testing and acceptance of the first trainset was to be conducted on the JPB's system. Because the JPB's railroad is not currently electrified, and TS 1 is ready for dynamic testing, the JPB and Stadler arranged for dynamic testing to be conducted at the Association of American Railroads' (AAR) Transportation Technology Center, Inc. (TTCI) in Pueblo, Colorado. TS 1 is now being reassembled at the TTCI prior to starting the testing process. TS 1, as well as all subsequent trainsets, will be accepted after being delivered to the JPB's tracks and completing all contractual requirements.

- **PMOC Recommendation No. 4** – The PMOC recommends that the PCEP complete full integration of the Rail Activation and Testing and Commissioning schedules with the Master Project Schedule for more effective project management.
- **PMOC Recommendation No. 5** – The PMOC recommends that the JPB consider strategies for placing EMUs safely in service prior to the completion of all required signal modifications if that work continues to be delayed.
- **PMOC Recommendation No. 6** - The PMOC has previously recommended that the JPB obtain a second opinion from a well-qualified construction attorney with substantial experience in defending complex contractor claims, particularly those related to schedule delays. The second opinion should address the JPB's proposed approach to resolving the complex issues currently subject to the technically facilitated mediation process between the JPB and BBII.

The key challenge in estimating the final project cost is to evaluate change orders that are likely to occur between now and the end of the project. PCEP reports future potential change orders in two different reports. The PCEP Trend Update Report presents identified potential change orders (trends) and credits with a rough order of magnitude cost attached to each trend or credit. As of October 2020, the total trend value was (\$12.1M), representing a net credit to PCEP, largely due to an anticipated PG&E reimbursement of \$25.6 million for PCEP prepaid substation improvement costs based on an agreed cost allocation formula. The PMOC recognizes that trend change orders likely represent only a small fraction of the remaining project risk.

5.2 SCC Cost Assessment

This section provides the PMOC's detailed review of each SCC category and an assessment of the level of cost risk associated with each. Costs are presented in year of expenditure (YOE) dollars excluding contingency.

5.2.1 SCC 10 – Guideway and Track Elements

The primary cost in SCC 10 is SCC 10.07 Underground Tunnel, which had an estimated total cost of \$8.1 million in the FFGA and has a current estimate at completion of \$25.6 million. Expenditure to date is \$24.9 million, and the work is substantially complete. There is little remaining risk for SCC 10.

5.2.2 SCC 30 Support Facilities

The scope for SCC 30 was to modify an existing maintenance facility to service the EMU vehicles and provide electrified track to reach the facility. The contractor encountered a variety of unexpected conditions, including utilities, during construction. The unexpected conditions coupled with a higher than anticipated contract price resulted in an increase in costs from \$2.3 million in the FFGA to the current estimate at completion of \$8.4 million, representing an increase of \$6.1 million. The cost to date is approximately \$6.1 million, leaving approximately \$2.3 million of remaining work. Based on the history of significant change orders, the PMOC anticipates that this is a high-risk scope item, and a higher-than-normal beta factor should be assigned to the remaining work.

5.2.3 SCC 40 – Sitework and Special Conditions

The scope for SCC 40 includes the majority of civil work for the project including demolition, site utilities, hazardous material management, environmental mitigation, and indirect cost during construction. The original FFGA budget was \$255.1 million including approximately \$46 million of allocated contingency. The estimate at completion is \$263.0 million, representing a cost overrun at completion of approximately \$7.9 million. The PCEP anticipates assigning all allocated contingency for this work.

The cost to date is \$208.9 million, and the estimate to complete is \$54.1 million. Major change orders occurred on SCC 40.01 Demolition, SCC 40.02 Site Utilities, SCC 40.03 Hazardous Material, SCC 40.06 Pedestrian Bike Access, and SCC 40.08 Temporary Facilities and Other Indirect Costs. The majority of change orders in SCC 40 are associated with differing site conditions primarily related to unexpected utilities and other objects, and the presence of unanticipated hazardous material, which resulted in large cost increases for demolition and site utility work. SCC 40 also includes costs associated with improvements made by PG&E to its FMC and East Grand Avenue substations to provide service to the PCEP. The PMOC anticipates that there is greater than normal risk for the remaining \$54.1 million of work, primarily because we anticipate that additional hazardous material will be uncovered in the remaining project segments, and additional unanticipated utilities and/or other conditions will be discovered requiring costly redesign of the catenary poles and potentially

From: [Roland Lebrun](#)
To: [Board \(@caltrain.com\)](#)
Cc: [SFCTA Board Secretary](#); [MTC Info](#); [Baltao, Elaine \[board.secretary@vta.org\]](#); [Board \(@samtrans.com\)](#)
Subject: Item 3.B: Closed Session: Conference with Real Property Negotiator
Date: Wednesday, September 1, 2021 5:04:33 PM

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Dear Director Gee,

Out of an abundance of caution, please consider recusing yourself from any further Caltrain and/or SamTrans closed session discussions of Downtown Redwood City transactions in general and Sequoia station in particular.

Respectfully presented for your careful consideration.

Roland Lebrun

CC

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MTC commissioners
SFCTA Commissioners
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VTA PAC