



# AGENDA

## PENINSULA CORRIDOR JOINT POWERS BOARD

Bacciocco Auditorium, 2<sup>nd</sup> Floor  
1250 San Carlos Avenue, San Carlos CA 94070

May 1, 2008 - Thursday

10:00 a.m.

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Public Comment  
Public comment by each individual speaker shall be limited to one minute
4. Consent Calendar  
Members of the public or Board may request that an item under the Consent Calendar be considered separately
  - a) Approval of Minutes of April 3, 2008
  - b) Acceptance of the Statement of Revenues and Expenses, March 2008
  - c) Authorization to Request an Allocation of Fiscal Year 2008 Proposition 1B California Transit Security Grant Program (CTSGBP) Funds in the Amount of \$939,246
  - d) Authorization to Submit Fiscal Year 2008 Federal Transit Administration (FTA) Applications (Section 5307, Section 5309 and Congestion Mitigation and Air Quality (CMAQ)) in the Total Amount of \$24,877,261
  - e) Approval of a Change Order to Contract with Mitchell Engineering for an Amount Not-to-Exceed \$150,000 for the San Bruno Grade Separation Phase 1 Contract
  - f) Approval of a Change Order to Contract With Shimmick/Balfour Beatty Rail Services for an Amount Not-to-Exceed \$150,000 for the Burlingame Outboard Platform Improvements Project
5. Chairperson's Report
6. MTC Liaison Report (Sue Lempert)
7. Report of the Citizens Advisory Committee
8. Report of the Executive Director
  - a) Caltrain Performance Report – March 2008
9. Proposed FY 2009 Operating Budget
10. Authorization to Submit for Approval to the California Department of Industrial Relations a Labor Compliance Program Applicable to All Future Public Works Contracts
11. Publication and Approval of the Proposed DBE Overall Annual Goal of 10 Percent for FY 2009

RESOLUTION

INFORMATIONAL

RESOLUTION

RESOLUTION

12. Award of Contract to CBS Outdoor Group, Inc. for Train and Station Advertising Services RESOLUTION
13. Award of Contract to Granite Construction, Inc. for the Guadalupe Interim Project in the Amount of \$354,888 RESOLUTION
14. Award of Contract to Carter and Burgess, Inc. to Provide on-Call Program Management Oversight Services for an Aggregate Sum of \$6,000,000 for a Three-Year Term RESOLUTION
15. Correspondence
16. Board Member Requests
17. Report of Legal Counsel
18. Date/Time of Next Meeting  
Thursday, June 5, 2008, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070
19. 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. Assisted listening devices are available upon request. Agendas are available on the JPB Website at [www.caltrain.com](http://www.caltrain.com).

### **Location, Date and Time of Regular Meetings**

Regular meetings are held at the San Mateo County Transit District Administrative Building located at 1250 San Carlos Ave., San Carlos, which is located one block west of the San Carlos Caltrain Station on El Camino Real. The building is also accessible by SamTrans bus Routes: 260, 295, 390, 391, and KX.

The JPB meets regularly on the first Thursday of the month at 10 AM. The JPB Citizens Advisory Committee meets regularly on the third Wednesday of the month at 6 PM at the same location. Date, time and place may change as necessary.

### **Public Comment**

If you wish to address the Board, please fill out a speaker's card located on the agenda table and hand it to the JPB Secretary. If you have anything that you wish distributed to the Board and included for the official record, please hand it to the JPB Secretary, who will distribute the information to the Board members and staff.

Members of the public may address the Board on non-agendized items under the Public Comment item on the agenda. Public testimony by each individual speaker shall be limited to one minute and items raised that require a response will be deferred for staff reply.

### **Action**

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

### **Accessibility for Individuals with Disabilities**

Upon request, the JPB will provide for 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 public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and a preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be mailed to the JPB Secretary at Peninsula Corridor Joint Powers Board, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or emailed to [board@caltrain.com](mailto:board@caltrain.com); or by phone at 650.508.6242, or TDD 650.508.6448.

**Peninsula Corridor Joint Powers Board  
Board of Directors Meeting  
1250 San Carlos Avenue, San Carlos CA 94070**

**Draft**

**Minutes  
April 3, 2008**

**MEMBERS PRESENT:** J. Cisneros, S. Elsbernd, J. Hartnett (Chair), J. Hill, D. Gage,  
A. Lloyd, F. Williams

**MEMBERS ABSENT:** N. Ford, K. Yeager

**MTC LIAISON:** S. Lempert

**STAFF PRESENT:** G. Cameron, J. Cassman, C. Cavitt, B. Doty, M. Espinosa,  
H. Goode, V. Harrington, C. Harvey, R. Haskin, R. Lake,  
G. Lambert, M. Martinez, I. McAvoy, N. McKenna, D. Miller,  
M. Rush, M. Scanlon, M. Simon

Chair Jim Hartnett called the meeting to order at 10:06 a.m. and Director Jerry Hill led the Pledge of Allegiance.

**PUBLIC COMMENT**

Doug DeLong, Mountain View, said on Caltrain this morning the PA system was poor and the TVM was unable to sell tickets. Mr. DeLong shared a newspaper article from Texas about a person involved in a collision with a train while talking on a cell phone. Mr. DeLong said that Operation Lifesaver should have a campaign on safety and not mixing other activities when driving.

Pat Giorni, Burlingame, said she attended the Transportation Authority Citizens Advisory Committee meeting on Tuesday night and Bob Doty, Rail Transformation Chief, delivered a great presentation on Caltrain 2025. One of Ms. Giorni's concerns is future bike capacity and when a survey is taken, the number of passengers with bicycles that are bumped needs to be noted. Ms. Giorni asked when the Caltrain Bicycle Advisory Committee meets.

David Rusconi, Redwood City, read a letter to the Board regarding a locomotive that bears the name of Jackie Speier. Mr. Rusconi said this constitutes an endorsement for a political candidate by using a \$2 million piece of public equipment as a political billboard up and down the Peninsula. Mr. Rusconi asked Chair Harnett what he intends to do. Chair Hartnett referred to staff for follow-up.

Jeff Carter, Burlingame, said at last month's meeting he addressed the issue of the clocks being out of synchronization and this issue continues. Mr. Carter complimented staff on the new Burlingame station, but stated there is lack of shelter for bicyclists at the northern end.

Ed DeLanoy, San Carlos, said that he is no longer pursuing the issue of diesel fuel with the Joint Powers Board and the San Mateo County Transit District. Mr. DeLanoy also asked why he was left behind on two separate occasions even though he was within a few steps of the train entrance.

David Gavrich, San Francisco Bay Railroad, said that the Bay Railroad is the new short line railroad for the Port of San Francisco that interchanges with Union Pacific for freight in their rail yard. Mr. Gavrich said a team of six people from the California Air Resources Board is working with them to convert all of their locomotives and rail terminal equipment to 100 percent biodiesel.

Paul Wendt, Belmont, said the diesel exhaust on one of the Bombardier cars is awful. Executive Director Michael Scanlon said that staff will check into this issue.

### **CONSENT CALENDAR**

The Board approved the items under the Consent Calendar as follows:

- a) Approval of Minutes of March 6, 2008
- b) Acceptance of the Statement of Revenues and Expenses, February 2008

### **CHAIRPERSON'S REPORT**

Chair Hartnett had no report.

### **MTC LIAISON REPORT**

Sue Lempert, MTC Liaison, said MTC is continuing to work on the 2035 Regional Transit Plan, which will have huge implications for Caltrain. Ms. Lempert said several projects included in this plan are Caltrain electrification, Dumbarton Rail and the San Francisco Transbay Terminal. Ms. Lempert said an item on today's agenda involving Caltrain taking the lead on negotiating with the railroads to improve access to passenger right of way is a large part of the regional rail plan.

### **REPORT OF THE CITIZENS ADVISORY COMMITTEE (CAC)**

Bruce Jenkins, CAC Chair, reported that at the last meeting Marketing Manager Pat Boland reported on the key findings of the passenger survey; Marisa Espinosa, Manager of Research and Planning, gave a presentation on the Bicycle Master Plan; and Michael Kiesling authored a 2025 resolution that was approved unanimously by the CAC.

Chair Hartnett thanked Chair Jenkins for the resolution.

### **REPORT OF THE EXECUTIVE DIRECTOR**

Mr. Scanlon reported the following:

- Year-to-Date Statistics:
  - a. Total Ridership was 7,672,7528, an increase of 7.9 percent.
  - b. Average Weekday Ridership was 36,460, an increase of 6.8 percent.
  - c. Total Revenue was \$25,687,348, an increase of 16.2 percent.
  - d. On-time Performance was 93.2 percent, a decrease of 2.5 percent.
  - e. Caltrain Shuttle Ridership was 5,124, an increase of 5.9 percent.
- Next month staff will be presenting a preliminary budget for review.
- Giants baseball has begun with three exhibition games and the home opener is next week. Special baseball service will be offered again.
- Caltrain hosted a rail safety event co-sponsored by the Federal Railroad Administration and the Federal Transit Administration, the first of its kind in the country. Rail operators came together and spoke about best practices. This will become a yearly event.

- On page three of the Safety and Security report is an excellent picture of the installation of the new underpass at California Avenue.
- The southbound platform in Burlingame opened on April 1.
- At the last JPB meeting the Atherton Rail committee made a request that fire damages at the Atherton station be repaired. A contract is being awarded to Amtrak to begin doing some of the repairs at the station.
- Five years ago today the new bombardier cars and locomotives were rolled out in Burlingame.

## **ANNUAL PASSENGER COUNT**

Chuck Harvey, Chief Operating Officer reported the following:

- The purpose of the count is to provide a measurement relative to previous years.
- The survey allows staff to evaluate the service.
- Actual physical headcounts are taken on every weekday train averaged over five days.
- Average daily ridership is 36,993, up 9.3 percent from last year.
- The majority of the new riders are during peak hours.
- Twenty stations have increased ridership from 2007 and four stations have decreased ridership, with San Francisco still being the top station.
- There are five peak trains that are at or near capacity in both directions.
- There will be a delivery of eight new bombardier cars in October 2008.
- The average trip length is up about 10 percent.
- All three counties are showing higher ridership that is pretty evenly split.
- Sunday ridership is up and total ridership is up nearly 50 percent.
- Revenue is almost \$40 million annually.
- The system continues to attract new riders.
- There are a number of large capital projects in the works. They include the Palo Alto and California Avenue stations, grade crossing and fencing projects. Staff is completing design on the South San Francisco and Santa Clara stations.

## Public Comment

Pat Giorni, Burlingame, said that at least 8 percent capacity needs to remain for bicyclists.

Jeff Carter, Burlingame, said it was stated that the service is underpriced and staff needs to realize that passengers have other means of transportation. Mr. Carter said there needs to be a reevaluation of point-to-point fares. Mr. Carter said that gas prices are driving people to ride the train and BART. Mr. Carter said that comparisons should be made to 2001, prior to the dot-com bust and not 2004.

Director Forrest Williams said people need to realize we are not going back to where we were. Gas prices are not going to go back to \$2 a gallon and we need to concentrate on where we go from here.

Chair Harnett said there are challenges ahead of us and they are challenges of success.

Mr. Scanlon said that underpriced is an unfortunate term that found its way into a report and since has been stricken and forbidden to be used. Mr. Scanlon said the word was used in reference to the fact that after the last several fare increases we actually gained riders.

**AUTHORIZE A FUNDING APPLICATION FOR REGIONAL MEASURE 2 (RM2)  
FUNDING FOR THE REGIONAL RAIL RIGHT OF WAY PROJECT**

Howard Goode, Special Project Manager, said that through discussions MTC is willing to provide RM2 funding for the right of way project, which will be led by the Joint Powers Board. Mr. Goode said there are four items to consider. The first is to approve the application for funds. The second is to approve the form of resolution required by MTC. The third is to authorize the Executive Director to take actions as necessary for receipt of funds. The last is to modify the annual capital budget to reflect that \$200,000 of RM2 funds will be received as 100 percent funding for this effort.

**Public Comment**

Vaughn Wolf, Pleasanton, asked if staff is considering the right of way for a double track, 100-mile-an-hour electrified service, and completely grade separated on all of the right of ways, or if it is being done in pieces.

Mr. Scanlon said that out of the regional rail meetings there are many entities dealing with Union Pacific, including the Port of Oakland, BART, ACE, Capital Corridor and the JPB. The different agencies are trying to approach UP as a unified force with the JPB in the lead. Mr. Scanlon said that Mr. Goode, Rail Transformation Chief Bob Doty, and Legal Counsel David Miller will be the three people that will be at the forefront of the effort.

Director Don Gage said that if we are making this type of effort we should speak with our legislators and get them behind this project.

Mr. Scanlon said there are huge passenger implications particularly to the freight railroads.

Mr. Miller said that one of the advantages of looking at this issue regionally is that we not only examine the individual needs of each property or each region, but also it allows us to better understand what the freight railroads need because there are certain things we may be able to convey to them.

The motion (Williams/Hill) to authorize a funding application for Regional Measure 2 funding was approved unanimously by roll call.

**UPDATE ON BICYCLE MASTER PLAN**

Marisa Espinosa, Manager, Planning and Research, provided a presentation:

- The scope of the Master Bicycle Plan is to focus on improvements for bicycle parking and access to Caltrain stations.
- The Bicycle Master Plan is funded by a federal transit planning grant administered through the MTC.
- Caltrain carries more than 2,300 bicycles on board each day; about 7-10 percent of passengers bring their bikes on the train.
- There is no peak period or directional restrictions on passengers bringing their bikes on board.
- Some of the challenges in creating this plan are addressing passenger safety, wayside solutions for patron's needs, the absence of uniform capacity or design of bike parking and bicycle boarding impacts on dwell time.

- The key staff working on the plan are Ms. Espinosa, Celia Chung, Consultant and Project Manager, an internal steering committee from bus and rail operations, station facilities and communications, and a Technical Advisory Group (TAG), which includes representatives from neighboring transit agencies.
- There is a range of bicycle facilities throughout the system from the valet parking at San Francisco to bike lockers and racks along the corridor.
- Key elements include systemwide parking and access design guidelines and recommendations for capital improvements at key stations.
- Development of the plan began in January 2007.
- Extensive data collection was done including an online survey and a bump survey.
- Draft plan will be completed in May 2008 and finalized by June 30, 2008.

Ms. Lempert said she is glad to see JPB staff is doing this plan. Ms. Lempert said from this report that staff is addressing additional access on the trains, while also encouraging people to ride their bikes and park them rather than actually making more space available on the trains. One of the problems is that people want to ride their bikes to the train and then be able to ride once they deboard. Ms. Lempert asked if it is being considered to provide free bikes for people who park their bike at their boarding station, then use a free bike at their destination station.

Director Williams said he rode the trains during a recent trip to Tokyo and there was not a single bike on the train. Director Williams asked about the return on investment for allowing bikes on the train. He said the best practice would be to have a place to park these bikes and possibly get a private investor. Director Williams suggested that maybe there needs to be specifications for what bikes can be brought on the train.

Director Gage asked how much outreach is done to local businesses for flex hours so employees can take the train at off-peak hours.

Ms. Espinosa said that this will be explored.

#### Public Comment

Andy Thornley, San Francisco Bicycle Coalition, thanked the JPB for the excellent service for bicyclists on Caltrain. Mr. Thornley said that passengers who bring their bikes on board make up the largest growing segment of the market and there needs to be a way to find room for these additional bicyclists.

Paul Wendt, Belmont, said there is a big issue with the dwell time and the loading and off-loading of bicycles. The Gallery cars have steep stairs and narrow stair wells where the Bombardier cars have better loading for bicycles, but less capacity. Mr. Wendt said a possible solution would be to attach cages to the bulkheads on the Bombardier cars as they are more efficient for bicycles.

Jeff Carter, Burlingame, said people bring their bikes on board because they do not want to leave them. Mr. Carter said that to get to the meeting this morning he had to take a much earlier train because trains are at capacity and he didn't want to get bumped. Mr. Carter said that after last month's JPB CAC meeting four members who had their bikes were not allowed on the trains because of capacity. He said that staff needs to keep pushing for dedicated funding for Caltrain.

Pat Giorni, Burlingame, said that at the TA CAC meeting she was asked by one of the members if she had been contacted by the San Mateo Downtown Merchants because they wanted to know if there is a possibility of more bike routes as they want to improve conditions for their employees who bike ride. Ms. Giorni said in response to Director Williams comment about the transit in Tokyo and adequate transportation, once you step off the train there are inadequate service connections to get across town. She said that bicyclists are willing to pay an additional fee during peak times to bring bikes on the train.

Director José Cisneros said he appreciated all the work staff has done. He said there are a lot of good ideas and that he looks forward to the final plan. Director Cisneros said staff should look at possibly having reservations on peak trains and maybe there could be a fee. Director Cisneros said that Caltrain goes way beyond any other transit system to accommodate.

Director Hill asked if the biking public who utilize the service was surveyed. Ms. Espinosa said about 200 comments were received from the on-line survey and the workshops generated helpful information.

Director Hill said the Air District has a lot of money available for funding for bicyclists.

Ms. Lempert said that MTC is putting millions of dollars into bicycles this year and maybe this money could be combined with money from the Air District.

Chair Hartnett said that the Bicycle Master Plan needs to fit into a broader context of what is the master plan for the entire system. Chair Hartnett said that sometimes we forget that the bicyclists are part of the overall customer base that needs to be considered. It would be good to know why they use the bicycles rather than walk or use some other type of transportation. We need to get many people where they want to go.

Mr. Scanlon thanked everyone for their comments. The dialogue has shown the spectrum of this plan. In perspective, the Bicycle Master Plan will not solve it all. Mr. Scanlon said that a balance is what is needed. There are going to be people who are going to need to take their bikes on board, others may park them at wayside. Mr. Scanlon said that as we look at the bike issue we are still dealing with the capacity issue of all riders, whether they are with a bike or not.

## **CORRESPONDENCE**

Provided in the reading file.

## **BOARD MEMBER REQUESTS**

None

## **DATE/TIME/PLACE OF NEXT MEETING**

Thursday, May 1, 2008, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos CA 94070.

## **REPORT OF LEGAL COUNSEL**

Conference with Legal Counsel pursuant to Government Code Section 54956.9 pending litigation: Kuc et al vs. Peninsula Corridor Joint Powers Board et al.

David Miller, Legal Counsel, said that he is recommending that the Board adjourn into a closed session to discuss a pending litigation matter listed on the agenda. The Ralph M. Brown Act permits closed session discussion of this item.

The meeting adjourned to closed session at 11:40 a.m.

Attendees at the closed session: G. Cameron, J. Cassman, P. Glenn, V. Harrington, C. Harvey, R. Haskin, G. Lambert, J. Lawson, C. Marshall, M. Martinez, I. McAvoy, D. Miller, M. Rush, M. Scanlon, M. Simon

The meeting reopened at 11:45 a.m.

Following the closed session, the Board reconvened in open session and Mr. Miller said that for the record the JPB has met in closed session as permitted by the Brown Act to discuss a matter of pending litigation as listed on the agenda. The Board of Directors has given appropriate instructions to counsel relative to the disposition to this matter.

**ADJOURNED**

The meeting adjourned at 11:48 a.m.

PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Virginia Harrington  
Chief Financial Officer

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD  
ENDING MARCH 31, 2008 AND SUPPLEMENTAL INFORMATION**

**ACTION**

Staff proposes that the Board of Directors accept and enter into the record the Statement of Revenue and Expense for the month of March 2008 and supplemental information.

**SIGNIFICANCE**

**Revenue:** For March of fiscal year 2008, *Total Operating Revenue* (line 7) is **better** than budget. This is due to higher than anticipated *Farebox Revenue* (line 1), *Parking Revenue* (line 2), *Rental Income* (line 4) and *Other Income* (line 5) which together were \$1,389,820 or 4.3 percent **better** than budget and are offset by *Shuttles* (line 3), which is **worse** than budget by \$13,676 or 1.7 percent. Compared to the prior year, *Total Operating Revenue* (line 7) is \$4,656,954 or 15.6 percent **higher**.

**Expense:** *Grand Total Expense* (line 50) shows a favorable variance. *Contract Operating & Maintenance* (line 24) is \$5,178,857 or 12.2 percent **better** than budget. *Facilities and Equipment Maintenance* (line 29) is \$512,426 or 38.1 percent **better** than budget and *Utilities* (line 30) are \$328,797 or 28.8 percent **better** than budget due to a gradual ramp up in activity during the first year of operation for CEMOF. The proposed FY09 budget for next year will accurately reflect the operation expenses for CEMOF. *Total Administrative Expense* (line 41) is \$425,336 or 6.7 percent **better** than budget. The expenses are **lower** in this line item due to timing and is expected to approach budget as the fiscal year progresses. *Fuel* (line 26) is **worse** than budget by \$253,790 or 2.7%. *Fuel* was initially budgeted at \$2.40 per gallon. The budget was amended in April to increase *Fuel* to \$2.65 per gallon whereas the average price as of the end of March was \$2.70 per gallon.

Compared to prior year, *Grand Total Expense* (line 50) is \$6,230,012 or 11.2 percent **higher**. The increase in expenses over the prior year are mainly due to the rise in *Contract Operating & Maintenance* (line 24) costs, the increased cost of *Fuel* (line 26) and *Wages & Benefits* (line 35). The current year expenses also include *CEMOF – Startup Expenses* (line 48).

**Budget Revisions:** There are no budget revisions this month.

Prepared by: Rima Lobo, Manager, Financial Services  
Ed Hung, Senior Accountant

650-508-6274  
650-508-6358

# PENINSULA CORRIDOR JOINT POWERS BOARD

## STATEMENT OF REVENUE AND EXPENSE FISCAL YEAR 2008 MARCH 2008

**% OF YEAR ELAPSED 75.0%**

	MONTH	YEAR TO DATE				ANNUAL			
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET	
(AS PROJECTED)									
<b>REVENUE</b>									
OPERATIONS:									
1	Farebox Revenue	3,239,001	24,969,571	28,927,249	28,275,278	102.3%	38,352,831	38,352,831	75.4%
2	Parking Revenue	174,649	1,312,324	1,590,628	1,380,730	115.2%	1,841,000	1,841,000	86.4%
3	Shuttles	90,138	766,659	800,410	814,086	98.3%	1,085,509	1,085,509	73.7%
4	Rental Income	132,250	1,096,137	1,181,219	1,052,520	112.2%	1,401,210	1,401,210	84.3%
5	Other Income	195,611	1,713,624	2,015,762	1,616,510	124.7%	2,129,670	2,129,670	94.7%
6	TOTAL OPERATING REVENUE	3,831,648	29,858,315	34,515,269	33,139,124	104.2%	44,810,220	44,810,220	77.0%
CONTRIBUTIONS:									
10	AB-434-Peninsula Feeder Shuttle	86,196	771,810	775,766	775,766	100.0%	1,034,355	1,034,355	75.0%
11	FTA Operating/Planning Grant	14,875	275	117,947	117,947	100.0%	292,000	292,000	40.4%
12	STA Operating Grant	0	877,842	51,528	51,528	100.0%	191,000	191,000	27.0%
13	JPB Member Agencies	3,189,044	27,865,434	28,701,398	28,701,398	100.0%	38,268,530	38,268,530	75.0%
14	Other Sources	333,968	0	995,834	995,834	100.0%	5,359,964	6,848,197	14.5%
15	TOTAL REQUIRED REVENUE	3,624,083	29,515,361	30,642,473	30,642,472	100.0%	45,145,849	46,634,082	65.7%
18	<b>GRAND TOTAL REVENUE</b>	<b>7,455,731</b>	<b>59,373,677</b>	<b>65,157,742</b>	<b>63,781,596</b>	<b>102.2%</b>	<b>89,956,069</b>	<b>91,444,302</b>	<b>71.3%</b>
<b>EXPENSE</b>									
OPERATING EXPENSE:									
24	Contract Operating & Maintenance	4,612,257	36,178,388	37,335,816	42,514,673	87.8%	55,947,740	55,705,737	67.0%
25	Shuttles (Including Peninsula Pass)	244,654	2,051,934	2,133,469	2,137,905	99.8%	2,864,540	2,864,540	74.5%
26	Fuel	1,321,953	7,899,913	9,694,060	9,440,270	102.7%	12,454,575	12,573,396	77.1%
27	Timetables & Tickets	32,570	79,711	143,880	159,250	90.3%	223,000	223,000	64.5%
28	Insurance	343,508	2,533,324	2,868,613	2,857,482	100.4%	3,810,000	3,810,000	75.3%
29	Facilities and Equipment Maintenance	80,389	741,060	832,307	1,344,733	61.9%	2,393,440	2,393,440	34.8%
30	Utilities	71,434	656,915	812,339	1,141,136	71.2%	1,712,700	1,748,800	46.5%
31	Services	64,125	607,340	696,926	782,209	89.1%	1,162,660	1,162,793	59.9%
32	TOTAL OPERATING EXPENSE	6,770,889	50,748,585	54,517,408	60,377,657	90.3%	80,568,655	80,481,706	67.7%
ADMINISTRATIVE EXPENSE:									
35	Wages & Benefits	540,602	3,304,923	4,070,161	4,080,598	99.7%	5,466,425	5,435,322	74.9%
36	Board Of Directors	866	9,743	7,737	12,225	63.3%	16,300	16,300	47.5%
37	Professional Services	252,654	690,293	955,809	1,226,159	78.0%	1,731,350	1,735,208	55.1%
38	Communications/Marketing	50,506	87,020	126,730	237,500	53.4%	331,500	333,000	38.1%
39	Other Office Expense and Services	79,028	710,289	787,461	816,750	96.4%	981,272	1,093,966	72.0%
40	TOTAL ADMINISTRATIVE EXPENSE	923,656	4,802,268	5,947,896	6,373,232	93.3%	8,526,847	8,613,796	69.1%
LONG TERM DEBT EXPENSES									
44	Head End Power (HEP) Debt Service	0	274,268	131,399	131,399	100.0%	131,399	131,399	100.0%
45	2007 Farebox Revenue Bond Debt Service	92,519	0	462,595	462,595	100.0%	729,168	729,168	63.4%
46	TOTAL LONG TERM DEBT EXPENSE	92,519	274,268	593,994	593,994	100.0%	860,567	860,567	69.0%
48	CEMOF - Startup Expenses	69,740	-	995,834	995,834	100.0%	-	1,488,233	66.9%
50	<b>GRAND TOTAL EXPENSE</b>	<b>7,856,804</b>	<b>55,825,120</b>	<b>62,055,132</b>	<b>68,340,717</b>	<b>90.8%</b>	<b>89,956,069</b>	<b>91,444,302</b>	<b>67.9%</b>

"% OF YEAR ELAPSED" provides a general measure for evaluating overall progress against the annual budget. When comparing it to the amounts shown in the "% REV BUDGET" column, please note that individual line items reflect variations due to seasonal activities during the year.



**PENINSULA CORRIDOR JOINT POWERS BOARD**

**INVESTMENT PORTFOLIO**

**AS OF MARCH 31, 2008**

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
County Pool # 3 (Capital projects, other)	Liquid Cash	4.49%	27,422,576	27,305,176
County Pool # 3 (Restricted)	Liquid Cash	4.49%	2,000,000	1,991,438
			29,422,576	29,296,614

Accrued Earnings for March 2008	\$114,353.52 (1)
Cumulative Earnings FY2008	\$957,664.54

(1) Earnings do not include prior period adjustments

\* County Pool average yield for the month ending March 31, 2008 was 4.49%. As of March 31 2008, the amortized cost of the Total Pool was \$2,827,063,703.53 and the fair market value per San Mateo County Treasurer's Office was \$2,814,960,661.26.

\*\* The Portfolio and this Investment Report comply with the Investment Policy and the provisions of SB 564. 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: Michael J. Scanlon  
Executive Director

FROM: Ian B. McAvoy  
Chief Development Officer

SUBJECT: **AUTHORIZATION TO REQUEST AN ALLOCATION OF FISCAL YEAR  
2008 PROPOSITION 1B CALIFORNIA TRANSIT SECURITY GRANT  
PROGRAM FUNDS**

**ACTION**

Staff Coordinating Council proposes that the Board authorize the Executive Director, or his designee, to submit an allocation request to the Governor’s Office of Homeland Security (OHS) and any other documents required, including assurances, certifications and other information, to receive a total of \$939,246 in FY08 Proposition 1B California Transit Security Grant Program (CTS GP) funds.

**SIGNIFICANCE**

Staff is proposing to submit an allocation request for FY08 CTS GP funds, in the amount of \$939,246, for the following projects:

<b><u>Project</u></b>	<b><u>CTS GP Request</u></b>	<b><u>Total Project Cost</u></b>
Cameras on Trains	\$500,000	\$500,000
Disaster Relief Equipment & Rail Spur Closed Circuit Televisions at the Centralized Equipment Maintenance and Operations Facility (CEMOF)	100,329	100,329
Replace Switches & Locks on the Caltrain Right of Way	36,230	175,000
Safety & Security Improvements at Caltrain’s Key Stations	140,000	2,273,448
<i>Totals</i>	<u>\$939,246</u>	<u>\$4,287,277</u>

All of the projects listed above are consistent with the Caltrain Capital Improvement Program.

**BUDGET IMPACT**

There is no match requirement for CTSGP funds, and the Cameras on Trains and Disaster Relief Equipment & Rail Spur projects would be fully funded with CTSGP funds. The other three projects are eligible for sufficient funds from Federal Homeland Security to complete the projects. Funding for all five projects will be proposed for inclusion in the FY09 Caltrain Capital Budget.

## **BACKGROUND**

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, otherwise known as Proposition 1B, was approved by California voters on November 7, 2006. Proposition 1B includes a funding program specifically for transit safety and security projects known as the CTSGP. Eligible activities under this program include either of the following: a capital project that provides increased protection against a security or safety threat, or a capital project that increases the capacity of transit operators to prepare for disaster-response transportation systems that can move people, goods, emergency personnel and equipment in the aftermath of a disaster. The State Controller develops a list of eligible transit operators and the amount of funds that each operator is eligible to receive on an annual basis. In FY08, the JPB is programmed to receive \$939,246. Funding allocations are projected to occur in June 2008. Unlike most other transit capital funding programs, which are on a reimbursement basis, funds from the CTSGP are advanced to project sponsors at the time of allocation.

Prepared by: Rebecca Arthur, Capital Programs and Grants Administrator

650.508.6368

**RESOLUTION NO. 2008 -**

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

**STATE OF CALIFORNIA**

\* \* \*

**AUTHORIZATION TO REQUEST AN ALLOCATION OF  
FISCAL YEAR 2008 PROPOSITION 1B CALIFORNIA TRANSIT  
SECURITY GRANT PROGRAM FUNDS**

**WHEREAS**, the California Transit Security Grant Program (CTSGP) is a funding program that is part of the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, otherwise known as Proposition 1B, which was approved by California voters on November 7, 2006; and

**WHEREAS**, funds from the CTSGP are to be made available to project sponsors in California for capital security and safety transit projects; and

**WHEREAS**, the State Controller develops an annual list with the amounts that each eligible project sponsor is programmed to receive;

**WHEREAS**, in Fiscal Year (FY) 2008, the Peninsula Corridor Joint Powers Board (JPB) is programmed to receive \$939,246; and

**WHEREAS**, staff recommends that the Board authorize the Executive Director, or his designee, to submit an allocation request to the Governor's Office of Homeland Security (OHS) and any other documents required to receive a total of \$939,246 in FY 08 CTSGP funds for the projects listed below.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board, by adopting this resolution:

1. Authorizes the Executive Director, or his designee, to submit an allocation request to the OHS and any other documents required to receive a total of \$939,246 in FY 08 CTSGP funds for the following projects:

<b><u>Project</u></b>	<b><u>CTSGP Request</u></b>
Cameras on Trains	\$500,000
Disaster Relief Equipment & Rail Spur	100,329
Closed Circuit Televisions at the Centralized Equipment Maintenance and Operations Facility (CEMOF)	162,687
Replace Switches & Locks on the Caltrain Right of Way	36,230
Safety & Security Improvements at Caltrain's Key Stations	<u>140,000</u>
<i>Total</i>	<u>\$939,246</u>

2. Authorizes the Executive Director, or his designee, to execute and file any assurances, certifications, or furnish any additional information as the OHS may require in connection with the filling of this allocation request.

Regularly passed and adopted this 1st day of May 2008, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chair, Board of Directors

ATTEST:

\_\_\_\_\_  
JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Ian B. McAvoy  
Chief Development Officer

SUBJECT: **AUTHORIZE FY 2008 FEDERAL TRANSIT ADMINISTRATION (FTA) APPLICATIONS**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director, or his designee, to submit grant applications to the Federal Transit Administration (FTA) and to execute agreements required to receive \$6,408,696 in Section 5307 Urbanized Area Formula Program funds, \$14,468,565 in Section 5309 Fixed Guideway Modernization Program funds, and \$4,000,000 in Congestion Mitigation and Air Quality (CMAQ) funds for a total of \$24,877,261 in Federal funds.

**SIGNIFICANCE**

Staff is proposing to submit Federal grant applications as part of an annual funding process to receive Federal funds programmed to the JPB. These grants consist of \$6,408,696 in Section 5307 funds and \$14,468,565 in Section 5309 funds and \$4,000,000 in CMAQ funds for a grand total of \$24,877,261.

The FTA grant applications will include the following projects:

<b><u>Project</u></b>	<b>Section 5307</b>	
	<b><u>Amount</u></b>	<b><u>Total</u></b> <sup>1</sup>
• Systemwide Track, Bridge & Structures Rehabilitation	\$828,889	\$1,036,111
• Systemwide Security	\$1,675,807	\$2,094,759
• Signal/Communication Rehabilitation	\$3,024,000	\$3,780,000
• Visual Messaging Sign–Public Address Systems Integration	<u>\$880,000</u>	<u>\$1,100,000</u>
	<b><u>\$6,408,696</u></b>	<b><u>\$8,010,870</u></b>
	<b>Section 5309</b>	

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<sup>1</sup> Each figure in the *Total* column includes the federal grant and local matching amounts.

<b><u>Project</u></b>	<b><u>Amount</u></b>	<b><u>Total</u></b>
• Caltrain Systemwide Station Improvements	\$1,200,000	\$1,500,000
• Systemwide Track, Bridge & Structures Rehabilitation	\$9,185,845	\$11,482,306
• Signal/Communication Rehabilitation	\$445,159	\$556,449
• Signal Replacement and Upgrade	\$1,477,561	\$1,846,951
• Installation of Fixed Fueling Facility	\$960,000	\$1,200,000
• North Terminal Operational Improvements Phase II	\$1,200,000	\$1,500,000
	<b><u>\$14,468,565</u></b>	<b><u>\$18,085,706</u></b>

<b><u>Project</u></b>	<b><u>CMAQ Amount</u></b>	<b><u>Total</u></b>
• Electrification	<b><u>\$4,000,000</u></b>	<b><u>\$4,518,242</u></b>

All of the projects listed above are part of the JPB Capital Improvement Program (CIP).

### **BUDGET IMPACT**

The total match requirement for the Federal grants listed above is \$5,737,557. Matching funds are programmed from JPB member contributions and AB664 bridge toll funds. The bulk of these funds were previously authorized in the approved FY08 and prior year Capital budgets. Matching funds for the Electrification project, in the amount of \$518,242, will be requested for approval as part of the requested adoption of the FY09 Capital Budget. No additional member contributions above the local match amounts are required for any of the listed projects.

### **BACKGROUND**

The FTA Section 5307 Urbanized Area Formula and the Section 5309 Fixed Guideway Modernization grant programs provide Federal funding for transit capital projects. The JPB competes with other transit operators in the San Francisco Bay Region for Section 5307 and Section 5309 funds, which are administered by the Metropolitan Transportation Commission. The CMAQ funds are flexible funds that have been transferred from the Federal Highway Administration (FHWA) to the FTA for transit capital projects and will become part of the JPB's FY08 Section 5307 Urbanized Area Formula Grant.

The funding amounts in the proposed grant applications to the FTA have been programmed by MTC to the JPB. Once the Board has authorized filing of these grant applications, they will be transmitted to the FTA. Grant approval generally is expected within 30 days following the initial filing.

Prepared by: Joel Slavitt, Manager, Capital Programs and Grants

650.508.6476

**RESOLUTION NO. 2008 -**

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

\* \* \*

**AUTHORIZING THE FILING OF APPLICATIONS WITH THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION, FOR A SECTION 5307 URBANIZED AREA FORMULA PROGRAM GRANT IN THE AMOUNT OF \$10,408,696 AND FOR A SECTION 5309 FIXED GUIDEWAY MODERNIZATION PROGRAM GRANT IN THE AMOUNT OF \$14,468,565 AND THE EXECUTION OF GRANT AGREEMENTS REQUIRED TO RECEIVE THE GRANT FUNDS FOR CALTRAIN CAPITAL PROJECTS**

**WHEREAS**, the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law 109-59, August 10, 2005) authorizes the Federal surface transportation programs for highways, highway safety, and transit for the five-year period 2005-2009; and

**WHEREAS**, the Secretary of Transportation is authorized to make grants for mass transportation projects; and

**WHEREAS**, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share for any capital project costs; and

**WHEREAS**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation requires that an applicant filing an application for assistance under the Federal Transit Act of 1964, as amended, give assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

**WHEREAS**, it is the policy of the applicant to ensure nondiscrimination on the basis of race, color, sex or national origin in the award and administration of the United States Department of Transportation grants and to create a level playing field on which disadvantaged

business enterprises can compete fairly for contracts and subcontracts relating to applicant's construction, procurement and professional services activities.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby:

1. Authorizes the Executive Director, or his designee, to execute and file an application on behalf of the Peninsula Corridor Joint Powers Board with the U.S. Department of Transportation, Federal Transit Administration, in an aggregate amount of \$10,408,696 to the Peninsula Corridor Joint Powers Board during Fiscal Year 2008 pursuant to 49 U.S.C. § 5307 for Urbanized Area Formula funds and 23 U.S.C. § 149 for Congestion Mitigation and Air Quality (CMAQ) funds, all as more particularly described as follows:

Systemwide Track, Bridge & Structures Rehabilitation	\$828,889
Systemwide Security	\$2,094,759
Signal/Communication Rehabilitation	\$3,024,000
Visual Messaging Sign – Public Address Systems Integration	\$880,000
Electrification	<u>\$4,000,000</u>
	<u>\$10,408,696</u>

2. Authorizes the Executive Director, or his designee, to execute and file an application on behalf of the Peninsula Corridor Joint Powers Board with the U.S. Department of Transportation, Federal Transit Administration, in an aggregate amount of \$14,468,565 for capital funds to the Peninsula Corridor Joint Powers Board during Fiscal Year 2008 pursuant to 49 U.S.C. § 5309, all as more particularly described as follows:

Caltrain Systemwide Station Improvements	\$1,200,000
Systemwide Track, Bridge & Structures Rehabilitation	\$9,185,845
Signal/Communication Rehabilitation	\$445,159
Signal Replacement & Upgrade	\$1,477,561
Installation of Fixed Fueling Facility	\$960,000
North Terminal Operational Improvements Phase II	<u>\$1,200,000</u>
	<u>\$14,468,565</u>

3. Authorizes the Executive Director, or his designee, to execute and file with such applications any assurances, certifications, or other documents required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964; and

4. Authorizes the Executive Director, or his designee, to furnish such additional information as the U.S. Department of Transportation may require in connection with the filing of these applications; and

5. Authorizes the Executive Director, or his designee, to set forth and execute Disadvantaged Business Enterprise Program policies in connection with the projects' procurement needs; and

6. Authorizes the use of \$5,737,557 from the Fiscal Year 2008 and prior year capital budgets programmed from Peninsula Corridor Joint Powers Board member contributions and Regional Bridge Toll funds, as local matching funds for the Section 5307 and Section 5309 grant projects, as set forth in the aforementioned grant applications; and

7. Authorizes the Executive Director, or his designee, to execute on behalf of the Peninsula Corridor Joint Powers Board grant agreements for the federal funding described above upon approval by the Federal Transit Administration of the aforementioned grant applications, and to take such actions as may be necessary to give effect to this resolution.

Regularly passed and adopted this 1st day of May 2008, by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Board of Directors

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

**FROM:** Ian McAvoy  
Chief Development Officer

**SUBJECT: APPROVAL OF A CHANGE ORDER TO CONTRACT WITH  
MITCHELL ENGINEERING FOR AN AMOUNT NOT TO EXCEED  
\$150,000**

**ACTION**

Staff Coordinating Council (SCC) recommends that the Board approve the following:

1. Approve a contract change order to the San Bruno Grade Separation Phase 1 contract (07-PCJPB-C-082) with Mitchell Engineering for the demolition of a building in South San Francisco required for utility relocation in an amount not to exceed \$150,000; and
2. Authorize the Executive Director or his designee to execute such contract change order covering negotiated costs and schedule changes resulting from the added work.

**SIGNIFICANCE**

The approval of the contract change order will allow for the demolition of a building on Caltrans property in advance of required utility relocation work associated with the South San Francisco Station Improvement project. Mitchell Engineering is currently mobilized in the area under the San Bruno Grade Separation Phase 1 contract and can quickly execute this work to support the utility relocation. This will result in significant cost savings when compared to mobilizing a contractor under a separate contract.

The change order work is within the general contract scope of the current San Bruno Grade Separation Phase 1 contract. There is no schedule impact to the San Bruno project as a result of this change. This action will increase the Board awarded contract authority by \$150,000 from \$4,357,000 to \$4,507,000.

**BUDGET IMPACT**

Funding for the contract change order will come from the South San Francisco Station Improvement project. This project was previously approved in prior year capital budgets. No additional funding is required for this contract change order.

## **BACKGROUND**

The San Bruno Grade Separation Phase 1 project contract was awarded to Mitchell Engineering at the November 2007 JPB meeting under Resolution 2007-46 and provides for interim pedestrian, bicycle and vehicle safety by bringing existing grade crossings and grade crossing approaches to JPB and California Public Utility Code standards. The contract also included demolition of the former San Bruno Lumber Yard building.

The construction of the pedestrian underpass at South San Francisco Station Improvement project will require the relocation of three utilities: Kinder-Morgan (gas), Cal-Water, and PG&E (electric). It is not possible to relocate the utilities without first demolishing an abandoned building, formally a Caltrans maintenance facility. The three utilities have agreed to cover the cost of the relocations once the building demolition is completed.

Prepared By:	Brian Kelleher, Manager Capital Contracts	650.508.7952
Project Manager:	Rafael Bolon	650.508.7805

**RESOLUTION NO. 2008-**

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

\* \* \*

**APPROVING A CHANGE ORDER TO THE CONTRACT FOR THE SAN BRUNO  
GRADE SEPARATION PHASE 1 PROJECT WITH MITCHELL ENGINEERING FOR  
AN AMOUNT NOT TO EXCEED \$150,000**

**WHEREAS**, on November 1, 2007, and pursuant to Resolution 2007-46, the Peninsula Corridor Joint Powers Board (PCJPB) awarded a contract for the San Bruno Grade Separation Phase 1 project to Mitchell Engineering (Mitchell); and

**WHEREAS**, additional building demolition services are required in South San Francisco in the vicinity of the San Bruno Grade Separation Phase 1 project in order to facilitate utility relocation work associated with the South San Francisco Station Improvement project; and

**WHEREAS**, staff desires to award this additional demolition work to Mitchell pursuant to a contract change order, and Mitchell is willing to perform the work.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approves a contract change order to contract number 07-PCJPB-C-082 with Mitchell Engineering for the demolition of a building in South San Francisco required for utility relocation in an amount not to exceed \$150,000; and

**BE IT FURTHER RESOLVED** that the Executive Director or his designee is authorized to execute such contract change order covering final negotiated amounts resulting from the added work; and

**BE IT FURTHER RESOLVED** that the Executive Director is authorized to take such further actions as may be needed to give effect to this resolution.

Regularly passed and adopted this 1st day of May 2008 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Ian McAvoy  
Chief Development Officer

SUBJECT: **APPROVAL OF A CHANGE ORDER TO CONTRACT WITH SHIMMICK/BALFOUR BEATTY RAIL SERVICES FOR AN AMOUNT NOT TO EXCEED \$150,000.**

**ACTION**

Staff Coordinating Council (SCC) recommends that the Board:

1. Approve a contract change order to contract number 05-PCJPB-C-016 (Burlingame Station and Platform Improvements Project), with Shimmick/Balfour Beatty Rail Services for the repair of a damaged sanitary sewer line and signal conduit relocation at the Oak Grove grade crossing in Burlingame in an amount not to exceed \$150,000.
2. Authorize the Executive Director or his designee to execute such contract change order covering negotiated costs and schedule changes resulting from the added work.

**SIGNIFICANCE**

The approval of the contract change order will allow for expeditious repair of a damaged sanitary sewer line and relocation of a railroad signal conduit at the Oak Grove grade crossing in Burlingame. Construction work on contract 05-PCJPB-C-016 is nearly complete, and additional change order authority is needed to add the subject sewer line repair and signal conduit relocation. This action will increase the Board awarded contract authority by \$150,000 from \$12,468,483 to \$12,618,483. This current contract includes the same type of railroad signal conduit and underground pipeline work required at the Oak Grove Avenue location.

**BUDGET IMPACT**

The cost of the repair of the damaged sewer line is estimated to be \$150,000. Funding for this work is being sought by means of a claim on the construction contract insurance for the North CTX Project contractor (HCC/S&WI Constructors, Inc.). In the meantime, capital contingency funding for the repair work may be used and will be reimbursed upon settlement of this claim.

## **BACKGROUND**

In January, the City of Burlingame performed excavation work near the JPB tracks at the Oak Grove grade crossing for the purpose of installing improvements to the city sanitary sewer system. At the bottom of one of their trenches, the city's contractor found a railroad signal conduit and sewage flow around this conduit. As there was a city sewer line close to this location (and at roughly the same elevation as the signal conduit), the city suspected the nearby sewer line may have been damaged by the installation of the signal conduit.

The city subsequently ran a video camera through the sewer and found what appears to be a signal conduit running through this sewer line. Based on this evidence, it appears that the sewer line was damaged in 2002/03 during the North CTX Project. The contractor for this project, HCC/S&WI Constructors, has been given notice of this and a claim has been processed against their construction insurance coverage.

The City of Burlingame has requested that the JPB repair the damaged sewer line. The JPB signal conduit will also need to be relocated as a part of this repair work. Use of a change order on the current JPB construction contract was selected to expedite the work.

Project Manager: Jim Kellner, Project Manager

650.508.6333

**RESOLUTION NO. 2008-**

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

\* \* \*

**APPROVAL OF A CHANGE ORDER TO CONTRACT WITH SHIMMICK/BALFOUR  
BEATTY RAIL SERVICES FOR AN AMOUNT NOT TO EXCEED \$150,000**

**WHEREAS**, the Burlingame Outboard Platform Improvement project contract was awarded to Shimmick/Balfour Beatty Rail Services at the April 2007 JPB meeting under Resolution 2007-16; and

**WHEREAS**, the City of Burlingame is performing excavation work near the PCJPB right-of-way at the Oak Grove grade crossing as part of a City sanitary improvement project; and

**WHEREAS**, the City discovered a railroad signal conduit installed as part of the North CTX project in 2003 damaged the sanitary sewer line; and

**WHEREAS**, the City of Burlingame has requested that the PCJPB repair the damaged sanitary sewer line; and

**WHEREAS**, approval of the contract change order will allow for the expeditious repair of the damaged sanitary server line at the Oak Grove grade crossing in Burlingame; and

**WHEREAS**, sufficient capital contingency funds are available to fund the sewer repair work with the understanding that ultimately the North CTX project contractor will be looked to for reimbursement of the capital contingency funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approves a contract change order to contract number 07-PCJPB-C-016 with Shimmick/Balfour Beatty Rail Services for the repair of a damaged sanitary sewer line at the Oak Grove grade crossing in Burlingame in an amount not to exceed \$150,000; and

**BE IT FURTHER RESOLVED** that the Executive Director or his designee is authorized to execute such contract change order covering final negotiated amounts resulting from the added work; and

**BE IT FURTHER RESOLVED** that the Executive Director is authorized to take such further actions as may be needed to give effect to this resolution.

Regularly passed and adopted this 1st day of May 2008 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

**FROM:** C.H. (Chuck) Harvey  
Chief Operating Officer

**SUBJECT:** **Key Caltrain Performance Statistics— March 2008**  
**(Table A, Graph A)**

For March 2008, Caltrain average weekday ridership increased by 4.8 percent when compared to March 2007. Average weekday ridership based on ticket sales was 36,606 for March 2008, an increase of 1,667 over March 2007. The total number of passengers for the month of March 2008 was 974,083. This is a 3.3 percent increase compared to last year's March total of 942,770.

In March 2008, OTP was 94.7 percent as compared to 96.73 percent in March 2007. This is a significant improvement to OTP especially given increased dwell times, mechanical delays, and a single fatality.

The new 98-train service began in March. Two weekday evening trains, one northbound and one southbound, were added to the schedule.

Shuttle average weekday ridership was 5,839 (up 8.6 % YTY). The Broadway shuttle averaged 84 daily riders. The Tamien shuttle averaged 70 daily riders. Genentech's move to Millbrae now allows shuttle riders Baby Bullet service. The new Belmont/Hillsdale shuttle averaged 65 daily riders in March.

Table A shows performance indicators for March 2008 and Graph A shows average weekday ridership for the past 13 months as compared to the rolling average.

## **Caltrain March 2008 Promotions**

**Belmont / Hillsdale Shuttle** – In addition to the two extra trains added to revenue service on Monday, March 3, the Belmont / Hillsdale shuttle began operating between the two stations in an effort to alleviate parking capacity problems at the Hillsdale station. The non-stop service, which operates weekday mornings and afternoons, was promoted with local newspaper ads and a direct mail campaign targeting Belmont and surrounding area residents. New riders were greeted by Caltrain staff bright and early Monday morning and treated to donuts and coffee before they boarded the shuttle. To further entice use of the shuttle, parking fees at the Belmont station have been suspended through June 2009.

**San Jose Sharks** – This year’s cooperative promotion with the San Jose Sharks includes a brochure, train card and a scoreboard announcement during the game by Sharkie, the Sharks’ mascot, announcing the departure time for Caltrain. Regular season ridership on Caltrain was up 9 percent from 2007 as the Sharks once again prepare for the Stanley Cup playoffs.

**Giants** – Caltrain is coming off its highest ridership year in the history of baseball service to Giants games. The 2008 season will be a challenge for the Giants as they begin to rebuild the team following the Barry Bonds era. This year’s promotion is the second part of a two-year campaign that includes television commercials aired during Giants games on Comcast cable stations and on the Giants scoreboard, an ad placed in the Giants Scorecard and 40,000 brochures distributed onboard the trains, at staffed stations and selected locations throughout the Caltrain service area. This year’s brochure features the Giants’ 50<sup>th</sup> anniversary logo on the cover.

**Caltrain Evening and Weekend Service** - The campaign to promote the new service focused on the evening and weekend service with radio and print advertisements and the special discounts for Caltrain riders at Great America, Pier 39 and the Winchester Mystery House. The ads were featured on those stations and newspapers most used by current Caltrain riders (KQED, KGO, *San Francisco Chronicle* and *San Jose Mercury News*). In addition, Web advertisements were placed on SF Gate - the San Francisco Chronicle’s Web site, as well as the San Mateo County Times site.

Prepared by: Iris Yuan, Senior Operations Analyst  
Patrick Boland, Marketing Manager

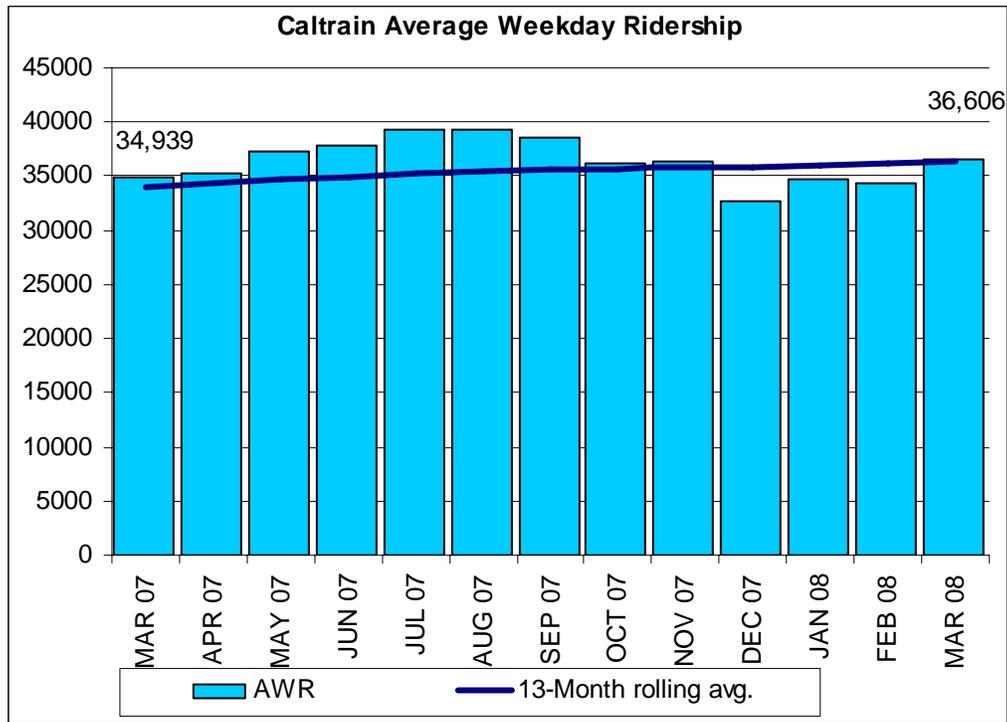
650.508.7913  
650.508.6245

**Table A**

<b>March 2008</b>			
	<b>FY 07</b>	<b>FY 08</b>	<b>%Change</b>
Total Ridership	942,770	974,083	3.3%
Average Weekday Ridership	34,939	36,606	4.8%
Total Revenue	\$2,854,832	\$3,239,001	13.5%
On Time Performance	96.7%	94.7%	-2.1%
Caltrain Shuttle Ridership	5,379	5,839	8.6%

<b>Year to Date</b>			
	<b>FY 07</b>	<b>FY 08</b>	<b>%Change</b>
Total Ridership	8,053,400	8,646,835	7.4%
Average Weekday Ridership	34,227	36,476	6.6%
Total Revenue	\$24,966,941	\$28,926,348	15.9%
On Time Performance	95.7%	93.4%	-2.4%
Caltrain Shuttle Ridership	4,899	5,203	6.2%

**Graph A**



**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

**FROM:** Virginia Harrington  
Chief Financial Officer

**SUBJECT: PROPOSED CALTRAIN FY2009 OPERATING BUDGET**

**ACTION**

This report is submitted for informational purposes only. No policy action is requested at this time.

**SIGNIFICANCE**

The initial Caltrain Operating budget proposal (Attachment “A”) shows an operating budget of \$95.4 million, an increase of \$5.4 million, or 6.0 percent over the revised FY2008 budget. Expenditures exceed revenues by approximately \$5.4 million.

**FY2009 Revenue Projections**

Total revenues for FY2009 are projected to be \$89.9 million, which is a minimal change from the FY2008 revised budget. Revenues include the following significant components:

- FY2009 Operating Revenue for Caltrain is projected to be \$48.6 million, an increase of \$3.8 million, or 8.6 percent over FY2008 revised budget.
  - Farebox revenue is increasing \$3.3 million to reflect a full year fare increase along with expected increases in ridership of approximately 2.5 percent. Service levels are proposed to remain the same, with 98 weekday trains, 32 on Saturday and 28 on Sunday.
- Other Contributed Revenue is projected to be \$41.3 million, a decrease of \$3.9 million, or 8.6 percent primarily due to the reduction of one-time funds utilized in the previous year.
  - JPB Member Agency contributions are projected to increase \$1.1 million or 3 percent over FY2008 revised budget. Total proposed contributions for each member agency are as follows:
    - San Mateo - \$16,521,290

- Santa Clara - \$15,878,130
- San Francisco - \$7,017,165
- Other Sources decreased \$4.8 million due to one-time funds that were utilized in FY2008.

### **FY2009 Expense Projections**

Total expenses for FY2009 are projected to be \$95.4 million, an increase of \$5.4 million, or 6.0 percent over FY2008 revised budget. Expenses include the following significant components:

Operating Expenses for Caltrain are projected at \$85.3 million, an increase of \$4.7 million, or 5.9 percent over FY2008 revised budget.

- Rail Operator Service increased by \$2.1 million. This increase lies primarily in the contractually required increase in Amtrak expenses and for the Centralized Equipment Maintenance and Operations Facility.
- Fuel costs are projected to increase by \$2 million in FY2009 to \$14.4 million. Fuel is projected at \$3 per gallon. Similar to the FY2008 mid year adjustment, any excess farebox revenues would be utilized to fund deficits in the fuel budget.

Administrative expenses are projected to increase by \$0.8M or 9.0 percent over FY2008 revised budget mostly due to wages and benefits.

As discussed at previous Board Meetings, Caltrain's reserves are well below reasonable levels and the agency continues to face a structural imbalance.

Staff will work diligently to seek further reductions and economies prior to presenting a final budget proposal to the Board at its June meeting.

Prepared by: Virginia Harrington, Chief Financial Officer  
Ladi Millard, Manager, Budget

650.508.7950  
650.508.7755

PENINSULA CORRIDOR JOINT POWERS BOARD  
STATEMENT OF REVENUE AND EXPENSE  
BUDGET PROPOSAL  
FY2009

	FY2007 ACTUAL A	FY2008 ADOPTED B	FY2008 REVISED C	FY2009 PROPOSED D	INC(DEC) FY08 REVISED to FY09 PROPOSED E = D-C	% INC(DEC) FY08 REVISED to FY09 PROPOSED F = E/C		
<b>REVENUE</b>								
<b>OPERATIONS:</b>								
1	Farebox Revenue	34,844,628	36,686,340	38,352,831	41,669,414	3,316,583	8.6%	1
2	Parking Revenue	1,879,036	1,841,000	1,841,000	2,128,054	287,054	15.6%	2
3	Shuttles	1,002,014	1,085,509	1,085,509	1,134,036	48,527	4.5%	3
4	Rental Income	1,484,472	1,401,210	1,401,210	1,604,340	203,130	14.5%	4
5	Other Income	2,277,149	2,129,670	2,129,670	2,111,720	(17,950)	-0.8%	5
6	<b>TOTAL OPERATING REVENUE</b>	<b>41,487,300</b>	<b>43,143,729</b>	<b>44,810,220</b>	<b>48,647,564</b>	<b>3,837,344</b>	<b>8.6%</b>	6
7								7
<b>CONTRIBUTIONS:</b>								
9	AB434 Peninsula Feeder Shuttle	1,030,399	1,034,355	1,034,355	1,034,355	0	0.0%	9
10	Operating Grants	3,353,616	271,000	483,000	211,000	(272,000)	-56.3%	10
11	JPB Member Agencies	37,153,913	38,268,530	38,268,530	39,416,585	1,148,055	3.0%	11
12	Other Sources	3,625,251	5,359,964	5,359,964	600,000	(4,759,964)	-88.8%	12
13	<b>TOTAL CONTRIBUTED REVENUE</b>	<b>45,163,179</b>	<b>44,933,849</b>	<b>45,145,849</b>	<b>41,261,940</b>	<b>(3,883,909)</b>	<b>-8.6%</b>	13
14								14
15	<b>GRAND TOTAL REVENUE</b>	<b>86,650,479</b>	<b>88,077,578</b>	<b>89,956,069</b>	<b>89,909,504</b>	<b>(46,565)</b>	<b>-0.1%</b>	15
16								16
<b>EXPENSE</b>								
<b>OPERATING EXPENSE:</b>								
20	Rail Operator Service	46,658,731	53,117,000	53,117,000	55,183,000	2,066,000	3.9%	20
21	Security Services	2,433,929	2,600,740	2,700,740	3,148,434	447,694	16.6%	21
22	Rail Operator Extra Work	222,998	130,000	130,000	170,000	40,000	30.8%	22
23	Contract Operating & Maintenance	49,315,658	55,847,740	55,947,740	58,501,434	2,553,694	4.6%	23
24	Shuttle Service	2,637,674	2,834,540	2,864,540	3,012,891	148,351	5.2%	24
25	Fuel	10,876,247	11,411,992	12,454,575	14,408,059	1,953,484	15.7%	25
26	Timetables and Tickets	162,855	223,000	223,000	218,000	(5,000)	-2.2%	26
27	Insurance	4,171,668	3,810,000	3,810,000	4,535,000	725,000	19.0%	27
28	Facilities and Equipment Maint	1,332,406	2,393,440	2,393,440	1,713,750	(679,690)	-28.4%	28
29	Utilities	925,517	1,712,700	1,712,700	1,725,270	12,570	0.7%	29
30	Services	992,330	1,162,660	1,162,660	1,180,300	17,640	1.5%	30
31	<b>TOTAL OPERATING EXPENSE</b>	<b>70,414,355</b>	<b>79,396,072</b>	<b>80,568,655</b>	<b>85,294,704</b>	<b>4,726,049</b>	<b>5.9%</b>	31
32								32
<b>ADMINISTRATIVE EXPENSE</b>								
34	Wages & Benefits	4,718,748	5,466,425	5,466,425	5,966,333	499,908	9.1%	34
35	Board of Directors	12,897	16,300	16,300	16,300	0	0.0%	35
36	Professional Services	1,179,605	1,519,350	1,731,350	1,726,850	(4,500)	-0.3%	36
37	Communications and Marketing	208,068	331,500	331,500	311,000	(20,500)	-6.2%	37
38	Other Office Expenses and Services	1,005,400	981,272	981,272	1,275,344	294,072	30.0%	38
39	<b>TOTAL ADMINISTRATIVE EXPENSE</b>	<b>7,124,718</b>	<b>8,314,847</b>	<b>8,526,847</b>	<b>9,295,827</b>	<b>768,980</b>	<b>9.0%</b>	39
40								40
41	Long Term Debt Expense	366,182	366,659	860,567	766,596	(93,971)	-10.9%	41
42								42
43	<b>GRAND TOTAL EXPENSE</b>	<b>77,905,255</b>	<b>88,077,578</b>	<b>89,956,069</b>	<b>95,357,127</b>	<b>5,401,058</b>	<b>6.0%</b>	43
44								44
45	<b>REVENUE OVER/UNDER</b>	<b>8,745,223</b>	<b>0</b>	<b>0</b>				45
46	<b>CARRYFORWARD CEMOF TRANSITION COSTS</b>	<b>(1,488,233)</b>						46
47	<b>CARRYFORWARD TO FY2008</b>	<b>(4,550,000)</b>	<b>0</b>	<b>0</b>				47
48	<b>GRAND TOTAL REVENUE OVER(UNDER)</b>	<b>2,706,990</b>			<b>(5,447,623)</b>	<b>(5,447,623)</b>		48

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

**FROM:** George Cameron  
Chief Administrative Officer

**SUBJECT: AUTHORIZATION TO SUBMIT FOR APPROVAL TO THE  
CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS A LABOR  
COMPLIANCE PROGRAM APPLICABLE TO ALL FUTURE PUBLIC  
WORKS CONTRACTS**

**ACTION**

Staff Coordinating Council recommends that the Board authorize the Executive Director to submit for approval to the California Department of Industrial Relations (DIR), a Labor Compliance Program applicable to all future public works contracts.

**SIGNIFICANCE**

The Board authorized a labor compliance program on September 7, 2006, specifically for qualified design-build construction contracts as required by state law. Staff has determined that a comprehensive labor compliance program, applicable to all future public works contracts, will benefit the JPB by conferring upon the JPB the authority of the State to resolve prevailing wage violations and entitling the JPB to retain all penalties imposed against contractors by the DIR for such violations. Staff desires to utilize this broader authority for future public works contracts.

**BUDGET IMPACT**

Funding for the Labor Compliance Program is included in the approved FY08 Operating Budget.

**BACKGROUND**

In 2000, the Legislature passed AB 958 (Public Contract Code Sections 20209.5 et seq.) giving statutory authority to transit operators, including the JPB, to award public works contracts on a design-build basis. A pre-requisite to utilizing design-build authority is that the transit operator must adopt a labor compliance program applicable to all design-build projects under Labor Code section 1771.5. Accordingly, on September 7, 2006, the JPB authorized staff to file an application for a labor compliance program for design-build projects with the California DIR.

The JPB's labor compliance program was approved by the Director of the DIR on November 14, 2006.

In reviewing the JPB's public works projects, staff identified revenue opportunities and operational efficiencies that would result from expanding the existing labor compliance program to apply to all of its public works contracts. With a labor compliance program in place, the JPB is entitled to retain all penalties assessed by the DIR for prevailing wage violations. In addition, a labor compliance program will grant the JPB greater authority to make decisions regarding compliance issues, reducing the coordination required with the DIR and streamlining the process. Finally, a labor compliance program will entitle the JPB to award projects of \$25,000 or less which are exempt from prevailing wage requirements. There are no additional costs incurred by the JPB in applying the labor compliance program to all of the JPB's public works contracts.

The DIR requires that a separate application be submitted for this proposed expanded labor compliance program, which would apply to all future public works contracts.

Prepared by: Käto Cooks, Labor Compliance Officer	650.508.7940
Project Mgr: Bill Carson, Manager, Employee Relations & Civil Rights	650.508.6234

**RESOLUTION NO. 2008-**

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

\* \* \*

**AUTHORIZING SUBMISSION FOR APPROVAL TO THE CALIFORNIA  
DEPARTMENT OF INDUSTRIAL RELATIONS, A LABOR COMPLIANCE  
PROGRAM APPLICABLE TO ALL FUTURE PUBLIC WORKS PROJECTS**

**WHEREAS**, by Resolution No. 2006-32 enacted on September 7, 2006, the Peninsula Corridor Joint Powers Board (“PCJPB”) authorized submission of an application to the Director of the Department of Industrial Relations for a labor compliance program (“LCP”) specific to design-build public works project; and

**WHEREAS**, the Director of the Department of Industrial Relations approved the PCJPB application on November 14, 2006; and

**WHEREAS**, the PCJPB desires to expand the authority of its LCP to include all PCJPB public works projects; and

**WHEREAS**, prior to implementing the amended LCP, it must be reviewed and approved by the Director of the Department of Industrial Relations; and

**WHEREAS**, staff has prepared a draft, amended LCP for application to all prospective PCJPB public works contracts; and

**WHEREAS**, the Executive Director has recommended that the draft, amended LCP be submitted to the Director of the Department of Industrial Relations.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes staff to submit the draft, amended labor

compliance program applicable to all future public works contracts to the Director of the Department of Industrial Relations for review and approval; and

**BE IT FURTHER RESOLVED** that the Executive Director or his designee may take any other actions necessary to secure the requisite approval of the LCP from the Director of the Department of Industrial Relations.

Regularly passed and adopted this 1<sup>st</sup> day of May 2008 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

**FROM:** George Cameron  
Chief Administrative Officer

**SUBJECT: PROPOSED FY 2009 DBE OVERALL ANNUAL GOAL FOR FTA-  
ASSISTED CONTRACTS**

**ACTION**

The JPB's Disadvantaged Business Enterprise (DBE) Review Committee and Staff Coordinating Council (SCC) recommend Board approval of the following actions:

- a. Publish the proposed DBE overall annual goal of 10 percent for Federal Transit Administration (FTA)-assisted contracts for public inspection and comment;
- b. In the event that no public comments are received that require a change to the proposed goal, authorize the Executive Director to formally adopt the goal for FY 2009;
- c. Authorize the Executive Director to submit the DBE overall annual goal to the FTA by the designated deadline of August 1, 2008.

**SIGNIFICANCE**

The U.S. Department of Transportation (DOT) issued amending regulations, effective July 16, 2003, requiring DOT grantees to establish a DBE overall annual goal in accordance with the prescribed methodology in the DBE program regulations. The proposed DBE overall annual goal of 10 percent for FTA-assisted contracts is based upon the JPB's assessment of FTA-assisted contracting activity for FY 2009 and the projected availability of ready, willing, and able DBEs to participate in this work.

**BUDGET IMPACT**

The proposed DBE overall annual goal should have no significant impact on the budget under the present procurement practices.

## **BACKGROUND**

Effective July 16, 2003, DOT issued amending regulations, 49 Code of Federal Regulations Part 26, pertaining to the Disadvantaged Business Enterprise Program (Regulations). On May 6, 2004, the JPB adopted a revised DBE Program under Resolution No. 2004-15 to conform to the amended regulations. The regulations specify that DOT grantees must establish an overall annual goal for DBE participation in federally assisted contracts, and prescribe various methods for doing so. The proposed FY 2009 DBE overall annual goal of 10 percent for FTA assisted contracts is based upon an assessment of the FTA assisted expenditures for JPB contracts projected for FY 2009, a review of U.S. Census and other data sources concerning the availability of DBEs in the industries and geographical markets relevant to the JPB's contracting activity, and consideration of the JPB's historical utilization of DBEs, among other factors. Consistent with DOT guidance, staff recommends an all race-neutral implementation of the DBE program for FY 2009, pending the results of a disadvantaged business enterprise availability and utilization study which was commissioned in September 2007 and is currently on-going.

For FY 2008, the overall annual goal is 11.9 percent for FTA-assisted contracts. While six months remain in this federal fiscal year, making any statistical report preliminary, as of March 31, 2008, DBE participation on FTA-assisted contracts is approximately 5.4 percent. For FY 2007, the JPB achieved an overall rate of 9.9 percent DBE participation for completed contracts.

Taking into consideration the JPB's historic utilization of DBEs, the DBE availability data, as well as the mixed types of contracts projected in FY 2009, the 10 percent goal for FTA-assisted contracts is a reasonable projection of DBE participation overall for the upcoming fiscal year.

With the Board of Directors' approval, the proposed FY 2009 overall annual goal will be published in general circulation, trade association and DBE oriented media to provide for public inspection for a period of 30 days and public comment for 45 days from the date of publication. It is recommended that final adoption of the goal be delegated to the Executive Director, in the event that no comments are received that require the Board to consider or modify the proposed goal. If reconsideration is needed, the Board will be asked to review and approve the final FY 2009 goal after completion of the public comment period. The JPB is required to submit the proposed FY 2009 DBE overall annual goal to the Federal Transit Administration by August 1, 2008.

Prepared by: Raymond Lee, DBE Officer 650.508.7939  
Bill Carson, Manager, Employee Relations & Civil Rights 650.508.6234

**RESOLUTION NO. 2008-**

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

\* \* \*

**AUTHORIZING PUBLICATION, ADOPTION, AND SUBMISSION OF PROPOSED  
DISADVANTAGED BUSINESS ENTERPRISE OVERALL ANNUAL GOAL FOR  
FISCAL YEAR 2009 FOR FEDERAL TRANSIT ADMINISTRATION ASSISTED  
CONTRACTS**

**WHEREAS**, effective July 16, 2003, the United States Department of Transportation (“DOT”) issued amending regulations regarding the participation of Disadvantaged Business Enterprises (“DBEs”) in federally assisted contracts (“Regulations”); and

**WHEREAS**, the Peninsula Corridor Joint Powers Board (“JPB”) adopted a revised DBE Program in accordance with the Regulations on May 6, 2004 under Resolution No. 2004-15; and

**WHEREAS**, the Regulations and the JPB’s DBE Program require that an overall annual goal for DBE participation in Federal Transit Administration (“FTA”) assisted contracts be established each fiscal year; and

**WHEREAS**, the Executive Director has recommended the establishment of a proposed DBE overall annual goal of 10 percent for Fiscal Year 2009 for FTA assisted contracts, in accordance with the methodology set forth in the Regulations; and

**WHEREAS**, the Regulations prescribe that a notice be published providing for a 30-day public inspection period and a 45-day public comment period regarding the proposed DBE overall annual goal; and

**WHEREAS**, the Board of Directors finds that the proposed Fiscal Year 2009 DBE overall annual goal is appropriate and reasonable.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the publication of the proposed Disadvantaged Business Enterprise overall annual goal for Fiscal Year 2009 of 10 percent for FTA-assisted contracts for public inspection for a period of 30 days and for public comment for a period of 45 days, with the understanding that final adoption of the Disadvantaged Business Enterprise overall annual goal will be considered at the completion of such public comment period; and

**BE IT FURTHER RESOLVED** that the Board of Directors authorizes the Executive Director to adopt the DBE overall annual goal for FY 2009 on behalf of the Peninsula Corridor Joint Powers Board, in the event that no public comments are received that require the Board to reconsider or modify the proposed goal; and

**BE IT FURTHER RESOLVED** that the Board of Directors directs the Executive Director to submit the adopted Disadvantaged Business Enterprise overall annual goal for Fiscal Year 2009 to the United States Department of Transportation through the Federal Transit Administration by August 1, 2008, in accordance with the Regulations.

Regularly passed and adopted this 1<sup>st</sup> day of May, 2008 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

**FROM:** George Cameron                      Rita Haskin  
Chief Administrative Officer              Chief Communications Officer

**SUBJECT: AWARD OF CONTRACT TO CBS OUTDOOR GROUP, INC., FOR  
TRAIN AND STATION ADVERTISING SERVICES**

**ACTION**

Staff Coordinating Council (SCC) recommends that the Board:

1. Award a contract to CBS Outdoor Group, Inc. (CBS) of New York, New York, for Train and Station Advertising Services for a three-year base term with the provision for up to two additional one-year option terms.
2. Authorize the Executive Director to execute a contract with CBS in full conformity with the terms and conditions set forth in the solicitation documents.
3. Authorize the Executive Director to exercise up to two additional one-year option terms with CBS, if in the best interest of the Peninsula Corridor Joint Powers Board (JPB).

**SIGNIFICANCE**

Award of a contract to CBS will provide the JPB with an advertising contractor that will continue to support the JPB's train and station advertising program for up to five years with a guaranteed minimum of \$60,000 in revenue to the JPB per year.

The contract awarded to CBS effective July 1, 2005 provided for three years of exterior train advertising. This contract has proved to be successful in generating revenue for the JPB. Award of this new contract to CBS to provide exterior train and station advertising will assure an uninterrupted stream of advertising revenue, based on recent advertising sales. Currently only the San Francisco station has been selected for an advertising program; other stations along the rail corridor may be selected as future sites. This contract will provide innovative, revenue-producing advertising opportunities for Caltrain's consideration.

**BUDGET IMPACT**

The JPB's current contract with CBS provides for a 50 percent share of net advertising revenue (gross revenue less CBS commission, capped at 15 percent of gross revenue, and applicable

taxes) or an annual guaranteed revenue amount of \$36,000, whichever amount is greater. The JPB has earned approximately \$249,000 to date under the current contract. Under the new contract, the JPB will receive a 53 percent share of net advertising revenue or an annual guaranteed revenue amount of \$60,000, whichever amount is greater. The net advertising revenue or the guaranteed minimum payment will be paid to the JPB in monthly installments.

## **BACKGROUND**

The JPB awarded a contract to CBS in March 2004, for an exterior train advertising demonstration program for a one-year term. The demonstration program proved to be successful, both operationally and financially. In June 2005, the JPB entered into a contract with CBS for a three-year base term with two one-year option terms. In 2007, the contract was amended to incorporate a pilot advertising program at the San Francisco station. Based on the successful pilot program, and recognizing the potential for generation of additional revenue from advertising sales at the San Francisco station, staff decided not to exercise the contract's two one-year option terms and to instead solicit proposals for a contract that would include both train and station advertising.

The exterior train advertising program provides for advertising displays that are limited to the exterior, vertical side panels (known as a "wrap") of the passenger cars only of up to four complete train sets. All advertising content will be reviewed by staff and advertisements that comply with the JPB's advertising standards will be approved for display prior to installation. All advertisements will be installed and removed on the train sets in accordance with accepted industry standards for application and display of advertising materials, ensuring that advertisements will not damage the body surfaces of the equipment. For visual continuity of the advertisements applied to the exterior of the railcars, material will be applied to all but up to 10 percent of railcar passenger windows. Advertising material installed on window areas is essentially transparent to passengers, and provides for an unobstructed view to the outside of the car. No material will be installed on vestibule windows for any railcars under the contract. Advertising material application, management, and removal on the train sets will be the sole responsibility of the Contractor and will in no way interfere with the normal operation of Caltrain service. The advertising displays will comply with all pertinent laws and regulations for advertising content, copyrights and/or trademarks.

The San Francisco station advertising program provides for advertising displays that are limited to banner displays from station superstructure, interior floor graphics at doorways, exterior "flag" displays on existing structures, and exterior and interior pole wraps on Caltrain building supports.

A Request for Proposals was issued on February 14, 2008 detailing the JPB's scope of services to solicit proposals from firms interested in providing train and station advertising services. Fifteen firms downloaded the RFP from the JPB's procurement Website and the solicitation information was advertised in a local newspaper. Solicitation notices also were sent to interested Proposers and disadvantaged business enterprises (DBEs). Three firms attended a pre-proposal meeting held at the Centralized Equipment Maintenance and Operations Facility. The JPB received one proposal, submitted by CBS.

An Evaluation/Selection Committee (Committee) comprised of JPB and San Francisco Municipal Transportation Agency staff evaluated the proposal according to the following weighted criteria:

- Responsiveness of the Proposal 15%
- Contractor's Qualifications and Experience 30%
- Quality Control Program 10%
- Size, Structure, and Location of Firm 10%
- Proposed Compensation to the JPB 35%

Upon completion of review of the CBS proposal, the Committee finds that it meets the requirements of the RFP, including an acceptable revenue proposal. CBS has indicated that they are confident they will be able to secure advertising at the station during the contract term. CBS also intends to subcontract a portion of its work to DBE certified firms.

Contract Officer: Julie Taylor 650.508.7915  
Project Manager: Patrick Boland, Marketing Manager 650.508.6245

**RESOLUTION NO. 2008 -**

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

\* \* \*

**AUTHORIZING AWARD OF CONTRACT TO  
CBS OUTDOOR GROUP, INC. FOR  
TRAIN AND STATION ADVERTISING SERVICES**

**WHEREAS**, on February 14, 2008 the JPB issued a Request for Proposals (RFP) for train and station advertising; and

**WHEREAS**, in response to the JPB's advertised solicitation, one firm submitted a proposal; and

**WHEREAS**, an Evaluation/Selection Committee (Committee) composed of JPB and San Francisco Municipal Transportation Agency staff reviewed the proposal and scored it in accordance with the evaluation criteria set forth in the RFP; and

**WHEREAS**, upon completion of proposal evaluation and negotiations, the Committee finds that the proposal submitted by CBS to provide train and station advertising services is acceptable to the JPB, including a 53 percent share of net advertising revenue (gross revenue less CBS commission, capped at 15 percent of gross revenue, and applicable taxes) or an annual guaranteed revenue amount of \$60,000, over the term of the contract, whichever amount is greater; and

**WHEREAS**, JPB Legal Counsel has reviewed the CBS proposal and has determined that it is technically responsive to the RFP; and

**WHEREAS**, the Executive Director has recommended that a contract be awarded to CBS Outdoor Group, Inc. of New York, New York, for a three-year base term with two additional one-year options.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board awards a contract to CBS Outdoor Group, Inc. of New York, New York, for the provision of train and station advertising services for a three-year base term that provides the JPB with a 53 percent share of net advertising revenue (gross revenue less CBS commission, capped at 15 percent of gross revenue, and applicable taxes) or an annual guaranteed revenue amount of \$60,000 over the term of the contract, whichever amount is greater, based upon the requirements of the JPB, as contemplated by the RFP, and supplemented by the proposal received from CBS; and

**BE IT FURTHER RESOLVED** that the Board authorizes the Executive Director or his designee to execute a contract on behalf of the JPB with CBS Outdoor Group, Inc. in full conformity with all of the terms and conditions of the solicitation documents; and

**BE IT FURTHER RESOLVED** that the Executive Director or his designee is authorized to exercise up to two additional one-year option terms with CBS, at the same compensation structure provided under the base three-year contract term, at the appropriate time and if deemed in the best interest of the JPB to do so.

Regularly passed and adopted this 1<sup>st</sup> day of May, 2008 by the following vote:

AYES:

NOES:

ABSENT:

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CHAIR, BOARD OF DIRECTORS

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: George Cameron  
Chief Administrative Officer

Ian McAvoy  
Chief Development Officer

SUBJECT: **AUTHORIZING AWARD OF A CONTRACT TO GRANITE  
CONSTRUCTION, INC. FOR THE GUADALUPE INTERIM REPAIR  
PROJECT**

**ACTION**

Staff Coordinating Council (SCC) recommends that the Board:

1. Award the subject contract to the lowest, responsive and responsible bidder, Granite Construction, Inc. of Watsonville in the total amount of \$329,888, with an additional, estimated incentive payment of up to \$25,000 for early completion.
2. Authorize the Executive Director or his designee to execute a contract in full conformity with the terms and conditions of the solicitation documents.

**SIGNIFICANCE**

Award of this construction contract will provide for work on the Guadalupe River Main Track 1 Bridge to bring it to a state of good repair. The work includes the repair of the existing bridge piers and provision of rock embankment protection.

**BUDGET IMPACT**

Funding for this contract was approved in the Fiscal Year 2006 Caltrain Capital Budget for bridge rehabilitation work. No additional funding will be required.

**BACKGROUND**

The JPB has an ongoing capital program to rehabilitate and replace its bridge facilities to maintain them in a state of good repair. The state of good repair program goals are to meet current JPB design standards; minimize service risk interruption; minimize future maintenance; maximize infrastructure life; and use funds effectively.

On January 23, 2007 the Los Gatos Creek and Guadalupe River Bridge Project Study Report (PSR) was approved by the JPB. The PSR recommends the replacement of both the Los Gatos Creek and Guadalupe River bridges. The PSR also recommends immediate repairs at the Guadalupe River Bridge to address urgent bridge condition issues. These repairs are intended as interim measures to maintain the integrity of the bridge until such time that funding becomes available for bridge replacement.

Invitations for Bids (IFBs) were distributed throughout the construction industry. The solicitation was advertised on March 7, 2008 in a newspaper of general distribution and on the District's procurement Website. Solicitation notices were also sent to potential bidders and disadvantaged business enterprises (DBEs). Nineteen contractors downloaded the plans and specifications from the District's Website. Seven bids were received and opened publicly on Tuesday April 1, 2008, with the following results:

	<b>Company</b>	<b>Total Bid Amount</b>
	<i>Engineer's Estimate</i>	<i>\$580,000</i>
1.	Granite Construction Company	\$329,888
2.	HSR Inc. (SBE)	\$364,680
3.	Gordon Ball, Inc.	\$408,850
4.	George Bianchi, Inc. (SBE)	\$408,973
5.	Valentine Corporation	\$427,369
6.	NTK Construction Inc. (DBE)	\$444,000
7.	William P. Young Construction	\$493,465

Staff reviewed the bids and determined that all of the bidders were responsive to the solicitation requirements. Granite Construction Company was deemed to be the apparent low bidder with a bid that was 57 percent lower than the engineer's estimate. As shown in the table above, all of the bids were lower than the engineer's estimate. Staff attributes the low bids to two reasons: 1) Staff's estimate had included extra costs for overtime anticipated to be needed to meet California Department of Fish and Game restrictions requiring the work to be completed within the dry season, no later than October 15, 2008. However, these costs were not reflected in the bids received; 2) Due to the slump in the housing construction market, contractors are seeking other types of work, which provides a larger pool of bidders for public works than is ordinarily expected. Staff notes that Granite Construction Company has recently performed work for the JPB at the same site to complete emergency repairs and is therefore familiar with the site. Granite Construction Company also owns quarries that can provide the rock required by this project.

Discussion with JPB project managers confirmed that the project recently completed by Granite Construction Company was performed successfully and to the satisfaction of the JPB. Therefore, staff concludes that Granite Construction is appropriately qualified and capable of meeting the requirements of the contract and is therefore the lowest responsive, responsible bidder.

This project has an Incentives Section that compensates the contractor for early completion to assure that the JPB can comply with a work schedule required by the California Department of Fish and Game. The incentive provides for a maximum of \$25,000 if the work is completed 10 days early. Any incentive earned will be paid to the Contractor in addition to the bid amount shown above.

The DBE Office reviewed the IFB prior to release and encouraged bidders to provide subcontracting opportunities to small businesses, including DBEs. Granite Construction solicited the services of six sub-bidders, which include a minority owned firm and a small business. It accepted the bids and services of three sub-bidders, one of whom is a small business enterprise certified by the California Department of General Services (DGS). While there is no DBE participation on this contract, Granite Construction's subcontracting practices do not appear to be discriminatory and it has complied with the DBE requirements applicable to this project.

Contract Officer: Patrick May

650.508.7732

Project Manager: Claude Gratianne

650.622.7825

**RESOLUTION NO. 2008-**

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

\* \* \*

**AUTHORIZING AWARD OF CONTRACT TO  
GRANITE CONSTRUCTION, INC.  
FOR THE GUADALUPE INTERIM REPAIR PROJECT  
FOR AN ESTIMATED COST OF \$354,888**

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB) solicited bids for the Guadalupe Interim Repair Project; and

**WHEREAS**, in response to the JPB's invitation for bids, seven firms submitted bids; and

**WHEREAS**, staff and General Counsel have reviewed the bids; and

**WHEREAS**, the Executive Director has recommended that a contract be awarded to the lowest responsive, responsible bidder, Granite Construction, Inc., whose bid meets the requirements of the solicitation documents.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Granite Construction, Inc. of Watsonville, CA for the Guadalupe Interim Repair Project for a total cost of \$329,888; and

**BE IT FURTHER RESOLVED**, that if earned, Granite Construction, Inc. will be eligible to receive an incentive payment of up to \$25,000 for early completion, in accordance with the terms of the contract, in addition to the award amount; and

**BE IT FURTHER RESOLVED**, that the Executive Director or his designee is authorized to execute a contract on behalf of the Peninsula Corridor Joint Powers Board with Granite Construction, Inc., in full conformity with all the terms and conditions of the contract documents and to award the incentive payment provided by the contract terms if earned.

Regularly passed and adopted this 1<sup>st</sup> day of May 2008 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

**FROM:** George Cameron  
Chief Administrative Officer

Ian McAvoy  
Chief Development Officer

**SUBJECT: AUTHORIZE AWARD OF A CONTRACT TO CARTER & BURGESS,  
INC. TO PROVIDE ON-CALL PROGRAM MANAGEMENT OVERSIGHT  
SERVICES FOR AN AGGREGATE NOT-TO-EXCEED SUM OF \$6,000,000  
FOR A THREE-YEAR TERM**

**ACTION**

Staff Coordinating Council (SCC) recommends that the Board:

1. Award an on-call, no guarantee contract to Carter & Burgess, Inc. of Oakland, California to provide program management oversight services for a total not-to-exceed cost of \$6,000,000 over a three-year base period;
2. Authorize the Executive Director or his designee to execute a contract for a three-year base term with Carter & Burgess, Inc. in full conformity with the terms and conditions of the solicitation documents and negotiations; and
3. Authorize the Executive Director or his designee to exercise up to two additional one-year option terms with Carter & Burgess, Inc., if in the best interest of the Peninsula Corridor Joint Powers Board (JPB) to do so, for a total not-to-exceed amount of \$4,000,000.

**SIGNIFICANCE**

Award of this contract will provide program management oversight services on an on-call basis. Approval of the above actions will benefit the JPB by making available a qualified firm that can provide project controls services; analyze and recommend improvements to the existing capital project delivery system; assist with the continuous development, refinement and management of the document and control systems for both programs and projects; and maintain a system for budget and invoice tracking of all capital program, project budget and grant funds. The firm will provide program and project management training and support to staff. The firm will also develop, refine, recommend and document policy and procedures for the above areas.

## **BUDGET IMPACT**

Work Directives issued under this contract will be funded by a mix of federal, state, regional, and/or local revenues and grants on a project basis. Funds for Work Directives will come from approved capital project budgets.

## **BACKGROUND**

Staff determined that there is a need to employ the services of a firm to provide program management oversight services. A Request for Proposals (RFP) was issued on December 6, 2007, as a joint procurement detailing the scope of services for the JPB, the San Mateo County Transportation Authority (TA), and the San Mateo County Transit District (SamTrans). The solicitation information was advertised on November 7, 2007 in a newspaper of general circulation and on the JPB's procurement Website. Solicitation notices were also disseminated to interested proposers and disadvantaged business enterprises (DBEs). Seventy-five firms downloaded the solicitation from the JPB's Website. Staff received five proposals, two of which were from DBE and DBE joint venture firms.

An Evaluation/Selection Committee comprised of staff reviewed, evaluated, and ranked the proposals. The Committee determined that three proposals were technically and administratively qualified according to the criteria stated in the RFP, which included the following weighted factors:

- Program Understanding and Approach 0-40 points
- Previous Experience of Firm and Project Staff 0-30 points
- Qualifications of Team Members and Sub-Consultants 0-30 points

The three top-ranked firms were invited for interviews, after which the Committee met again to complete the final evaluation and consensus ranking. The following firms are listed in the order of their final consensus ranking:

1. Carter & Burgess, Inc.
2. San Mateo Program Managers
3. PACO Group

Negotiations were conducted successfully with Carter & Burgess, Inc., the highest ranked firm. Carter & Burgess, Inc. possesses the requisite depth of experience and has the required qualifications to successfully perform the scope of work defined in the contract. After award, Work Directives will be issued for each project. Before award of any Work Directives for which \$250,000 or more in State or Federal funds will be used, the firm will be required to pass a legally-required post-award audit, which will be performed by Caltrans or a designated outside auditor.

The DBE Office reviewed the RFP prior to release and encouraged proposers to provide subcontracting opportunities to small businesses, including DBEs. Carter & Burgess, Inc. solicited and accepted the services of 10 sub-bidders, of which four are DBE firms. Although the dollar amount of DBE participation is unknown at this time (because this contract is based on on-

call needs), Carter & Burgess, Inc. has included a diverse pool of subconsultants, including DBE firms, and has properly submitted all of the required DBE documentation. Therefore, staff has determined that Carter & Burgess, Inc. has complied with the DBE requirements applicable to this project.

Contract Officer: Evelyn Marcal, Contracts and Procurement  
Project Manager: Kelvin Yu, Manager, Project Controls

650.508.7958  
650.622.7853

**RESOLUTION NO. 2008-**

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

\* \* \*

**AUTHORIZING AWARD OF A CONTRACT TO CARTER & BURGESS, INC.  
FOR ON-CALL PROGRAM MANAGEMENT OVERSIGHT SERVICES  
FOR AN AGGREGATE NOT-TO-EXCEED SUM OF \$6,000,000 FOR THREE YEARS**

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB) has solicited competitive proposals to furnish on-call program management oversight services; and

**WHEREAS**, in response to the JPB's Request for Proposals (RFP), 75 firms downloaded the RFP and proposals were received from five firms; and

**WHEREAS**, an evaluation committee has reviewed and evaluated the proposals in accordance with the criteria set forth in the RFP and conducted interviews and negotiations; and

**WHEREAS**, staff has determined that it would be in the best interest of the JPB to award a contract to a single firm to support the JPB by providing program management oversight services to support various projects; and

**WHEREAS**, the Executive Director has recommended that a contract be awarded to the firm with the highest ranked proposal, Carter & Burgess, Inc.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the JPB awards a contract for furnishing on-call program management oversight services to Carter & Burgess, Inc. for a three-year base term for an aggregate not-to-exceed cost of \$6,000,000 and up to two additional, one-year option terms at an aggregate not-to-exceed cost of \$4,000,000; and

**BE IT FURTHER RESOLVED** that the Executive Director is authorized to execute a contract on behalf of the JPB with Carter & Burgess, Inc., in full conformity with all the terms

and conditions of the RFP and the negotiated cost proposal, subject to post-award audit by the California Department of Transportation or a designee auditor; and

**BE IT FURTHER RESOLVED** that the Executive Director is authorized to execute up to two additional, one-year option terms provided that such options are in the best interest of the JPB.

Regularly passed and adopted this 1st day of May, 2008 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary