



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Bacciocco Auditorium, 2nd Floor
1250 San Carlos Avenue, San Carlos CA 94070

October 6, 2011 – 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 two minutes
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 September 1, 2011
 - b) Authorize the Ongoing Annual Filing of Applications and Execution of Cooperative Agreements with the Bay Area Air Quality Management District to Receive Transportation Fund for Clean Air Funds
 - c) Authorize Approval of Annex of the 2010 Association of Bay Area Government’s Local Hazard Mitigation Plan as the District’s Local Hazard Mitigation Plan
 - d) Authorize Second Amendment to the Contract with Cypress Security, LLC for Security Guard Services at the Centralized Equipment Maintenance and Operations Facility in the Amount of \$169,663
5. Chairperson’s Report
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director

RESOLUTIONS

8. Acceptance of Statement of Revenues and Expenses for August 2011
9. Authorize an Amendment to Increase the Fiscal Year 2012 Capital Budget in the Amount of \$750,000 from \$60,726,816 to \$61,476,816 for the Caltrain Transit Asset Management Pilot Project

MOTION RESOLUTION

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| 10. Authorize Approval of Tentative Budget Proposal for the Fiscal Year 2013 Caltrain Operating Budget and a Budget Framework for Fiscal Year 2014 and Beyond | RESOLUTION |
| 11. Authorize Rejection of Proposals to Operate the San Francisco Caltrain Bicycle Parking Facility and Authorization to Re-solicit | RESOLUTION |
| 12. Authorize Award of Contract to Parsons Transportation Group to Design, Procure and Install a Communications-Based Overlay Signal System Positive Train Control for Caltrain for a Total Cost of \$138,135,673 | RESOLUTION |
| 13. Authorize Approval to Increase the Executive Director's Contract Amendment Authority for the Rail Operations Control System Contract by \$450,000 from \$479,994 to \$929,994 | RESOLUTION |
| 14. Legislative Update | INFORMATIONAL |
| 15. Correspondence | |
| 16. Board Member Requests | |
| a) Support of Diridon Station Area Plan (Kalra) | RESOLUTION |
| 17. Date/Time of Next Meeting: Thursday, November 3, 2011, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070 | |
| 18. General Counsel Report
Closed Session: Conference with Legal Counsel – Anticipated Litigation Pursuant to Government Code Section 54956.9(a) to discuss pending litigation: Antonio Santiago III v Peninsula Corridor Joint Powers Board, San Mateo County Transit District and County of San Mateo et al | |
| 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. Agendas are available on the Caltrain website at 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 a.m. The JPB Citizens Advisory Committee meets regularly on the third Wednesday of the month at 5:40 p.m. 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 two minutes and items raised that require a response will be deferred for staff reply.

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; or by phone at 650.508.6242, or TDD 650.508.6448.

Availability of Public Records

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

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

Draft

**Minutes
September 1, 2011**

MEMBERS PRESENT: J. Cisneros, J. Deal, S. Elsbernd (Chair), A. Kalra, L. Kniss, A. Lloyd, T. Nolan, K. Yeager

MEMBERS ABSENT: A. Tissier

STAFF PRESENT: M. Bouchard, J. Cassman, A. Chan, G. Harrington, C. Harvey, R. Haskin, A. Hughes, M. Lee, M. Martinez, N. McKenna, D. Miller, S. Murphy, M. Scanlon, M. Simon

Chair Sean Elsbernd called the meeting to order at 10:01 a.m. Director Jerry Deal led the Pledge of Allegiance.

JPB Secretary Martha Martinez administered the Oath of Office to Director Tom Nolan representing the San Francisco Municipal Transportation Agency.

PUBLIC COMMENT

Jerry Carlson, Atherton Councilmember, spoke concerning a letter sent to the Board on the need for quad gates at Watkins Avenue in Atherton. He urged the Board to consider Atherton's request.

Director Art Lloyd said quad gates were at this location when the service was operated by Southern Pacific and there is a definite need for gates at this location.

Doug DeLong, Mountain View, said Amtrak basically helped keep the Peninsula commuter service through multiple transitions from Southern Pacific to the California State Department of Transportation (Caltrans) to the JPB. While ridership has tripled and revenue numbers are strong in a weak economy, Amtrak has been here all along and he is very grateful. He would be delighted if the current Amtrak employees stayed with the new operator.

Director Liz Kniss arrived at 10:07 a.m.

Roland LeBrun, San Jose, said last week's California High Speed Rail Authority (CHSRA) meeting was a turning point. It basically shows which way Governor Jerry Brown is headed and how he plans to put this train wreck back on the tracks.

Greg Conlon, Atherton, said he sent a letter to the California Public Utilities Commission and appeared in front of them seeking funding for quad gates at Watkins Avenue in Atherton.

Pat Giorni, Burlingame, welcomed Director Nolan to the Board. She said there was a total of 135 bicyclists bumps in June and July and 57 bumps in August. She said it is too bad that

Amtrak will no longer be operating Caltrain. She said the Capacity Analysis Report was released and she would like to hear an update on the Caltrain Modernization Program.

Director Ash Kalra arrived at 10:11 a.m.

CONSENT CALENDAR

- a. Approval of Minutes of July 7, 2011
- b. Information on Preliminary Statement of Revenues and Expenses for June 2011
- c. Authorize Award of 10 Contracts for On-call Informational Technology Consulting and Support Services for a Not-to-Exceed Amount of \$8,500,000 for a Three-year Term
- d. Authorize Award of Contract to Day Wireless Systems for Narrowbanding of the JPB Voice Radio System for a Total Not-to-Exceed Cost of \$547,723

The Board approved the consent calendar (Lloyd/Nolan).

CHAIRPERSON'S REPORT

Appointment of Citizens Advisory Committee (CAC) Member Scott Klemmer, Representing San Francisco County

Director José Cisneros said six applications were received for a vacancy on the CAC and the San Francisco Selection Committee recommends Scott Klemmer to complete a term which will expire on June 30, 2012.

A motion (Cisneros/Nolan) to approve the appointment of Mr. Klemmer was approved unanimously.

REPORT OF THE CAC

CAC Chair Bruce Jenkins reported:

- Certificates of Appreciation were presented to outgoing members Francois Granade and Mona Tekchandani.
- An Operation Lifesaver presentation was given by Public Information Specialist Tasha Bartholomew and Manager of Rail Operations Rick Degman.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Michael Scanlon welcomed Director Nolan to the Board.

Proclamation Declaring September as "Railroad Safety Month"

Mr. Scanlon said safety is taken very seriously and there have been 12 fatalities on the right of way already, which is one more than last year. Last year all 11 fatalities were ruled suicides.

Public Information Officer Christine Dunn said staff is asking the Board adopt the proclamation designating September as "Railroad Safety Month" in conjunction with Operation Lifesaver.

Over the past year Caltrain has taken several steps to increase safety.

- Staff is moving forward with the \$147 million San Bruno Grade Separation project which will elevate the Caltrain tracks over three at-grade street crossings.
- A project to eliminate the narrow center boarding platform at the Santa Clara Station is almost complete.
- Staff has continued the education outreach efforts and recently added six Caltrain employees as certified Operation Lifesaver presenters.

- Caltrain is participating in a national study to evaluate the effectiveness of suicide prevention signs. Last year 250 signs were installed along a 10-mile stretch between Menlo Park and Mountain View. The signs have a phone number to a local crisis center and calls are tracked.
- Transit Police, a dedicated unit of the San Mateo County Sheriff's Office, have helped keep the railroad safe. This year the Transit Police have made 43 arrests, ejected or made contact with over 200 people engaged in unsafe behavior around the railroad and conducted 13 interventions.
- Since the 1990's, Caltrain has partnered with Operation Lifesaver to spread the word about the importance of railroad safety.

Director Lloyd introduced Vic Ryerson from California Operation Lifesaver who accepted the proclamation.

Mr. Ryerson thanked Caltrain, on behalf of California Operation Lifesaver, for its continued and long-term partnership. This is the third year Caltrain has proclaimed September as Railroad Safety Month. The Caltrain Operation Lifesaver presenters are very passionate in getting the message out.

A motion (Kniss/Kalra) to declare September as "Railroad Safety Month" was approved unanimously by roll call.

Mr. Scanlon continued:

- Key Caltrain Performance Statistics
 - Monthly Performance Statistics – June 2011 compared to June 2010
 - a. Total Ridership was 1,189,173, an increase of 12.6 percent.
 - b. Average Weekday Ridership was 44,453, an increase of 11.6 percent.
 - c. Total Revenue was \$4,890,895, an increase of 25.2 percent.
 - d. On-time Performance was 88 percent, a decrease of 6.4 percent.
 - e. Caltrain Shuttle Ridership was 6,944, an increase of 32.1 percent.
 - Year-to-Date Performance Statistics – June 2011 compared to June 2010
 - f. Total Ridership was 12,673,420, an increase of 5.9 percent.
 - g. Average Weekday Ridership was 39,909, an increase of 5.6 percent.
 - h. Total Revenue was \$49,025,747, an increase of 14.5 percent.
 - i. On-time Performance was 92.8 percent, a decrease of 1.4 percent.
 - j. Caltrain Shuttle Ridership was 5,312, a decrease of 3.2 percent.
 - Monthly Performance Statistics – July 2011 compared to July 2010
 - k. Total Ridership was 1,166,044, an increase of 7.7 percent.
 - l. Average Weekday Ridership was 44,127, an increase of 8.4 percent.
 - m. Total Revenue was \$4,996,833, an increase of 26.4 percent.
 - n. On-time Performance was 92.1 percent, a decrease of 1.6 percent.
 - o. Caltrain Shuttle Ridership was 6,451, an increase of 27.2 percent.
- The Bicycle Advisory Committee (BAC) met on July 21 and welcomed new member Adina Levin representing San Mateo County. The BAC discussed the Bicycle Access and Parking Plan and received an update on planning activities at the Diridon Transit Station.

- Special event service includes:
 - Giants had 16 home games in August and year-to-date ridership increased 8 percent over last year.
 - Caltrain will be making stops at Stanford Stadium Station before and after Cardinal football games.
 - Extra service will be provided for the University of California Bears football games at AT&T Park.
- Two major construction projects are progressing.
 1. The Jerrold Avenue Bridge replacement in San Francisco will be replaced in early to mid-October. This replacement will require a full shut down of the railroad to cut out and slide out the old bridge and slide the new bridge in. This work will be done overnight with single tracking over one weekend.
 2. The South Terminal Project is 85 percent complete and the last critical piece is cutting over to the new control phase. Service will be shutdown between Santa Clara and Diridon stations for one weekend in mid-October to do the work and a bus bridge will be provided between the two stations.
- The current operator of the bicycle station in San Francisco is having difficulties and Real Estate staff is working with the operator to maintain service.
- The Safety and Security Report is a combined report for June and July.

Mr. Scanlon said people are tending to jump to conclusions on High Speed Rail (HSR) and there is a lot of work that needs to be done for blended service and the community outreach. People just need to slow down because there is a lot of work that needs to be done.

Marian Lee, Acting Director of Caltrain Modernization Program, reported that a few weeks ago an update was sent to the Board on the preliminary findings on the Capacity Study. The essential question is if a blended system concept is doable for the corridor. This is a concept that was called by Congresswoman Anna Eshoo, State Senator Joe Simitian and Assemblyman Rich Gordon. The essence of their concept is to advance both the Caltrain electrification project as well as the HSR program in a way that minimizes the impacts to the communities along the corridor. They are looking for a project that is smaller, scaled back and essentially calls for both systems utilizing the tracks currently out there today. This varies from the concept that was contemplated by HSR close to a year ago when they were looking for a full-build system with separate tracks. Staff's analysis was done by LTK Engineering Services who have particular expertise in the rail operations industry and have been working with Caltrain for a long period of time. LTK not only knows the industry, but the particularities of the Caltrain system.

Ms. Lee said staff has reached a critical milestone by defining what is known at this point. Caltrain is comfortable with saying the blended system is doable. The model that was created was essentially a virtual world of the right-of-way looking at the system from San Jose Diridon Station to the 4th and King Station in San Francisco. The model is "designed blind." This means the simulation model knows what tracks it has, the attributes of the signal system and the attributes of the train. Given this information the model would be able to run the train through the corridor in the virtual world. It does not know if the tracks are elevated, at grade or below grade. Ms. Lee said she wanted to highlight this because there has been speculation that a design decision has been made and that is not true. Assuming the system is completely electrified, six Caltrain trains are being run combined with implementation of the advanced signal system. Assuming three HSR stops the model shows that two HSR trains can be accommodated along

with six Caltrain trains. Ms. Lee said a single HSR train works very effectively. The model shows two HSR trains work, but the trains are running quite tightly so staff will be looking at that scenario more closely. Another scenario was to see if capacity could be increased. Staff looked at adding four-track sections in particular areas within an 8-mile area and as Caltrain is making local stops HSR trains would use these tracks to bypass the local train. The most effective location for passing tracks would be a section between Hayward Park and Redwood City. A decision has not been made on the section yet, but this was a section that was tested in the model and allowed for the best operational effectiveness. With the passing tracks the model shows it can support more than two HSR trains. Staff is very comfortable with three HSR trains, but when the fourth train is added the trains are running closer together.

Outreach in all three counties has been done for the last two weeks and will continue through this month. Staff has met with the San Mateo County Rail Working Group and Friends of Caltrain and will be meeting with the Paratransit Coordinating Council on September 16. Comments received so far include contemplation of requesting Caltrain to extend the area tested by the model to include the Transbay Terminal. Ms. Lee said the public has asked that the blended system meet the future needs of freight and passenger service, that a range of station stopping patterns be considered for the corridor and local community and that all options are looked at for possible locations of the passing tracks.

Ms. Lee said the next step, beyond outreach, includes coordinating with CHSRA the due diligence and preliminary findings. Staff is especially interested in transferring the knowledge of what has been done through the model and applying it to the real world of the corridor. There were discussions how the segment will get addressed in a HSR Business Plan. She said there is an updated draft Business Plan that will be released in mid-October and there is the pending request from the attorney general's office for an opinion whether the blended system concept meets the Proposition 1A requirements. There are ongoing discussions about how the blended system can get environmental clearance. Staff will be completing the Capacity Analysis by roughly the end of September. Ms. Lee said staff will start preparing for a discussion on design.

Public Comment

Jerry Carlson, Atherton Councilmember, said he there has been a lot of confusion on the Capacity Analysis Study and it shows that Caltrain and HSR can co-exist on the tracks. Further clarification is needed on what Caltrain hopes to get out of this analysis. CHSRA Executive Director Roelof van Ark said this is an initial step in the phased approach to a full build out of HSR. Mr. Carlson said this is a real stumbling block for Atherton as they oppose HSR on the Caltrain corridor.

Pat Giorni, Burlingame, said she is not comfortable that there is enough in the analysis. She said back in 2008 the vision was 12 trains per hour with Caltrain electrification. This preliminary study downgrades, by 50 percent, and gives into HSR with the commuters being affected.

Greg Conlon, Atherton, said the Capacity Study doesn't show bullet trains and staff should anticipate they will no longer run because people will ride HSR.

Roland Lebrun, San Jose, said HSR should only run only in the peak hours.

Adina Levin, Friends of Caltrain, thanked Caltrain staff for being so proactive on the Capacity Study outreach to the community. There is fear on how change will affect the community but the outreach is building support and reducing fears. One suggestion is to include multiple scenarios for ridership and include in the different scenarios the cost benefit with revenue and ridership.

Irvin Dawid, Sierra Club, thanked Ms. Lee for the excellent presentation at their last meeting. The Sierra Club supported Proposition 1A and still maintains support for HSR. He said it is up to the individual chapters to make comments on the individual alignments. The local Sierra Club said the blended system is a win for Caltrain and electrification. Mr. Dawid said more information is needed on the eight miles of passing tracks between Hayward Park and Redwood City.

Chair Elsbernd thanked Ms. Lee for an excellent presentation and clearing up some of the rumors.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR JULY 2011

Deputy CEO Gigi Harrington said revenues are over budget mostly in fare revenue. Expenses are within budget. She said fuel was \$3 per gallon last week and the fuel hedge was tripped in July and August.

A motion (Nolan/Lloyd) to accept the July 2011 statement was approved unanimously.

ACCEPTANCE OF QUARTERLY INVESTMENT REPORT AND FIXED INCOME MARKET REVIEW AND OUTLOOK FOR THE QUARTER ENDED JUNE 30, 2011

Bill Osher, CSI Group, said the portfolio remains very safe and liquid. There is some uncertainty and the investment maturities have been kept quite short and any investments that have reached maturity have been rolled into the Local Agency Investment Fund, which is very liquid and safe. There have been a few developments including the United States Treasury debt downgraded by Standard and Poor's. He feels the downgrade of the United States government debt is not a credit issue but a statement about how the United States stands against other countries. Mr. Osher said credit isn't the issue, but what is the issue is this downgrade did represent an end to stimulus fiscal policy, not just here but globally. As a result interest rates have fallen to unprecedented levels and will be around for quite some time.

A motion (Lloyd/Nolan) to accept the quarterly investment report and fixed income market review and outlook for the quarter ended June 30, 2011 was approved unanimously.

UPDATE ON THE EXECUTION OF THE FUEL HEDGING PROGRAM

Ms. Harrington said the fuel hedge was purchased on June 27, 2011 and closed on June 30, 2011 at \$2.90 per gallon.

Public Comment

Greg Conlon, Atherton, said San Francisco is hedging 100 percent and Caltrain is only hedging 50 percent. He wondered why 100 percent wasn't locked in for Caltrain to save money and certainty.

AUTHORIZE AWARD OF CONTRACT TO TRANSITAMERICA SERVICES, INC. TO PROVIDE RAIL OPERATIONS, MAINTENANCE AND SUPPORT SERVICES FOR A TOTAL COST OF \$398,591,286 FOR A FIVE-YEAR TERM

Director of Rail Operations, Michelle Bouchard made the following points:

- The current contract expired on June 30, 2011. The agency last sought proposals for the service 10 years ago.
- Staff decided to competitively procure this service because it's good Federal procurement practice and market conditions have changed over the last 10 years.
- A Request for Proposal (RFP) was issued in May 2010 and five proposals were received. Four were deemed sufficiently competitive to advance to the evaluation process.
- Today's recommendation comes after a 16-month process.
- Based on process and due diligence that was done, staff is recommending award of a contract to TransitAmerica Services, Inc. (TASI).
- TASI was selected because of the following:
 - They were deemed the best overall proposal and most align with the JPB vision of the service.
 - They had the highest quality management team.
 - They have a model that has local authority and local autonomy, but when the local entity needs to reach back to the parent organization, the parent organization is very flexible and adapts to the needs of the customers.
 - They offered an optimal staffing plan and organization all within the 13(c) requirements of the RFP and the contract.
 - Staff visited clients of TASI and had excellent references.
- The JPB is a signatory to Federal 13(c) requirements which requires anyone that comes in to operate the railroad guarantees employment, opportunities, recognizes the existing bargaining units, provides the same levels of wages and benefits and provides railroad retirement.
- JPB staff has briefed local and national union leadership and clarified labor protections.
- TransitAmerica is prepared to meet all labor unions after award of contract to respond to questions and negotiate implementing arrangements.
- Evaluation criteria included qualifications and experience, management, operations and maintenance plans and cost proposal.
- All four firms submitted best and final offers. Through negotiations, TransitAmerica's cost proposal was further reduced.
- No protests were received from the proposers.
- The contract is a cost plus performance fee structure. It compensates based on contractor's level of performance in areas critical and important to the JPB.
- Next steps include Board approval today; issue a notice to proceed after the meeting and begin the new contract service in Spring 2012.

Mr. Scanlon said these were not bids, but a competitive procurement. This agency was fully committed to labor protections in place for the men and women who operate the railroad to have the opportunity to continue to operate it, should they so chose. Staff is not rejecting Amtrak. They have been an outstanding partner for 20 years and have done a great job under very difficult circumstances. Mr. Scanlon thanked the advisory committee, Chair Elsbernd, Director Yeager and the late Director Omar Ahmad in overseeing the staff. He commended a staff of 30 people who put out a process and lived by a process where the playing field was level. Mr. Scanlon plans on advancing this process to the national association as a best practice for a

way to procure a contract. The fact that none of the other bidders chose to file a protest speaks volumes because this is an industry when these types of contracts are available it is very competitive. He strongly recommends the Board approve the recommendation by staff.

Public Comment

Doug Bloch, Teamsters Joint Council 7, said there are over 90,000 members in Northern California, Nevada and Central Valley and proudly represent Amtrak employees at Caltrain. He recognized the hard work of staff and said the Teamsters have not been as involved in the process as they should have been. They are very concerned that the contractor chosen does not have the experience to meet the challenges of running this operation. Mr. Bloch said the winning bidder was graded higher than Amtrak in areas of experience and knowledge of running heavy rail operations. He is here to ask Board to delay making a decision for one month so that the process can be looked at.

Doug DeLong, Mountain View, said the fact that no protests were received shows the integrity of the process that was done by staff. He feels quite confident in staff's decision and supports the recommendation.

Roland Lebrun, San Jose, said a train owning company collects fares and pays money back to use the tracks. If this contract is awarded the same business model will be carried forward for the next ten years. If this business model can not work with Caltrain or MetroLink it will never work with HSR.

Pat Giorni, Burlingame, asked that passengers be reassured that there will not be a reduction in staff in maintenance and operations and that there will continued to be two conductors on every train.

Chair Elsbernd asked about TASI's knowledge of electrification and HSR and how will they partner with Caltrain as these are moved forward. Ms. Bouchard said this was a procurement of management services and TASI has excellent experience operating through construction. In addition the local management team have experience operating in an electrified territory.

Chair Elsbernd asked about their safety record. Ms. Bouchard said Herzog Transit Services, Inc., the parent company of TASI, has an excellent safety record and it translates to a safety culture where they operate.

Director Nolan said he is very impressed with the work staff did on this procurement. He is concerned that Amtrak is always in such a precarious position and has there been any talk on what the award of this contract to another contractor will do to them.

Mr. Scanlon said he personally called Joe Boardman, President and Chief Executive Officer at Amtrak to inform him that they were not the successful bidder. He was disappointed, but he put out an internal memo to employees that it was disappointing but wanted to make sure the transition goes very smoothly. Everyone thinks highly of Amtrak, but this was a competitive process that was totally fair and they just got beat.

Director Nolan would look forward to ways this organization can offer concrete support to Amtrak.

Director Kalra thanked staff for all their hard work on this procurement. He asked about the current contract that just expired and did it have options. Ms. Bouchard said this was a five-year contract with five one-year options which were all executed.

Director Kalra said Amtrak has operated the service for a number of years and yet their scoring was so low. Ms. Bouchard said TASI was so much more distinguished, including customer service and proposed management team.

Director Kalra said his office was contacted about the fear of an exodus of employees and are there assurances that these fears can be allayed right now.

Legal Counsel David Miller said staff and TASI have made it clear that the employees will be protected. What is unique in the JPB situation is that we are signatory to a 13(c) agreement or labor protection agreement that protects the employees and the existing collective bargaining agreements in place will be honored. To start off, the employees will have railroad retirement, Federal Employers Liability Act (FELA) and union recognitions. This also stems from the fact that the Department of Labor, many years ago, when the JPB first sought grants from the Federal government from the Federal Transportation Association, mandated these protections so the JPB is behind this, not just TASI.

Director Kalra asked if there is any labor unrest at TASI. Ms. Bouchard said there have been none.

Director Lloyd said he assumes all the crews will be protected with this new contract.

Director Ken Yeager said it was a pleasure to work on this process with Chair Elsbernd. He felt staff did an outstanding job of keeping the committee informed and answering and addressing concerns. His understanding with 13(c) is there are also wage guarantees. Mr. Miller said wages and benefits are protected.

Public Comment

John McArthur, Brotherhood of Railroad Signalmen, representing Signal Employees, said one of his concerns is that this contract would put the contractor fees at risk and if the contractor fees become at risk what can the employees expect. He said the new operator must provide full employment, recognition of existing unions, wages and benefits, railroad retirement and FELA so will there be a need for implementing agreements or will the current agreements just be signed-off.

Mr. Miller said if the Board awards the contract the first order of business is the process of implementing the 13(c) agreement and making sure employees are given appropriate notice, opportunity to apply and for TASI to set out its business plan.

Ms. Bouchard said there is a distinction between the fee that would be paid for as “performance as profit” versus the “base contract.” All the direct costs of the contract will be reimbursed to the contractor. The fee at risk is the profit that is paid out via performance and the performance goals were negotiated and agreed upon by staff and TransitAmerica.

Director Kniss said the Board has taken this award of contract very seriously. The analysis that staff did was incredibly thorough and she is very impressed by how many fieldtrips staff took and the number of people they spoke with.

Chair Elsbernd thanked staff for the incredible amount of work that was done on this contract. By not having any protests today is a true testament to the great work that was done. Director of Contracts and Procurement Cheryl Cavitt, Senior Contract Officer Julie Taylor, Deputy Director of Rail Contracts Jerry Willard and Ms. Bouchard were all recognized for their great work on this contract.

A motion (Kniss/Nolan) to award a contract to TransitAmerica Services, Inc. to provide rail operations, maintenance and support services was approved unanimously by roll call.

AUTHORIZE APPROVAL TO INCREASE THE EXECUTIVE DIRECTOR'S CHANGE ORDER AUTHORITY BY \$1,500,000 FROM \$2,412,700 TO \$3,912,700 WITH SJ AMOROSO CONSTRUCTION COMPANY, INC. FOR THE SOUTH TERMINAL AND SANTA CLARA STATION IMPROVEMENT PROJECT

Deputy CEO Chuck Harvey said Staff Coordinating Council (SCC) is asking the Board to authorize the execution of a change order authority increase for the South Terminal and Santa Clara projects. He said these projects are 85 percent complete, but during the construction period some unknown soil conditions were found where new tracks were laid. Mr. Harvey said this increase requires no additional funds from the JPB or member agencies.

Director Kniss left at 11:52 a.m.

A motion (Nolan/Lloyd) to increase the Executive Director's change order authority by \$1,500,000 with SJ Amoroso Construction Company, Inc. for the South Terminal and Santa Clara Station Improvement Project was approved unanimously by roll call.

AUTHORIZE AN APPLICATION FOR \$16 MILLION IN FEDERAL RAIL ADMINISTRATION FUNDS THROUGH THE CALIFORNIA HIGH SPEED RAIL AUTHORITY FOR THE CALTRAIN COMMUNICATION-BASED OVERLAY SIGNAL SYSTEM/POSITIVE TRAIN CONTROL PROJECT

Director of Budgets and Grants April Chan said SCC is requesting the Board authorize the executive director to execute any agreements, certifications or assurances required to receive a \$16 million Federal Railroad Administration (FRA) grant for the Caltrain Communication-Based Overlay Signal System (CBOSS)/Positive Train Control Project (PTC). Back in June the FRA awarded a \$16 million grant to the CHRSA for the CBOSS/PTC project. This action will allow staff to accept the funding through the CHSRA. This amount was budgeted in the Fiscal Year 2012 Capital Budget.

Director Ash Kalra left 11:54 a.m.

Public Comment

Roland Lebrun, San Jose, said staff should work with MetroLink and come up with a blended system and something everyone will agree on.

Jerry Carlson, Atherton Councilmember, said recently he was in a meeting with the chief of staff of CHSRA and the subject of PTC came up and the question was asked why MetroLink and Caltrain are doing the same project with the same type of product and why isn't CHSRA playing a role to come up with national standards.

Pat Giorni, Burlingame, said CBOSS is needed for electrification. The original electrification called for 12 trains per hour and the critical analysis is calling for six trains per hour.

Jim Bigelow, Redwood City/San Mateo Council of Chamber, said CBOSS and funds to get to electrification are necessary for meeting the blended goals of the preliminary study to operate on the Caltrain corridor.

A motion (Nolan/Lloyd) to authorize an application for \$16 million in Federal Rail Administration funds through the California High Speed Rail Authority for the Caltrain Communication-Based Overlay Signal System/Positive Train Control Project approved unanimously by roll call.

LEGISLATIVE UPDATE

Government Affairs Manager Seamus Murphy reported:

- This week SB791 was introduced that would allow regional transportation organizations, such as the Metropolitan Transportation Commission, to impose a gasoline surcharge to fund transportation and transit programs, including transit operations, if approved by a majority of the regions voters. Staff has been working with the delegation and leadership in Sacramento over the last several weeks to identify potential legislation that would help address Caltrain's ongoing structural deficit. This bill, if passed, could result in an ongoing source of revenue for a number of regional transportation needs, including a dedicated source of funding for Caltrain. This is the end of the session and the calendar is filling up. The Assembly speaker's willingness to schedule a hearing on this bill is questionable. Staff is working with the delegation and a number of regional stakeholders to make sure this bill is given a hearing and moved through the process and signed by the governor.
- At the Federal level, it will be two years since the expiration of the Surface Transportation Program. There have been short-term extensions since then and will need another one by the end of this month. On August 31 the Administration called on Congress to move forward with an extension and cautioned against letting the reauthorization expire. Staff expects anywhere from a four-to-six month extension and during that time Congress would continue to debate how longer-term authorizations would be structured and funded. The House is continuing to push for a six-year bill that would make dramatic across-the-board cuts and the Senate is pushing for a two-year bill that maintains existing spending levels. A Senate proposal would require \$12 billion in additional revenue to support the Highway Trust Fund. There may be some support from Senate Republicans to move forward with this alternative if they can find the revenue through the repeal of funding provisions in the Healthcare Reform Bill. The Senate may act first and put pressure on the House to move forward with a two-year bill. Either way, the current investment in transportation programs won't last beyond the next fiscal year or the next election.

Public Comment

Vaughn Wolfe, Pleasanton, asked if the bridge toll would be incorporated into SB791.

Adina Levin, Friends of Caltrain, said she is glad to see Caltrain support for SB791 and hopes it gets a hearing and through Legislature. A regional measure is the best way to provide the funding for Caltrain, however if SB791 does not get on the ballot Caltrain needs to have another plan to have a stable funding and a three-county ballot for sales tax took backseat to SB791.

QUARTERLY CAPITAL PROGRESS REPORT – FOURTH QUARTER FISCAL YEAR 2011

No discussion

CORRESPONDENCE

In the reading file

BOARD MEMBER REQUESTS

None

GENERAL COUNSEL REPORT

Mr. Miller said it was during the years Director Nolan previously served on this Board that the efforts were made and succeeded to acquire the rail right of way. Director Nolan was a true spokesman for the acquisition, both externally and internally.

DATE/TIME/PLACE OF NEXT MEETING

The next meeting will be Thursday, October 6, 2011, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

ADJOURNED

Adjourned at 12:06 p.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
General Manager/CEO

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **AUTHORIZING THE FILING OF ONGOING ANNUAL APPLICATIONS AND EXECUTION OF COOPERATIVE AGREEMENTS WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT TO RECEIVE TRANSPORTATION FUND FOR CLEAN AIR FUNDS**

ACTION

Staff Coordinating Council (SCC) recommends the Board authorize, on an ongoing annual basis, the Executive Director, or his designee, to submit grant discretionary applications to the Bay Area Air Quality Management District (BAAQMD) and, upon award of funding, to file and execute cooperative agreements to receive Transportation Fund for Clean Air (TFCA) funds.

SIGNIFICANCE

Following annual Board approval, the Peninsula Corridor Joint Powers Board (JPB) submits applications and has received TFCA financial assistance from the BAAQMD to help support the Caltrain Shuttle Bus Program, which links Caltrain stations and key employment sites on the San Francisco Peninsula. Approval of this item will authorize the Executive Director, or his designee, to execute cooperative agreements with the BAAQMD on an ongoing annual basis, removing the need to return to the Board for approval each year. The proposed action is consistent with JPB procedures for funding programs that provide ongoing financial assistance.

BUDGET IMPACT

There is no impact to the adopted JPB budgets from this action. Projects funded with TFCA funds are included in the annual adoption of the JPB's operating and/or capital budgets.

BACKGROUND

In prior years, the JPB has adopted annual resolutions to provide the authority to file applications and receive TFCA funds from the BAAQMD. The authority to file these applications can be provided by the Board one time without the annual renewal of Board adopted resolutions, allowing the Executive Director, or designee, to file such applications on an ongoing annual basis without the need to return to the Board for approval each year. The TFCA Program funds

cost-effective transportation projects and programs to reduce motor vehicle travel and vehicle emissions. TFCA projects are funded through a \$4 per vehicle surcharge on motor vehicles that are registered in the Bay Area. The TFCA Regional Fund receives 60 percent of these revenues and is administered directly by the BAAQMD, while the remainder is administered by the congestion management agencies in the San Francisco Bay Area under the Program Manager Fund.

Prepared by: Paul Hierling, Management Intern
Project Manager: Paul Lee, Manager, Bus Contracts

650-508-6493
650-508-6433

RESOLUTION NO. 2011 –

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

* * *

**AUTHORIZING THE ONGOING ANNUAL EXECUTION OF COOPERATIVE
AGREEMENTS WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT
TO RECEIVE TRANSPORTATION FUND FOR CLEAN AIR FUNDS**

WHEREAS, pursuant to California Health and Safety Code Sections 44241 and 44242, the Bay Area Air Quality Management District (BAAQMD) administers the Transportation Fund for Clean Air Program (TFCA) which provides funding to public agencies for the implementation of projects that reduce air pollution from motor vehicles; and

WHEREAS, upon Board approval each time, the Peninsula Corridor Joint Powers Board (JPB) annually submits applications and has received financial assistance from the TFCA program; and

WHEREAS, projects funded with TFCA funds are included as part of the JPB's adopted operating and/or capital budgets; and

WHEREAS, consistent with JPB procedures for funding programs that provide ongoing financial assistance, the authority to file these applications can be provided by the Board one time without the annual renewal of Board-adopted resolutions, allowing the Executive Director, or designee, to file such applications on an ongoing annual basis without the need to return to the Board for approval each year; and

WHEREAS, Staff recommends the Board authorize the Executive Director, or his designee, on an ongoing annual basis, to submit grant discretionary applications to BAAQMD and upon award of funding, to file and execute cooperative agreements to receive TFCA funds.

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

1. Authorizes the Executive Director or his designee, on an ongoing annual basis, to submit applications to the BAAQMD and to file and execute cooperative agreements to receive TFCA funds; and

2. Authorizes the Executive Director or his designee to take further actions as may be necessary to give effect to this resolution, including the execution of certifications and cooperative agreement amendments.

Regularly passed and adopted this 6th day of October, 2011, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **APPROVAL OF THE ANNEX TO THE 2010 ASSOCIATION OF BAY AREA GOVERNMENTS' LOCAL HAZARD MITIGATION PLAN AS THE LOCAL HAZARD MITIGATION PLAN FOR THE PENINSULA CORRIDOR JOINT POWERS BOARD**

ACTION

Staff Coordinating Council recommends that the Board adopts the Annex to the Association of Bay Area Governments' (ABAG) Local Hazard Mitigation Plan, a report entitled *Taming Natural Disasters* (ABAG Plan), as the JPB's Local Hazard Mitigation Plan (LHMP).

SIGNIFICANCE

An LHMP is required in order for the JPB to be eligible for hazard mitigation funding from the Federal Emergency Management Agency (FEMA). By providing an Annex to the ABAG Plan, the JPB satisfies the LHMP requirements of FEMA .

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

The JPB participates with other public agencies in planning for and coordinating cooperative interagency responses to natural disasters. The LHMP describes the disasters likely to affect the JPB, and outlines the coordinated responses that will be undertaken should they occur. The LHMP compiles and summarizes the internal training, emergency response plans and operations with respect to natural disasters that could threaten assets or public use of the JPB's facilities.

The Annex to the ABAG Plan was placed on the Caltrain website from April 28, 2011 to August 17, 2011 for public review and comment. No comments were received.

Prepared By: Peter Loverso, Security Manager (PB) 650.508.7929
Project Manager: Dave Triolo, Chief of Protective Services, Acting 650.508.6237
Director Risk Management



Annex to 2010 Association of Bay
Area Governments
Local Hazard Mitigation Plan
Taming Natural Disasters

San Mateo County Transit District
(SamTrans)
Peninsula Corridor Joint Powers Board
(Caltrain)
and
San Mateo County Transportation Authority

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San Mateo County Transit District, Peninsula Corridor Joint Powers Board and San Mateo County Transportation Authority

Introduction

The San Mateo County Transit District is the administrative body for the principal public transit and transportation programs in San Mateo County, including SamTrans, Caltrain and the San Mateo County Transportation Authority. Caltrain and the Transportation Authority have contracted with the District to serve as the managing agency for those two entities, under the direction of their appointed boards. As of March, 2011, the District employs 671 people and operates 322 vehicles serving 15 million bus passengers annually.

The San Mateo County Transit District operates fixed-route and paratransit bus service in San Mateo County and parts of San Francisco and Palo Alto. Fixed-route service runs on a scheduled route at designated times. Paratransit is a service for those who cannot use fixed-route service due to mobility impairment. Redi-Wheels and RediCoast are SamTrans' paratransit services.

The Peninsula Corridor Joint Powers Board operates and owns the Caltrain rail service and corridor between San Jose and San Francisco, and operates weekday commute-hours service to Gilroy. The Joint Powers Board is a tri-county Board, comprised of representatives from the City and County of San Francisco, San Mateo County Transit District and the Santa Clara Valley Transportation Authority.

The San Mateo County Transportation Authority is an independent agency that administers the half-cent "Measure A" sales tax revenue, which is used to fund transportation improvements throughout San Mateo County. Measure A was approved by voters in 1988 for a 20-year period and reauthorized by voters in 2004 for an additional 25 years, ending in December 2033.

The Regional Planning Process

The San Mateo County Transit District staff, representing SamTrans, Caltrain and the Transportation Authority, participated in the regional process led by the Association Bay Area Governments (ABAG) workshops, conferences, and meetings in conjunction with the monthly meetings of the Metropolitan Transportation Commission. As part of this lengthy and comprehensive process, SamTrans participated in

- One Transportation Response Plan (TRP) Steering Committee meetings held to solicit input from transit operators and other interested agencies, and
- The Transit Workshop on February 12, 2009 review draft mitigation strategies and reach consensus on priorities for mitigation.

For more information on these meetings and for rosters of attendees, please see Appendix A and H in the ABAG Multi-Jurisdictional Local Hazard Mitigation Plan 2010 (MJ-LHMP). In addition, SamTrans has provided oral comments on the multi-jurisdictional plan and provided information on facilities that are defined as "critical" to ABAG.

The Local Planning Process

Representatives from several District departments met to identify and prioritize appropriate mitigation strategies. Prior to the meeting, general priorities and appropriate departments were

San Mateo County Transit District, Peninsula Corridor Joint Powers Board and San Mateo County Transportation Authority

identified. Personnel involved in the strategy meeting included senior management and staff from Safety & Risk Management, Budget & Grants, and Engineering & Construction responsible for communicating existing efforts on future actions within their area of expertise. The meeting discussed the mitigation strategies, prioritized said strategies, and reviewed preliminary budgets and potential funding sources for strategies designated as “High” priority for facilities owned-and-operated by the three agencies. Following this meeting, the final draft mitigation strategies were forwarded for comment to other departments whose responsibility it is to implement them, as well as to review preliminary budgets and potential funding sources for strategies designated as “High” priority. The Chief of Protective Services – Department of Safety & Risk Management chaired the discussion which included representatives from Planning & Development, Facilities, Operations and Maintenance, Information Technology, Engineering and Construction, Real Estate, Public Affairs, Marketing, Finance, and the Office of Sustainability.

Review and Incorporation of Existing Information

This process involved consideration of both the hazard and risk information developed by ABAG and discussed in the overall multi-jurisdictional Local Hazard Mitigation Plan, as well as the assessments of the age and construction type of structures owned by SamTrans and described on page 6. These meetings also discussed the Business Continuity Plan and Short Range Transit Plan already in place at SamTrans. The Business Continuity Plan is planned for revision.

Process for Updating Plan Sections

SamTrans did not participate in the 2005 multi-jurisdictional Local Hazard Mitigation Plan. Thus, none of the sections in this Annex are updates of a prior Annex.

Public Meetings

The public will have had two opportunities to comment on the draft Annex

- (1) During a public meeting on September 22, 2009 at a publicly noticed workshop jointly held by MTC, ABAG, and several transit districts and advertised on the ABAG and MTC. No public comments were received from either the meeting or the internet posting.
- (2) The Annex strategies will be posted on both the ABAG website and the District website providing the public with an additional opportunity to comment. The Draft Annex itself was posted for public comment on the ABAG website from April 27 through May 16, 2011. The Draft Annex also has been posted on the SamTrans, Caltrain and Transportation Authority websites between April 27 and May 16, 2011. Any comments received will be incorporated into the Annex.

The SamTrans, Caltrain and Transportation Authority boards of directors will adopt the plan in a public meeting via an official Resolution upon approval by Federal Emergency Management

San Mateo County Transit District, Peninsula Corridor Joint Powers Board and San Mateo County Transportation Authority

Agency. The mitigation strategies will be integrated into the Emergency Operations Plan and Capital Improvement Plan of SamTrans and Caltrain.

SamTrans is committed to affording the public an opportunity to participate when this plan is updated in five years. To improve this process, SamTrans and Caltrain will issue a news release and include information in its customer publications as appropriate.

Hazard and Risk Assessment

The ABAG multi-jurisdictional Local Hazard Mitigation Plan, to which this is an Annex, lists nine hazards that impact the Bay Area, five related to earthquakes (faulting, shaking, earthquake-induced landslides, liquefaction, and tsunamis) and four related to weather (flooding, landslides, wildfires, and drought). All of these impacts are in the planning region of SamTrans, Caltrain and the Transportation Authority. However, in their role as a transit agency, drought has no impact on the provision of transportation services. All relevant reports developed by SamTrans, Caltrain, and the Transportation Authority have been incorporated into this plan. No additional reports describe the hazard or risk to the SamTrans service area.

SamTrans owns an administration building and adjacent parking garage in San Carlos, two bus maintenance and operations facilities (in San Carlos and South San Francisco) and a bus operations facility (Redwood City). SamTrans also holds title to the Dumbarton Rail Bridge, but that bridge is not currently used for rail service.

Caltrain owns a rail line, the property along the rail line alignment (including 4 tunnels), approximately 25 stations, and station property. Only the San Jose Diridon and San Francisco stations are significant in size. In addition, Caltrain opened a repair facility – the Centralized Equipment Maintenance and Operations Facility (CEMOF) in San Jose.

Potential hazards at these facilities include:

Earthquake: None of these facilities are in an Alquist-Priolo Fault Rupture Study Zone. In addition, all of the SamTrans facilities are all in the highest areas of earthquake shaking potential, while the Caltrain stations are exposed to lower (but still high) levels of shaking. While they are also not in the highest categories of liquefaction susceptibility, both bus yards are in areas underlain by Bay mud. The bus operations facility in Redwood City is not underlain by Bay mud, however. None are in areas of expected earthquake-triggered landslides.

Tsunamis: The December 2009 version of the CalEMA tsunami evacuation planning maps indicated that the main administration building and the Redwood City facility are not in the tsunami evacuation planning area. However, both bus yards are on the edge of this evacuation area.

Flooding: None of these facilities are in the 100-year flood plain.

Landsliding: None of these facilities are in an area of existing landslides.

Wildfire: None of these facilities are in areas subject to higher than average wildfire threat, but the San Carlos bus yard and the Menlo Park Caltrain station are in a wildland-urban interface threat area.

San Mateo County Transit District, Peninsula Corridor Joint Powers Board and San Mateo County Transportation Authority

Dam-Failure Inundation: Two Caltrain stations (the Santa Clara and San Jose Diridon stations) are subject to dam inundation.

Delta Levee Failures: The SamTrans and Caltrain facilities are not in an area protected by a levee, or in the Delta.

Drought: The operations of SamTrans and Caltrain are not significantly impacted by drought conditions.

Hazards Conclusion: The most significant hazards to all of these facilities are earthquake shaking and liquefaction, while wildland-urban-interface fire is a secondary concern. Tsunami evacuation planning also needs to be addressed. This conclusion was based on the hazard exposure information for the facilities of SamTrans and Caltrain facilities, as well as past occurrences of disasters impacting the SamTrans and Caltrain service area described in the following section.

Risk Assessment of SamTrans: The main administration building is a braced steel frame building built in 1980, and the 5-story concrete frame parking garage was also built in 1980. These two structures, which house critical equipment and management operations, need to be re-evaluated. In addition, the tilt-up buildings at the bus facilities built in 1984 and 1988 should be re-evaluated based on current engineering procedures. Both facilities are located on Bay mud. The Redwood City facility is a former Greyhound bus depot estimated to have been built in the 1940s. It, too, may need to be evaluated for seismic vulnerability.

In the Loma Prieta earthquake, there was a back fill failure due to liquefaction under one column at the maintenance building at the San Carlos site. This was apparently only a problem with this one column and this one building at this one location.

Also in the Loma Prieta earthquake, there was a problem with the pea gravel back-fill around the underground tanks. It dropped and caused the slabs on top to drop and be damaged. This problem was fixed in San Carlos, but it might want to be done in South San Francisco.

While both bus yards have flooded in the past, the drainage system has been adequate.

Risk Assessment of Caltrain: The San Jose Diridon station is a historic building originally built in 1935 rehabilitated by the State of California before being signed over to Caltrain in 1994. The San Francisco station was constructed in 1972. It is unknown if the state conducted a structural evaluation as part of the 1999-2000 expansion. The Burlingame, San Carlos, Santa Clara, and Menlo Park stations are also larger and older and may need a structural evaluation.

Repetitive Loss Properties

The SamTrans and Caltrain facilities are not repetitive loss properties for flooding.

Past Occurrences of Disasters (natural and human-induced)

The Loma Prieta Earthquake of 1989 is an example of the kind of large-scale disaster which can strike the Bay Area. It killed 63 persons, injured 3,757, and displaced more than 12,000 persons. With more than 20,000 homes and businesses damaged and more than 1,100 destroyed, this quake caused approximately \$6 billion in damage. Reconstruction continues some two decades later as the replacement for Oakland-Bay Bridge is still several years from completion.

San Mateo County Transit District, Peninsula Corridor Joint Powers Board and San Mateo County Transportation Authority

More information on State and Federally declared disasters in San Mateo County and the SamTrans, Caltrain and Transportation Authority service areas can be found at <http://quake.abag.ca.gov/mitigation/ThePlan-D-Version-August10.pdf>

The SamTrans, Caltrain, and Transportation Authority service areas have experienced a number of different disasters over the last 50 years, including numerous earthquakes, floods, droughts, wildfires, energy shortages, landslides, and severe storms. The most significant disaster impacting the district was the Loma Prieta earthquake.

In the Loma Prieta earthquake, there was a back fill failure due to liquefaction under one column at the maintenance building at the San Carlos site. This was apparently only a problem with this one column and this one building at this one location.

Also in the Loma Prieta earthquake, there was a problem with the pea gravel back-fill around the underground tanks. It dropped and caused the slabs on top to drop and be damaged. This problem was fixed in San Carlos, but it might want to be undertaken in South San Francisco.

National Flood Insurance Program

As transit and transportation agencies, SamTrans, Caltrain and the Transportation Authority are not eligible to participate in the National Flood Insurance Program (NFIP).

Mitigation Goals and Objectives

The goal of the ABAG MJ-LHMP is to maintain and enhance a disaster-resistant region by reducing the potential for loss of life, property damage, and environmental degradation from natural disasters, while accelerating economic recovery from those disasters. This goal is unchanged from the 2005 plan and continue to be the goal of SamTrans, Caltrain, and the Transportation Authority in designing their mitigation program.

The specific goals of the mitigation program of SamTrans, Caltrain and the Transportation Authority are consistent with this goal. They are to:

- Ensure the safety and security of SamTrans and Caltrain employees and passengers
- Minimize disruption of service to SamTrans and Caltrain passengers
- Minimize damage and loss to SamTrans, Caltrain and the Transportation Authority equipment and facilities
- Speed recovery from any disruption to provide service to SamTrans and Caltrain passengers as quickly as possible

Mitigation Activities and Priorities

Existing Mitigation Activities

SamTrans, Caltrain and Transportation Authority were not participants in the 2005 ABAG-led Local Hazard Mitigation Plan. However, they have been committed to hazard mitigation for many years.

The two transit agencies have utilized, and will continue to utilize, the latest code standards during the design and construction of any future buildings or facilities in particular related to fire and earthquake mitigation.

SamTrans also has a policy to encourage public transit and to develop green alternatives to people commuting in cars, thus promoting policies that will reduce greenhouse gas emissions.

Future Mitigation Actions and Priorities

As a participant in the 2010 ABAG multi-jurisdictional planning process, the staff of the San Mateo County Transit District, on behalf of the three agencies, helped in the development and review of the comprehensive list of mitigation strategies in the overall multi-jurisdictional plan; however, the decision on specific priorities for SamTrans and Caltrain were made by the team identified in the section on the Planning Process, and reviewed by the SamTrans General Manager/CEO, who also serves as the Executive Director of Caltrain. The decision on the priority was made based the hazards and risks present in the transit agencies' service area, as well as the hazards and risks specific to their facilities, and past occurrences of natural disasters. The decision on priority was made based on a variety of criteria, not simply on an economic cost-benefit analysis. These criteria include being technically and administratively feasible, politically acceptable, socially appropriate, legal, economically sound, and not harmful to the environment or our heritage. It was decided that the best way to leverage implementation of this plan, was to incorporate it into the District's Business Continuity Plan.

A key priority for SamTrans and Caltrain during the next five years is to take the existing Threat and Vulnerability Assessment and to update the seismic evaluations of key facilities that are 25 to 30 years old. They recognize that this evaluation is essential to determine the extent to which facility retrofits or replacements are needed.

Representatives from multiple departments then met to review progress on the mitigation, to identify and prioritize additional mitigation strategies to be a specific focus for the 2010-2015 period.

These draft priorities were submitted and reviewed by the SamTrans General Manager/CEO (who also serves as the Caltrain Executive Director). The draft priorities will be provided to the SamTrans, Caltrain and Transportation Authority boards of directors for adoption pending pre-approval of this LHMP by FEMA.

San Mateo County Transit District, Peninsula Corridor Joint Powers Board and San Mateo County Transportation Authority

This list includes implementation process, funding strategy, and responsible agency. The full list is included as an attachment to this Annex. In particular, SamTrans, Caltrain and the Transportation Authority plan to focus on obtaining funding to ensure that:

- As funding becomes available, shelving, file cabinets, computer systems, and other nonstructural components of the SamTrans and Caltrain critical facilities will be evaluated and anchored to meet the performance needs of the agency following an earthquake when funds become available (GOVT a-4). The lead on this strategy will be the Facilities group within Engineering & Construction
- As funding becomes available, SamTrans and Caltrain will work with structural engineers and others to ensure that engineers are available to inspect the buildings at its facilities within three days after an earthquake and will encourage staff to talk ATC-21 training (INFR f-1). This task is led by Engineering & Construction. Funding may be needed if upgrades are needed. The need for future funding will be examined if any facilities are found deficient.
- SamTrans and Caltrain are currently seeking funding to update its Business Continuity Plan and have identified funding next fiscal year to develop site-specific Emergency Plans for its facilities (GOVT b-1, GOVT b-2, GOVT b-3). This task is led by Safety & Risk Management.
- SamTrans and Caltrain have recently received a grant from DHS to upgrade its facilities and security control center (GOVT c-4). This task is being led by Safety & Risk Management. No further funding is needed.
- While SamTrans and Caltrain recently constructed a major new facility, most of its buildings are 25 to 30 years old. At the present time, the District staff is looking for sources of funding to evaluate those buildings, particularly the headquarters building and the buildings at the bus yards that are critical to short-term return to operations. Once these analyses are completed, the District will plan to seek funding to upgrade any buildings and structures found to be deficient (GOVT a-1 and INFR a-1). The leads on this strategy are Engineering & Construction, and Planning & Development.

The timetable for these strategies is five to 10 years, depending on the economic recovery of the Bay Area.

The specific strategy priorities of SamTrans and Caltrain are included in the SamTrans spreadsheet attached to this LHMP.

Incorporation into Existing Planning Mechanisms

SamTrans has, and will continue to use, a variety of project-specific mechanisms to ensure that the projects and mitigation strategies identified as existing or having relatively high priorities in this LHMP Annex are implemented. SamTrans and Caltrain will incorporate the goals, objectives and strategies identified in this annex into their Business Continuity Plan and the Short Range Transit Plan.

San Mateo County Transit District, Peninsula Corridor Joint Powers Board and San Mateo County Transportation Authority

As shown in the attached list, the specific mitigation strategies and priorities will be implemented as part of the SamTrans and Caltrain Short Range Transit Plans., which identifies the overall budget needed for major facilities improvements over a 10-year period. Goals will be incorporated into the Business Continuity Plan. There are no other planning mechanisms available to SamTrans or Caltrain that are appropriate to incorporate this plan. SamTrans and Caltrain are also looking for funding from the grants process to hire a structural engineering firm to reevaluate the structural integrity of its facilities. This assessment would include both the buildings and tanks. The cost of any needed upgrades can only be estimated following the initial assessment.

The final strategies and Annex will be adopted in the same resolution adopting the overall LHMP following Approval Pending Adoption by FEMA by both the SamTrans and Caltrain boards of directors.

Ongoing integration of the policies and programs identified in this Local Hazard Mitigation Plan will occur at SamTrans within the Safety and Risk Management Department.

SamTrans will continue to work with MTC and the transit districts in the Bay Area to encourage them to adopt the Local Hazard Mitigation Plan and to ensure that these mitigation plans are incorporated into an overall regional planning process.

Plan Update Process

As required Disaster Mitigation Act of 2000, SamTrans, Caltrain and the Transportation Authority will update this plan annex at least once every five years, either by participating in a multi-agency effort led by ABAG, or with other agencies as part of a multi-jurisdictional plan.

The Annex is considered a “living document”, and therefore the Safety and Risk Management Department will champion appropriate departments within the agency on follow-through of outlined strategies. Major disasters, notices from ABAG, and legal changes that might affect our service area may impact those strategies. For example, if a structural engineer determines that a major risk exists at one or more buildings at one of the SamTrans facilities, the priority associated with upgrading those facilities will be re-evaluated. In another example, if the need for rail service on the Dumbarton Rail Bridge is identified, that facility would be upgraded to a critical facility and the need for mitigation of any structural deficiencies would be evaluated. Finally, the Annex will be a discussion item on the agenda of the meeting of department heads at least once a year in April. At that meeting, the department heads will focus on evaluating the Annex in light of technological and political changes during the past year or other significant events. The department heads will be responsible for determining if the plan should be updated.

SamTrans, Caltrain and the Transportation Authority are committed to reviewing and updating this plan annex at least once every five years, as required by the Disaster Mitigation Act of 2000. The Safety and Risk Management Department will contact ABAG four years after this plan is approved to ensure that ABAG plans to undertake the plan update process. If so, the agency again plans to participate in the multi-jurisdictional plan. If ABAG is unwilling or unable to act as the lead agency in the multi-jurisdictional effort, other agencies will be contacted, including

**San Mateo County Transit District, Peninsula Corridor Joint Powers Board and
San Mateo County Transportation Authority**

San Mateo County's Office of Emergency Services. Counties and agencies should then work together to identify another regional forum for developing a multi-jurisdictional plan.

SamTrans, Caltrain and the Transportation Authority encourage public participation. All SamTrans, Caltrain and Transportation Authority board meetings are open to the public, and the public is invited to comment on items on the board agendas. The public will continue to be involved whenever the plan is updated and as appropriate during the monitoring and evaluation process. Prior to adoption of updates, SamTrans, Caltrain and the Transportation Authority will provide the opportunity for the public to comment on the updates. A public notice will be posted prior to the meeting to announce the comment period and meeting logistics. SamTrans, Caltrain and the Transportation Authority are committed to improving public participation in the update process over the next five years. To improve this process, they will issue a news release regarding the update and seek input from the public and examine other creative mechanisms to encourage public participation.

Mitigation Plan Point of Contact

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Alternate Point of Contact

Name: Michael Scanlon
Title: General Manager/CEO
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E-mail: scanlonm@samtrans.com

**Exhibit B - SamTrans, Caltrain and Transportation Authority 2010
Mitigation Strategy Spreadsheet**

[Available on LHMP CD or at <http://www.abag.ca.gov/bayarea/eqmaps/mitigation/strategy.html>]

RESOLUTION NO. 2011 -

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

* * *

**APPROVING THE ANNEX TO THE 2010 ASSOCIATION OF BAY AREA
GOVERNMENTS' LOCAL HAZARD MITIGATION PLAN
AS THE LOCAL HAZARD MITIGATION PLAN FOR THE
PENINSULA CORRIDOR JOINT POWERS BOARD**

WHEREAS, in order for the Peninsula Corridor Joint Powers Board (JPB) to be eligible for hazard mitigation funding from the Federal Emergency Management Agency (FEMA), a Local Hazard Mitigation Plan (LHMP) is required; and

WHEREAS, the Association of Bay Area Governments has developed an LHMP plan, which is a report entitled *Taming Natural Disasters* (ABAG Plan); and

WHEREAS, by providing an Annex to the ABAG Plan, the JPB satisfies the LHMP requirements of FEMA; and

WHEREAS, the Annex to the ABAG Plan was placed on the Caltrain website from April 28, 2011 to August 17, 2011 for public review and comment and no comments were received; and

WHEREAS, Staff recommends the Board approve the Annex to the ABAG Plan, as the JPB's Local Hazard Mitigation Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board approves the Annex to the 2010 Association of Bay Area Governments' Local Hazard Mitigation Plan as the Local Hazard Mitigation Plan for the Peninsula Corridor Joint Powers Board.

Regularly passed and adopted this 6th day of October, 2011, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington CH. (Chuck) Harvey
Deputy CEO Deputy CEO

SUBJECT: **AUTHORIZE A SECOND CONTRACT AMENDMENT FOR SECURITY
GUARD SERVICES AT CEMOF**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Authorize a second amendment to the contract with Cypress Security, LLC in the estimated amount of \$169,663 to extend roving guard services at the JPB Centralized Equipment Maintenance and Operations Facility (CEMOF).
2. Authorize the Executive Director or his designee to execute the second amendment to the contract.

SIGNIFICANCE

CEMOF operates year-round, 24 hours per day and encompasses approximately 17 acres with five motor vehicle entrances to the property.

The additional security guard services are required at CEMOF to ensure the integrity of the main access point, to provide responder services within the facility, and to permit continuous foot patrols of the property in order to guard against unauthorized access, vandalism, theft, terrorism, and to reduce the potential of injury to trespassers by rolling stock or other vehicle movement throughout the facility or yard.

As a result of staff's experience at the facility during the past few years, it's been determined that a heightened level of security and safety is needed.

BUDGET IMPACT

This second amendment will increase the total authorized contract amount from \$572,580 to \$742,243. Funds for this second amendment will be available under the approved Fiscal Year 2012 Operating Budget.

BACKGROUND

Pursuant to Resolution 2008-42, the JPB awarded a three-year contract with two one-year option terms to Cypress Security to provide security guard services at CEMOF. The contract was previously amended to add roving security guard services from July 1, 2011 to October 31, 2011, when the base term expires. To date, Cypress Security's service has met contract requirements and the project manager will recommend exercising the first one-year option term effective November 1, 2011. This amendment will extend the roving security guard services through the first option term of the contract, from November 1, 2011 through October 31, 2012.

Contract Officer: Luis F. Velásquez

650.622.8099

Project Manager: Dave Triolo, Chief, Protective Services

650.508.6237

RESOLUTION NO. 2011-
BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA

* * *

**AUTHORIZING A SECOND AMENDMENT TO THE
CONTRACT FOR SECURITY GUARD SERVICES
WITH CYPRESS SECURITY, LLC
TO EXTEND ROVING SECURITY GUARD SERVICES
FOR THE ESTIMATED AMOUNT OF \$169,663**

WHEREAS, pursuant to Resolution 2008-42, the Peninsula Corridor Joint Powers Board (JPB) authorized the award of a contract to Cypress Security, LLC (Cypress Security) for security guard services at the Caltrain Centralized Equipment Maintenance and Operations Facility (CEMOF) at an estimated price of \$517,716 for a three-year term, with two one-year option terms; and

WHEREAS, the first amendment to the contract authorized the addition of one roving security guard at CEMOF from July 1, 2011 to October 31, 2011, for an estimated amount of \$54,864; and

WHEREAS, staff intends to exercise the first one-year option term of the contract to extend the period of performance through October 2012; and

WHEREAS, staff has concluded that it is in the best interest of the JPB to extend the roving security guard services, during the first one-year option term of the contract, in order to ensure the integrity of the main security gate, to provide responder services within the facility, to permit continuous foot patrols of the property in order to guard against unauthorized access, vandalism, theft, terrorism, and to reduce the potential of injury to trespassers by rolling stock or other vehicle movement throughout the facility; and

WHEREAS, staff has completed successful negotiations with Cypress Security regarding the cost of extending the additional security guard services; and

WHEREAS, Staff Coordinating Council recommends that the Board of Directors of the Peninsula Corridor Joint Powers Board (Board) authorize a second amendment to the contract with Cypress Security to extend the roving security guard services through the first option year of the contract for an estimated amount of \$169,663.

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes a second amendment to the contract with Cypress Security to provide security guard services at the CEMOF to extend the roving security guard services from November 1, 2011 to October 31, 2012 for the estimated amount of \$169,663; and

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director or his designee to execute the amendment to the contract with Cypress Security.

Regularly passed and adopted this 6th day of October 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: C.H. (Chuck) Harvey
Deputy CEO

SUBJECT: **KEY CALTRAIN PERFORMANCE STATISTICS AUGUST 2011**

For August 2011, Caltrain average weekday ridership increased 10.4 percent when compared to August 2010. AWR based on ticket sales was 45,204 for August 2011, an increase of 4,265 compared to August 2010. AWR has trended upward compared to the previous year for 13 consecutive months. The total number of passengers for the month of August 2011 was 1,252,825, representing a 13.3 percent increase from last year's August total of 1,105,852. The August 2011 number is an all time high for monthly total ridership, exceeding the previous high of 1,245,443 in July 2008.

In August 2011, on-time performance was 92.1 percent, as compared to 92.9 percent in August 2010. This represents a decline of 0.8 percent and can be attributable to a fatality, signal and mechanical issues. If the definition of on-time is expanded to trains arriving within 10 minutes of the scheduled arrival time, on-time performance would be 95.7 percent.

For August 2011, mechanical delays totaled 961 minutes and there were 11.25 complaints per 100,000 passengers.

Average weekday shuttle ridership was estimated at 7,055, which is an increase of 33.6 percent from August 2010. For the station shuttles, the Millbrae-Broadway shuttle averaged 137 daily riders. The Belmont-Hillsdale shuttle averaged 83 daily riders. The weekend Tamien-San Jose shuttle averaged 47 riders per day.

Caltrain Promotions – August 2011

San Jose Jazz Summer Fest – A lineup of international stars and breakthrough artists converged on the South Bay to participate in the San Jose Jazz Summer Fest. Caltrain partnered with festival organizers to promote the train as a smooth way to get there, avoiding the commute blues. The festival posted an adcard on trains and produced a newspaper insert/general distribution flyer that provided information on Caltrain. The festival also provided Caltrain customers with a \$20 discount on the purchase of a three-day festival pass. Caltrain featured the festival on the cover of its summer edition of *Track the Fun*, listed details inside the issue and also posted the discount information on its Track the Savings web page.

San Francisco Giants – While the “boys of summer” continue to seek wins, Caltrain customers were winners with a ride to the ballpark. While many learn of the service by word-of-mouth, Caltrain reached out to others through a baseball brochure, station flyer, web button on its homepage and web page for baseball service. The 19 games in August brought an additional 111,414 customers to Caltrain. Year-to-date total baseball ridership is up 9 percent compared to last year, equating to 413,983 additional customers.

Prepared by: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650.508.6248
Ted Yurek, Senior Planner, Operations Planning 650.508.6471

Table A

August 2011

	FY2011	FY2012	%Change
Total Ridership	1,105,852	1,252,825#	13.3%
Average Weekday Ridership	40,939	45,204#	10.4%
Total Revenue	\$4,107,653	\$5,324,175	29.6%
On-time Performance	92.9%	92.1%	-0.8%*
Caltrain Shuttle Ridership	5,281	7,055	33.6%

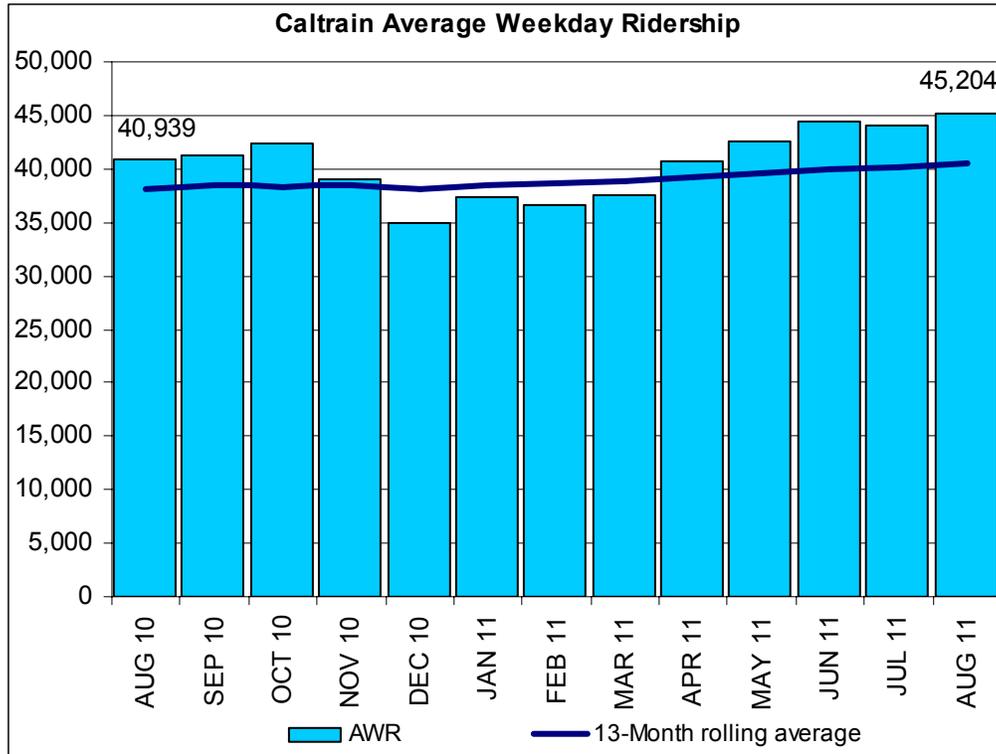
Year to Date

	FY2011	FY2012	%Change
Total Ridership	2,188,833	2,418,869#	10.5%
Average Weekday Ridership	40,818	44,665#	9.4%
Total Revenue	\$8,059,663	\$10,321,008	28.1%
On-time Performance	93.2%	91.9%	-1.3%*
Average Caltrain Shuttle Ridership	5,181	6,753	30.3%

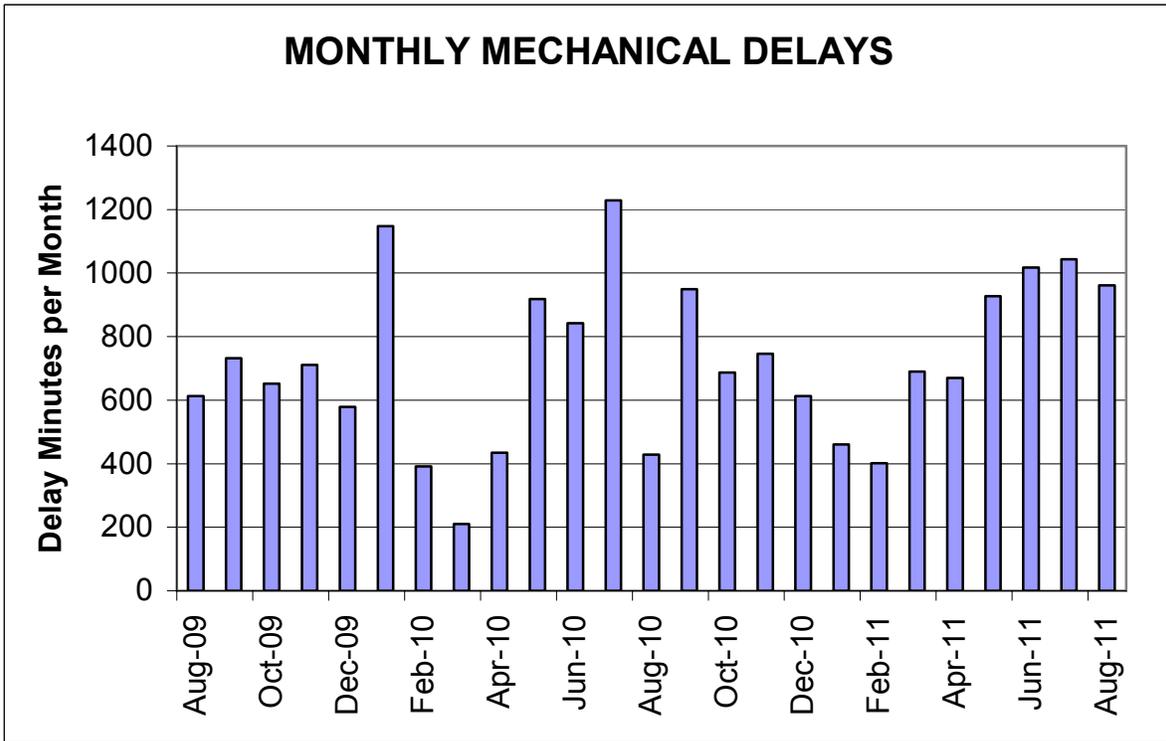
* numeric difference of the percentages

#subject to adjustment due to possible anomalies with Clipper reporting data

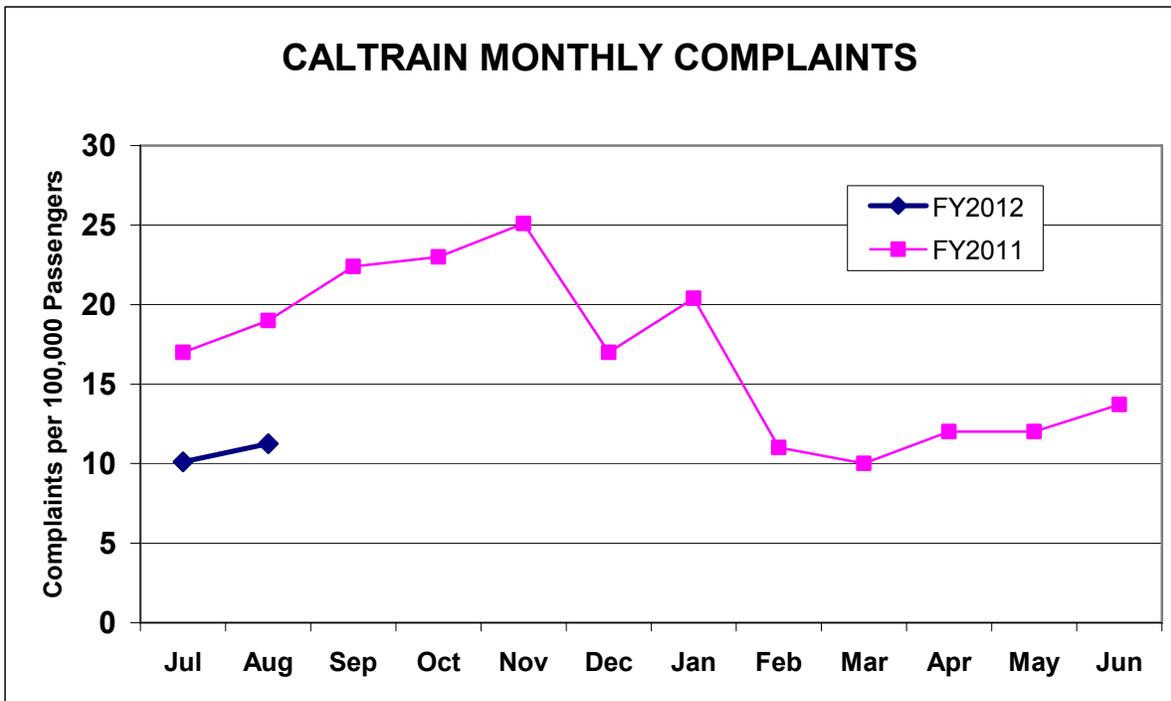
Graph A



Graph B



Graph C



PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD
ENDING AUGUST 31, 2011 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 August 2011 and supplemental information.

SIGNIFICANCE

Revenue: For August of Fiscal Year 2012, *Total Operating Revenue* (line 7) is \$1,430,926 or 13.8 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$1,369,661 or 15.3 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$2,476,117 or 26.5 percent **higher**.

Expense: *Grand Total Expenses* (line 46) show a favorable variance of \$974,056 or 5.6 percent. *Total Operating Expense* (line 33) is \$772,214 or 5.1 percent **better** than budget. *Total Administrative Expense* (line 42) is \$201,841 or 9.3 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 46) are \$799,779 or 5.1 percent **higher**. The increase in expense is mainly due to *Contract Operating & Maintenance* (line 23), *Fuel* (line 26) and *Administrative Expense* (line 42) which together are \$1,802,199 or 14.2 percent **higher** offset by *Insurance* (line 28) which are \$1,068,423 or 57.9 percent **lower** than budget.

Budget Revisions: There are no budget revisions for the month of August 2011.

Prepared by: Sheila Tioyao, Manager, General Ledger
David Ramires, Accountant

650.508.7752
650.508.6417

PENINSULA CORRIDOR JOINT POWERS BOARD

STATEMENT OF REVENUE AND EXPENSE

Fiscal Year 2012

August 2011

	% OF YEAR ELAPSED 16.7%							
	MONTH CURRENT ACTUAL	PRIOR ACTUAL	YEAR TO DATE			ANNUAL (AS PROJECTED)		
			CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET
REVENUE								
OPERATIONS:								
1 Farebox Revenue	5,324,175	8,059,663	10,321,008	8,951,347	115.3%	50,644,719	50,644,719	20.4%
2 Parking Revenue	257,445	393,452	552,683	462,766	119.4%	2,776,600	2,776,600	19.9%
3 Shuttles	115,422	209,705	193,323	191,424	101.0%	1,148,579	1,148,579	16.8%
4 Rental Income	149,023	301,443	295,220	289,540	102.0%	1,737,240	1,737,240	17.0%
5 Other Income	210,630	362,420	440,625	476,856	92.4%	2,913,060	2,913,060	15.1%
6								
7 TOTAL OPERATING REVENUE	6,056,695	9,326,682	11,802,859	10,371,933	113.8%	59,220,198	59,220,198	19.9%
8								
CONTRIBUTIONS:								
9								
10 AB434 Peninsula Feeder Shuttle	83,333	166,667	166,667	166,666	100.0%	1,000,000	1,000,000	16.7%
11 Operating Grants	-	1,212,740	-	768,537	0.0%	9,222,450	9,222,450	0.0%
12 JPB Member Agencies	2,111,438	5,848,357	4,222,872	4,222,874	100.0%	25,337,256	25,337,256	16.7%
13 Other Sources	-	-	-	1,916,810	0.0%	9,000,000	9,000,000	0.0%
14								
15 TOTAL CONTRIBUTED REVENUE	2,194,772	7,227,764	4,389,538	7,074,887	62.0%	44,559,706	44,559,706	9.9%
16								
17 GRAND TOTAL REVENUE	8,251,467	16,554,445	16,192,397	17,446,820	92.8%	103,779,904	103,779,904	15.6%
18								
19								
EXPENSE								
20								
OPERATING EXPENSE:								
21								
22								
23 Contract Operating and Maintenance	4,711,327	9,062,711	9,358,939	9,871,713	94.8%	62,851,773	62,851,773	14.9%
24 Operator Contract Transition Costs	106,730	-	106,730	109,912	97.1%	3,200,000	3,200,000	3.3%
25 Shuttles (incl Peninsula Pass)	277,800	507,900	504,873	497,423	101.5%	2,984,550	2,984,550	16.9%
26 Fuel	1,347,662	2,219,152	3,119,478	3,200,000	97.5%	14,660,380	14,660,380	21.3%
27 Timetables and Tickets	-	2,275	-	26,833	0.0%	161,000	161,000	0.0%
28 Insurance	395,842	1,845,432	777,009	811,660	95.7%	4,870,000	4,870,000	16.0%
29 Facilities and Equipment Maint	45,361	142,199	78,658	103,182	76.2%	1,037,260	1,037,260	7.6%
30 Utilities	82,807	203,583	214,940	266,167	80.8%	1,596,835	1,596,835	13.5%
31 Services	87,096	135,433	152,192	198,143	76.8%	1,171,760	1,171,760	13.0%
32								
33 TOTAL OPERATING EXPENSE	7,054,624	14,118,684	14,312,819	15,085,033	94.9%	92,533,558	92,533,558	15.5%
34								
ADMINISTRATIVE EXPENSE								
35								
36 Wages and Benefits	628,262	903,558	1,017,243	1,210,517	84.0%	6,340,690	6,336,359	16.1%
37 Board of Directors	-	1,004	808	1,800	44.9%	10,800	10,800	7.5%
38 Professional Services	342,019	214,618	486,306	500,000	97.3%	2,143,542	2,143,542	22.7%
39 Communications and Marketing	5,250	5,662	14,246	28,497	50.0%	171,000	171,000	8.3%
40 Office Expense and Other	342,159	245,646	457,529	437,161	104.7%	1,477,439	1,481,770	30.9%
41								
42 TOTAL ADMINISTRATIVE EXPENSE	1,317,690	1,370,488	1,976,133	2,177,974	90.7%	10,143,471	10,143,471	19.5%
43								
44 Long Term Debt Expense	91,906	183,813	183,813	183,813	100.0%	1,102,875	1,102,875	16.7%
45								
46 GRAND TOTAL EXPENSE	8,464,221	15,672,985	16,472,764	17,446,820	94.4%	103,779,904	103,779,904	15.9%

"% 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.



BOARD OF DIRECTORS 2011
 SEAN ELSBERND, CHAIR
 ADRIENNE TISSIER, VICE CHAIR
 JOSÉ CISNEROS
 JERRY DEAL
 ASH KALRA
 LIZ KNISS
 ARTHUR L. LLOYD
 TOM NOLAN
 KEN YEAGER
 MICHAEL J. SCANLON
 EXECUTIVE DIRECTOR

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF AUGUST 31, 2011

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	Liquid Cash	0.408%	\$ 2,000,000	\$ 2,000,000
Local Agency Investment Fund (Unrestricted)	Liquid Cash	0.408%	13,319,164	13,319,164
Investment Portfolio (Unrestricted)	Liquid Cash	3.122%	5,202,506	5,059,259
Other (Unrestricted)	Liquid Cash	0.010%	1,449,414	1,449,414
			\$ 21,971,085	\$ 21,827,838
Accrued Earnings for August 2011		\$19,837.37		
Cumulative Earnings FY2012		\$37,672.15		

** The Portfolio and this Investment Report comply with the Investment Policy and the provisions of SB 564 (1995).
 The Joint Powers Board has the ability to meet its expenditure requirements for the next six months.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **AUTHORIZE AN AMENDMENT TO INCREASE THE FISCAL YEAR
2012 CALTRAIN CAPITAL BUDGET IN THE AMOUNT OF \$750,000
FOR THE CALTRAIN TRANSIT ASSET MANAGEMENT PILOT
PROJECT**

ACTION

Staff Coordinating Council (SCC) recommends that the Board amend the Fiscal Year (FY) 2012 Capital Budget, included as Attachment A, to add \$750,000 for the Caltrain Transit Asset Management (CTAM) Pilot Project.

SIGNIFICANCE

The FY2012 Caltrain Capital Budget is proposed to be amended to include a Federal grant of \$750,000 recently awarded for the above-mentioned project, and as further discussed below.

JPB is the recipient of an FTA-funded pilot program utilizing the current Caltrain Transit Asset Management System (CTAM). This funding program makes funds available for public transportation providers, among others, to demonstrate effective transit asset management systems and best practices that can be replicated to improve transportation asset management at the nation's rail and bus public transportation agencies.

The awarded grant will allow JPB to expand and enhance the functionality and capabilities of the existing Caltrain transit asset management system, and once expanded, the JPB will be able to share our system's capabilities with our peer agencies.

BUDGET IMPACT

No JPB member contributions are required for the proposed Capital Budget amendment. The funds for this project will come from a Federal Transit Administration (FTA) grant. No matching funding is required.

BACKGROUND

The Joint Powers Board approved the FY2012 Capital Budget on July 7, 2011 for a total amount of \$60,726,816. The proposed amendment as discussed above would increase the Capital Budget to an authorized total of \$61,476,816.

The JPB annually adopts a Capital Budget to accompany the Operating Budget. The purpose of the Capital Budget is to implement a balanced program of projects that gives the JPB the ability to meet its goals and objectives as set forth in the Short Range Transit Plan and the related Rapid Rail Plan.

Prepared by: April Chan, Director, Budgets and Grants

650.508.6228

FY12 JPB Caltrain Capital Budget Amendment 1

													Proposed Funding Plan				
													Federal	State	Other	JPB	
PROJECT TITLE/DESCRIPTION	FY 12 PROJECT PHASE	EST. TOTAL COST	PREVIOUSLY PROGRAMMED	FY12 CAPITAL BUDGET REQUEST	FUTURE BUDGET REQUEST									FY2012 TOTAL			
						Amount	Source	Amount	Source	Amount	Source	Amount	Source				
I.State of Good Repair																	
Station & Intermodal Access																	
1.1	FY12 Systemwide Station SOGR	Prel Eng / Constr	9,430,000	4,593,000	400,000	4,437,000							400,000	Members	400,000		
Right of Way/Signals																	
1.2	Systemwide Track Rehab Program	Constr	10,000,000	0	7,000,000	0	5,600,000	FTA		350,000	AB664	1,050,000	Members	7,000,000			
1.3	Los Gatos Creek Bridge Replacement	Fin Des / Constr	21,181,000	5,302,412	5,000,000	10,878,588	4,000,000	FTA				1,000,000	Members	5,000,000			
1.4	SF Roadway Bridges - 22nd & 23rd Streets	Fin Des / Constr	14,812,000	3,015,000	11,797,000	0	10,381,360	HBRRP		1,415,640	SF			11,797,000			
1.5	Predictive Arrival/Departure System (PADS)	Fin Des / Constr	4,237,585	2,428,134	1,809,450	1	1,447,560	FTA		361,890	Other			1,809,450			
1.6	Rail Operations Control System (ROCS)	Constr	11,197,817	10,275,951	921,866	0	737,493	FTA		184,373	Other			921,866			
1.7	North South Road Channel	Final Des/Constr	438,000	0	351,500	86,500	281,200	FTA				70,300	Members	351,500			
1.8	South Terminal Phase II & Phase III and Environmental Clearance	Prelim Eng	67,850,000	0	2,023,000	65,827,000	1,223,000	FTA	800,000	Prop 1B				2,023,000			
1.13	Caltrain Transit Asset Management (CTAMS) Pilot Project	Database	750,000	0	750,000	0	750,000	FTA						750,000			
Rolling Stock																	
1.9	Locomotive SOGR	Constr	*	0	2,800,483	0	-		2,800,483	Prop 1B			-	2,800,483			
1.10	Gallery Car SOGR	Constr	*	0	3,101,138	0	-		199,517	Prop 1B			2,901,621	Members	3,101,138		
1.11	Bombardier Car SOGR	Constr	*	0	2,232,379	0	988,000	FTA	-		607,000	AB664	637,379	Members	2,232,379		
1.12	Technical and Engineering Support for Midlife Overhaul	Prelim Eng	165,000	0	165,000	0	132,000	FTA	-		33,000	AB664	-	165,000			
							25,540,613		3,800,000		2,951,903		6,059,300		38,351,816		
							38,351,816										
II. LEGAL MANDATES																	
2.1	PRP-Caltrain PTC System Project 1818	Final Des	219,000,000	6,925,000	18,000,000	194,075,000	16,000,000	FRA	2,000,000	Prop 1B				18,000,000			
							16,000,000		2,000,000		-		-	18,000,000			
III. PENINSULA RAIL PROGRAM																	
3.1	PRP - Program Implementation & Management	Support		16,221,600	1,600,000	TBD			1,450,000	CHSRA			150,000	Members	1,600,000		
							-		1,450,000		-		150,000	1,600,000			
IV. ENHANCEMENTS																	
4.1	Cameras on Trains: Phase II	Constr	1,535,000	500,000	1,035,000	0			1,035,000	CTSGP				1,035,000			
4.2	San Bruno Archway	Prelim Eng	500,000	0	500,000	0					500,000	City of SB / Measure A		500,000			
							-		1,035,000		500,000		-	1,535,000			
							1,535,000										
V. CALTRAIN SUPPORT PROGRAM and CAPITAL CONTINGENCY																	
5.1	Capital Project Development	Support			500,000								500,000	Members	500,000		
5.2	Capital Program Management	Support	500,000		500,000								500,000	Members	500,000		
5.3	Capital Contingency Funds (Engineering)	Support			330,000								330,000	Members	330,000		
5.4	Capital Contingency Funds (Rail)	Support			660,000								660,000	Members	660,000		
							-		-		-		1,990,000	1,990,000			
							1,990,000										
FY12 Capital Budget :							61,476,816		41,540,613		8,285,000		3,451,903		8,199,300	61,476,816	
													2,733,100	FY2012 Per Member Request			

RESOLUTION NO. 2011 –

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

**AUTHORIZING AN AMENDMENT TO INCREASE THE FISCAL YEAR 2012 CAPITAL
BUDGET IN THE AMOUNT OF \$750,000 FOR THE
CALTRAIN TRANSIT ASSET MANAGEMENT (CTAM) PILOT PROJECT**

WHEREAS, pursuant to Resolution No 2011-27 adopted on July 7, 2011, the Peninsula Corridor Joint Powers Board (JPB) adopted the Fiscal Year (FY) 2012 Capital Budget for a total authorized budget of \$60,726,816; and

WHEREAS, Federal funds have been awarded to the JPB for the purpose of the CTAM Pilot Project; and

WHEREAS, the CTAM Pilot Project will allow the JPB to expand and enhance the functionality and capabilities of the existing Caltrain transit asset management system; and

WHEREAS, the Staff Coordinating Council recommends that the JPB approve the amendment to the FY 2012 Capital Budget as described above.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board approve an amendment to the FY2012 Capital Budget to include the Caltrain Transit Asset Management Pilot Project for \$750,000, and to increase the total authorized Capital Budget from \$60,726,816 to \$61,476,816.

Regularly passed and adopted this 6th day of October 2011, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **APPROVE TENTATIVE BUDGET PROPOSALS FOR THE FISCAL
YEAR 2013 CALTRAIN OPERATING BUDGET AND A BUDGET
FRAMEWORK FOR FY2014 AND BEYOND**

ACTION

Staff Coordinating Council (SCC) recommends that the Board approve the tentative proposal reached by the Peninsula Corridor Joint Powers Board (JPB) member agency executive staffs and the Metropolitan Transportation Commission (MTC) on a budget-balancing plan for the Fiscal Year (FY) 2013 Caltrain Operating Budget, and on a budget framework for the Caltrain Operating Budgets for FY2014 and beyond.

SIGNIFICANCE

Executive staff from the three JPB member agencies and the MTC met in August 2011 and reached a tentative proposal to balance the FY2013 Caltrain Operating Budget, and to establish a framework for resolving future-year budgets.

The FY2013 Caltrain Operating Budget, assuming similar service levels as approved in FY2012, is proposed to be balanced by JPB member agencies contributing at the following levels: a) San Mateo County Transit District (District) \$14 million; b) San Francisco Municipal Transportation Agency (SFMTA) \$5.8 million; and c) Santa Clara Valley Transportation Authority (VTA) \$13.7 million. Of the \$14 million proposed from the District, \$7.0 million will come from right of way repayment funds, made up of \$5.2 million from VTA and \$1.8 million from SFMTA. The total proposed JPB member contributions in FY2013 is \$33.5 million.

The parties also agreed at the meeting to increase Caltrain's share of the District's administrative overhead costs in the FY2013 Caltrain Operating Budget by \$2.5 million, subject to favorable review by the JPB member agencies of the District's revised Indirect Cost Allocation Program (ICAP). The proposed increase of \$2.5 million is based on recommendations included in the District's ICAP study; the study is scheduled for submittal to the Federal Transit Administration (FTA) for final approval.

Furthermore, the parties agreed to include changes in the operating cost-sharing formulas for the three JPB member agencies, which changes will be included in the budget deliberation process for the FY2014 Caltrain Operating Budget cycle and beyond. This change is intended to better match member agency costs with how each county is currently deriving benefits from the Caltrain service. And in accordance with the 1996 Joint Powers Agreement, VTA will also include, as part of future year budget deliberations, restoration of payment obligations toward operating costs associated with the Gilroy Service.

BUDGET IMPACT

The tentative proposal outlined above will allow Caltrain to balance its FY2013 Operating Budget and maintain service at current levels. With regards to future years, budget impacts are dependent on the final outcome of continuing budget discussion amongst the three JPB member agencies and the MTC.

BACKGROUND

At the time the Board approved the FY2012 Caltrain Operating Budget at the June 2, 2011 meeting, staff informed the Board that the three JPB member agencies will continue discussion on a budget-balancing plan for FY2013. The above proposal reflects the tentative agreement reached by the parties following the June 2, 2011 meeting.

Prepared By: April Chan, Director, Budgets and Grants

650-508-6228

RESOLUTION NO. 2011 –

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

* * *

**APPROVE PRELIMINARY UNDERSTANDING
CONCERNING BUDGET PROPOSALS FOR THE FISCAL YEAR 2013 CALTRAIN
OPERATING BUDGET AND A BUDGET FRAMEWORK FOR FISCAL YEAR 2014
AND BEYOND**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) is composed of three member agencies, the San Mateo County Transit District (District), the Santa Clara Valley Transportation Authority (VTA), and the City and County of San Francisco through the San Francisco Municipal Transportation Authority (SFMTA); and

WHEREAS, the District is the managing agency and provides staff support in administering the operating contract for Caltrain as well as providing support in finance, contracting and other administrative functions; and

WHEREAS, executive staff from the three JPB member agencies and MTC met in August 2011 and reached a preliminary understanding ("Preliminary Understanding") to balance the FY2013 Caltrain Operating Budget, and to establish a framework for balancing future-year budgets; and

WHEREAS, the Preliminary Understanding contemplates that the FY2013 Caltrain Operating Budget will be balanced by JPB member agencies on the following basis: a) \$14 million in District funds, \$7.0 million will be derived from right of way repayment funds (made up of \$5.2 million from VTA and \$1.8 million from SFMTA); b) \$5.8 million in SFMTA funds; and c) \$13.7 million in VTA funds; and

WHEREAS, the Preliminary Understanding further provides for an increase in Caltrain's share of the District's administrative overhead costs in the FY2013 Caltrain Operating Budget by \$2.5 million, subject to favorable review by the JPB member agencies of the District's revised Indirect Cost Allocation Program (ICAP), which is scheduled for submittal to the Federal Transit Administration for final approval; and

WHEREAS, the Preliminary Understanding also contemplates changes in the cost-sharing formulas that govern JPB member agency annual subsidies of Caltrain operating costs during the budget deliberation process for the FY2014 Caltrain Operating Budget cycle and beyond, which changes are intended to better match member agency costs with how each county is currently deriving benefits from the Caltrain service; and

WHEREAS, additionally, VTA will consider, as part of future year budget deliberations, restoration of payment obligations toward operating costs associated with the Gilroy Service as provided for in the 1996 Joint Powers Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board approves the Preliminary Understanding reached by the JPB member agency executive staffs and MTC on a budget-balancing plan for the FY2013 Caltrain Operating Budget, and on a budget framework for the Caltrain Operating Budgets for FY2014 and beyond, as outlined and detailed above.

Regularly passed and adopted this 6th day of October, 2011, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

Aidan Hughes
Interim Executive Officer
Planning & Development

**SUBJECT: REJECTION OF PROPOSALS TO OPERATE THE SAN FRANCISCO
CALTRAIN BICYCLE PARKING FACILITY AND AUTHORIZATION
TO RE-SOLICIT THESE SERVICES**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Reject both proposals submitted in response to the Peninsula Corridor Joint Powers Board (JPB) solicitation for a contractor to operate the San Francisco Caltrain Bicycle Parking Facility.
2. Authorize staff to re-solicit these services, after staff has completed further research.

SIGNIFICANCE

The solicited services were intended to provide the JPB with a contractor to operate the San Francisco Caltrain Bicycle Parking Facility (Facility) located at the San Francisco Station for a five-year base term with five one-year option terms. The Request for Proposals resulted in two proposals that each required funding, which was not offered by the JPB as part of its terms and conditions.

Any recommendation for a contract award resulting from re-solicitation of these services will be presented to the Board at a future meeting.

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

Staff advertised the Request for Proposals (RFP) via the JPB's website and the *San Francisco Chronicle*. Potential proposers attended a pre-proposal meeting and site visit to the Facility. Standard language setting forth the JPB's policy regarding Disadvantaged Business Enterprises (DBEs) was included in the solicitation documents. Solicitation notices also were sent to interested proposers, Small Business Enterprises (SBEs) and DBEs. The JPB received two proposals as follows:

1. Bike Station, San Francisco and Bike and Roll, Long Beach, CA
2. Warm Planet, San Francisco, CA

Following proposal review by an Evaluation Committee (Committee) comprised of qualified JPB staff, both proposers were invited to an interview. Subsequently, the firms were provided an opportunity to submit Best and Final Offers. During the evaluation process, staff determined that neither firm was able to provide services without a subsidizing funding source beyond rent-free use of the facility, which was counter to the provisions of the RFP. Proposers were invited to discuss their Best and Final submittals with the Committee to help it better understand the need for subsidized operations. As a result, the Committee recommends cancelling the procurement by rejecting both proposals.

The RFP process provided JPB staff with a better understanding of the opportunities and constraints associated with provision of bicycle parking services at the Facility. Both proposers submitted creative approaches to provide such services and suggested opportunities to more effectively manage the operation and potentially increase capacity. With the knowledge gained, staff will reassess the JPB's goals, objectives and constraints for the facility and thereafter revise the scope of services and re-issue the solicitation.

As further background, in 2005 the Board awarded Warm Planet Bikes a contract to operate the Facility. At the time of award, it was envisioned that WPB would be paid start up funds for its first three years of operations, after which the Facility was to be self-sustaining. WPB received approximately \$250,000 in start-up funds through the first three years of the agreement, along with approximately \$50,000 in funds for improvements to the Facility. They are currently operating the Facility with no subsidy, other than free rent, under a lease that allows for either party to terminate upon 90-days notice.

Senior Contract Officer:	Julie Taylor	650.508.7915
Project Manager:	Brian W. Fitzpatrick, Manager, Real Estate & Property Development	650.508.7781

RESOLUTION NO. 2011 -

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

* * *

**AUTHORIZATION TO REJECT PROPOSALS AND RE-SOLICIT
FOR A CONTRACTOR TO OPERATE THE SAN FRANCISCO
CALTRAIN BICYCLE PARKING FACILITY**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB), solicited competitive proposals for a contractor to operate the San Francisco Caltrain Bicycle Parking Facility (Facility) for a five-year base term with five one-year option terms; and

WHEREAS, in response to the JPB's advertisement, two firms submitted proposals; and

WHEREAS, an Evaluation Committee reviewed the proposals, interviewed both firms, conducted financial analyses, requested Best and Final Offers, to which both firms responded, and held discussions; and

WHEREAS, both proposers required funds to either start-up or operate the Facility; and

WHEREAS, the Request for Proposals stated that the operator should be self-sufficient;
and

WHEREAS, Staff Coordinating Council recommends that the JPB reject both proposals for a contractor to operate the San Francisco Caltrain Bicycle Parking Facility and authorize the Executive Director or his designee to re-solicit for these services when it is determined to be in the best interests of the agency to do so.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board rejects the proposals of Warm Planet and Bike Station/Bike and Roll to operate the San Francisco Caltrain Bicycle Parking Facility and authorizes the Executive Director or his designee to re-solicit these services when it is determined to be in the best interests of the agency to do so.

Regularly passed and adopted this 6th day of October 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington C. H. (Chuck) Harvey
Deputy CEO Deputy CEO

SUBJECT: **AUTHORIZING AWARD OF A CONTRACT TO DESIGN, PROCURE,
AND INSTALL A COMMUNICATIONS-BASED OVERLAY SIGNAL
SYSTEM POSITIVE TRAIN CONTROL FOR CALTRAIN**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Award a base contract to Parsons Transportation Group (PTG) of Washington D.C. for a total cost of \$16,342,402 of which \$14,626,902 is for the development phase of a Communications-Based Overlay Signal System Positive Train Control (CBOSS PTC) for Caltrain, including an option for a fiber optic communication solution, and \$1,715,500 is for the bond that covers base contract and two Options described below, contingent upon JPB execution of a service agreement with California High Speed Rail Authority.
2. Authorize the Executive Director or his designee to exercise Option 1 to the Agreement with PTG in the amount up to \$35,289,630 for the continuing provision of CBOSS PTC, specifically including final design, integrated subsystem/system factory acceptance testing and data communication subsystem installation if it is in the best interest of the agency and if sufficient funding is available.
3. Authorize the Executive Director or his designee to exercise Option 2 to the Agreement with PTG in the amount up to \$86,503,641 for the continuing provision of CBOSS PTC, specifically including CBOSS PTC remaining subsystems installation including a Backup Central Control Facility (BCCF), testing, training, safety certification, and commissioning and system acceptance and warranty if it is in the best interest of the agency and if sufficient funding is available.
4. Authorize the Executive Director or his designee to execute a CBOSS PTC Long-Term System Support Services Agreement with PTG for a five-year base term, at a total estimated price of \$6,057,987
5. Authorize the Executive Director or his designee to execute the above referenced contracts with PTG in full conformity with the terms and conditions of the solicitation documents and negotiated agreements.

SIGNIFICANCE

Caltrain is preparing to implement the CBOSS which includes the FRA-mandated PTC functionality.

In October, 2008, Congress enacted the Rail Safety Improvement Act of 2008 (RSIA), which mandates the development and implementation of positive train control (PTC) systems on “Class I” and commuter railroads such as Caltrain by December 31, 2015.

The Caltrain CBOSS PTC system will include the four key requirements of the RSIA: a system that reliably and functionally prevents: (1) train-to-train collisions, (2) overspeed derailments, (3) unauthorized incursions into work zones and (4) routing over misaligned switches. The Caltrain CBOSS PTC will not only improve rail safety, but it will also provide enhanced operational benefits including improved schedule management, station stop enforcement, crossing safety improvements, and optimized operating performance. The Caltrain CBOSS PTC will be implemented on all main tracks between San Francisco and Control Point Lick in south San Jose and will be interoperable with its tenant and host railroads. The Caltrain CBOSS PTC will provide significant advances to the signaling system capabilities.

Caltrain’s CBOSS PTC project includes design development, final design and acceptance, material equipment manufacturing and procurement, field installation and testing, commissioning, and safety certification of an interoperable vital train control system. The CBOSS PTC project also includes implementation of a BCCF and contemplates long-term support and maintenance of the system. The Contract with PTG includes an option for a communications system that supports CBOSS PTC using a fiber optic backbone which will provide long-term benefits both to Caltrain and future high speed rail service.

BUDGET IMPACT

The total estimated cost of the Caltrain CBOSS PTC project is \$231 million, which includes the CBOSS PTC prime contract value, JPB project and construction management oversight, licensing, contract optional items and project contingency. The total amount approved for the Caltrain CBOSS PTC design development phase is \$20 million, and this amount was included in Caltrain’s Fiscal Year 2012 and prior year Capital budgets.

BACKGROUND

Pursuant to Resolution 2009-41 the JPB authorized the use of the competitive negotiation procurement process to solicit proposals for a CBOSS PTC system for Caltrain. The competitive negotiation procurement process allows price to be considered along with other selection criteria; as a result, contract award may be made to a firm that offers the best overall value.

A Request for Proposals (RFP) to design, procure and install a CBOSS PTC System for Caltrain was issued detailing the scope of services for the JPB. The solicitation was advertised in *Railway Age*, a national industry publication, on *Railway Age’s* website, on the JPB’s procurement website and in a local newspaper of general circulation. Solicitation notices also were sent to interested proposers, small business enterprises and disadvantaged business enterprises (DBEs). Three proposals were received, none of which were from DBEs.

An Evaluation Committee (Committee) composed of qualified JPB staff reviewed and scored the proposals in accordance with the following weighted criteria:

- Technical 0-50 points
- Qualifications, commercial and work experience 0-30 points
- Price 0-20 points

After review, evaluation, and initial scoring of proposals, all three proposers were invited for interviews. Following interviews, additional proposal information was submitted by all three companies. Committee representatives made site visits to various locations where vendors had planned installation of PTC or had previously installed PTC systems in the United States. References checks were completed by telephone before the Committee met again to complete the final evaluation and consensus ranking.

The Committee determined that PTG was the highest consensus-ranked firm, based on the technical solution, qualifications and experience, and best value, and is qualified to be selected for contract award.

The top three firms are listed below in order of their final consensus ranking:

- Parsons Transportation Group
- Wabtec Railway Electronics (Wabtec)
- ALSTOM

As part of its evaluation of proposers, staff performed a thorough financial assessment of PTG prior to engaging in negotiations. This assessment revealed that PTG is a wholly owned subsidiary of the parent company, Parsons Corporation. The corporation’s capital structure is well managed.

PTG possesses the requisite depth of experience, has the required qualifications to successfully perform the scope of services defined in the solicitation documents and is fully capable of providing the specified services at a fair and reasonable price. PTG shall perform as the prime contractor who will deliver a complete integrated and interoperable CBOSS PTC system for the JPB. PTG as the system integrator will be responsible for system engineering, subsystems/system interface and integration, obtaining regulatory approvals, and testing/commissioning for final system acceptance and deployment of CBOSS PTC in Caltrain revenue service. PTG has put together an impressive team that includes industry leaders such as GE, ARINC, and Wabtec. The SCC therefore recommends award of a contract to this firm.

Federal DBE provisions were included in the RFP and PTG has met the solicitation requirements. PTG commits to working with the JPB to ensure that DBE goals and objectives are met.

This contract is primarily funded by a Federal Rail Administration grant through the California High Speed Rail Authority for the Caltrain CBOSS PTC project. The JPB approved the receipt of this grant in Resolution 2011-34 at its September 1, 2011 meeting. The administrative actions required for the execution of the service agreement supporting the grant are nearing completion.

Senior Contract Officer:	Juanita Vigil	650.508.7731
Project Manager:	Jack Buckingham, Caltrain CBOSS PTC	415.836.5602

RESOLUTION NO. 2011 -

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

* * *

**AUTHORIZING AWARD OF A CONTRACT TO DESIGN, PROCURE, AND INSTALL
A COMMUNICATIONS-BASED OVERLAY SIGNAL SYSTEM
POSITIVE TRAIN CONTROL SYSTEM FOR CALTRAIN
IN THE ESTIMATED AMOUNT OF \$138,135,673**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited competitive proposals from qualified firms for the provision of a Communications-Based Overlay Signal System (CBOSS) Positive Train Control (PTC) system for Caltrain; and

WHEREAS, in response to the JPB's request for proposals (RFP), three firms submitted proposals as follows: (1) Parsons Transportation Group (PTG), (2) Wabtec Railway Electronics, and (3) ALSTOM; and

WHEREAS, an Evaluation Committee (Committee) reviewed proposals, conducted interviews, site visits, and financial analyses, and ranked all of the proposals according to the evaluation criteria set forth in the RFP; and

WHEREAS, the Committee found that PTG was the highest consensus-ranked firm, based on the technical solution, qualifications, experience, and best value, and staff has conducted a price analysis of PTG's final negotiated price to conclude that its price is fair and reasonable ; and

WHEREAS, the CBOSS PTC project consists of three Phases, described in the Contract as a base term for the critical design of the CBOSS PTC system, with two subsequent contractual options for the continuing implementation and deployment of the CBOSS PTC system; and

WHEREAS, upon completion and acceptance of the CBOSS PTC system the JPB will require continued long-term support of the system, the provision of which was included in PTG's proposal; and

WHEREAS, staff has successfully negotiated the terms and conditions and price of a contract with PTG, and the Executive Director recommends and the Staff Coordinating Council (SCC) concurs that a contract be awarded to PTG; and

WHEREAS, the JPB has approved the receipt of a grant from the Federal Rail Administration through the California High Speed Rail Authority for the CBOSS PTC system in Resolution number 2011-34; and

WHEREAS, administrative actions required for the execution of the service agreement supporting the grant are nearing completion.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board awards a contract to PTG of Washington, D.C. for the provision of a CBOSS PTC system for Caltrain for a total cost of \$138,135,673 consisting of \$16,342,402 for the base contract, \$35,289,630 for Option 1, and \$86,503,641 for Option 2, contingent upon JPB execution of the service agreement with California High Speed Rail Authority covering the CBOSS PTC grant; and

BE IT FURTHER RESOLVED that the Board finds, in accordance with Public Contract Code 20217, that PTG's final negotiated price is fair and reasonable; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with PTG in full conformity with all of the terms and conditions of the solicitation documents and negotiated agreement, in a form approved by Legal Counsel; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to execute a CBOSS PTC Long-Term System Support Services Agreement with PTG for a five-year base term, at a total estimated price of \$6,057,987.

Regularly passed and adopted this 6th day of October 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington C. H. (Chuck) Harvey
Deputy CEO Deputy CEO

SUBJECT: **APPROVAL TO INCREASE THE EXECUTIVE DIRECTOR'S
CONTRACT AMENDMENT AUTHORITY FOR THE RAIL
OPERATIONS CONTROL SYSTEM CONTRACT**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Approve an increase in the Executive Director's contract amendment authority for the Rail Operations Control System (ROCS) contract by \$450,000 from \$479,994 to \$929,994. This action will increase the Executive Director's contract amendment authority from 10 percent to 19.4 percent of the original contract amount of \$4,799,942.
2. Authorize the Executive Director or his designee to execute contract amendments to this contract up to a not-to-exceed total of \$929,994.

SIGNIFICANCE

The ROCS project has completed its design phase and is currently in factory acceptance testing prior to shipment and installation at Caltrain. During the design phase, amendments have been authorized to date amounting to \$340,295 of the Executive Director's current contract amendment authority of \$479,942 (10% of the contract value). Additional amendments are anticipated to be needed for adding four Control Point changes, changes in support of a revised installation plan and software enhancements.

The combined total for executed and anticipated amendments on the project is \$929,994, which exceeds the Executive Director's current contract amendment authority by \$450,000. An increase of \$450,000 in the Executive Director's contract amendment authority will enable execution of essential amendments in a timely manner to facilitate completion of the project.

BUDGET IMPACT

There is no impact to the capital budget resulting from this action. Funding has been approved for the project in prior year Capital budgets. There is remaining budget authority in the project to fund the additional contract amendments.

BACKGROUND

In December 2009, the Board approved, by Resolution 2009-56, a contract with ARINC, Inc. to provide a Rail Operations Control System. The contract includes design, configuration, installation, testing and commissioning of a system to replace the existing DigiCon system which is no longer supported by DigiCon. The project also includes an integrated predictive arrival and departure system. Design efforts started in January 2010 and the project is currently in the factory acceptance testing phase, prior to installation, testing and commissioning at Caltrain.

The total amount of forecasted amendments on the Project is expected to exceed 10 percent of the original contract amount primarily due to software design changes that were determined to be necessary after the contract was awarded

Senior Contract Officer: Julie Taylor
Project Manager: Greg Austin

650.508.7915
650.508.7715

RESOLUTION NO. 2011-

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

* * *

**APPROVAL TO INCREASE THE EXECUTIVE DIRECTOR'S CONTRACT
AMENDMENT AUTHORITY FOR THE RAIL OPERATION CONTROL SYSTEM
CONTRACT**

WHEREAS, in December 2009, the Peninsula Corridor Joint Powers Board (JPB) approved, by Resolution 2009-56, a contract with ARINC, Inc. to provide a Rail Operations Control System (ROCS) for \$4,799,942; and

WHEREAS, pursuant to the JPB Contract and Procurement Policy, the Executive Director is authorized to execute contract amendments up to an amount equal to ten percent of the contract value; and

WHEREAS, during the design phase of the ROCS project, elements were identified by the JPB as needed to add four Control Point changes, changes in support of a revised installation plan and software enhancements, which elements will require contract amendments in an estimated amount of \$450,000 above the \$479,942 already within the Executive Director's authority; and

WHEREAS, the additional \$450,000 is available in previously approved capital budgets; and

WHEREAS, the Staff Coordinating Council has recommended that the Board grant the Executive Director additional contract amendment authority for the ROCS contract in the amount of \$450,000, for a total contract amendment authority amount of \$929,994.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board hereby grants the Executive Director additional contract

amendment authority for the ROCS contract in the amount of \$450,000, for a total contract amendment authority amount of \$929,994; and.

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director or his designee to approve contract amendments to the contract with ARINC, Inc. in the amount of up to \$929,994.

Regularly passed and adopted this 6th day of October, 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Mark Simon
Executive Officer, Public Affairs

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE**

ACTION

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

SIGNIFICANCE

Staff will provide regular updates to the Board in accordance with the approved Legislative Program.

STATE ISSUES

The 2011 legislative regular session ended on September 9. Please refer to the attached legislative matrix for a final summary of bills that were monitored this session in accordance with the Board's approved 2011 Legislative Program.

FEDERAL ISSUES

Surface Transportation Authorization

With a September 30 deadline looming, Congress passed H.R. 2887, the Surface and Air Transportation Extension Act of 2011, which extends authorization for Federal highway and public transit programs at current funding levels through March 31, 2012. The bill marks the eighth short-term extension of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

Congress continues to work on a new surface transportation authorization bill to replace SAFETEA-LU. A two-year proposal advocated by Senate Environment and Public Works Committee Chairman Barbara Boxer (D-CA) would maintain current funding levels, but would require an additional \$12 billion in supplementary revenue. A six-year proposal introduced by House Transportation and Infrastructure Committee Chairman John Mica (R-FL) would reduce funding for transportation programs by approximately 30% to reflect anticipated Highway Trust Fund revenues.

Recently, House leadership directed the Ways and Means Committee to explore revenue options that could be used to support a larger bill.

Appropriations

On September 8, the House Appropriations Transportation Housing and Urban Development (THUD) Subcommittee approved legislation that would severely cut Federal transportation investment in Fiscal Year (FY) 2012. Transportation investment would be limited to what is expected to be available in the Highway Trust Fund and Mass Transit Account.

In contrast, on September 21, the Senate Appropriation Committee approved a THUD appropriations bill that slightly increases overall investment compared to FY 2011 and, unlike the House bill, retains some funding for key discretionary programs such as the Transportation Investment Generating Economic Recovery (TIGER), Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER) and High Speed and Intercity Passenger Rail programs.

Before resolving the differences between the two bills Congress will need to pass a Continuing Resolution (CR) to maintain government operation beyond the end of FY 2011 on September 30. On September 27, after rejecting an earlier House-approved CR, the Senate approved a bill that would fund government agencies through November 18 along with a bill that would continue funding for a shorter period of time through October 4. The House is expected to approved the short-term CR shortly and consider the longer-term CR next week.

American Jobs Act

On September 8, President Obama unveiled the \$447 billion American Jobs Act. The proposal is for \$50 billion in immediate surface transportation investment and includes:

- \$9 billion dedicated to public transportation;
- \$2 billion for intercity passenger rail service;
- \$4 billion for high-speed rail;
- \$5 billion for the multimodal TIGER and Transportation Infrastructure Finance and Innovation Act (TIFIA) programs; and
- \$10 billion for a National Infrastructure Bank (NIB)

The proposal was immediately met with opposition from Republican Congressional leaders.

Prepared By: Seamus Murphy, Government Affairs Manager

650.508.6388

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-12-11**

Bill ID/Topic	Location	Summary	Position
<p>AB 147 Dickinson D</p> <p>Subdivisions.</p>	<p>CHAPTERED 9/6/2011 - Chaptered by the Secretary of State, Chapter Number 228, Statutes of 2011</p>	<p>The Subdivision Map Act authorizes a local agency to require the payment of fees, to be used for various purposes, as a condition of approval of a final map or as a condition of issuing a building permit, including, among others, for purposes of defraying the actual or estimated cost of constructing bridges or major thoroughfares if specified conditions are met. The Mitigation Fee Act authorizes a local agency to charge a variety of fees, dedications, reservations, or other exactions in connection with the approval of a development project, as defined.</p> <p>This bill would authorize a local ordinance to require payment of a fee subject to the Mitigation Fee Act, as a condition of approval of a final map or as a condition of issuing a building permit for purposes of defraying the actual or estimated cost of constructing transportation facilities, as defined. Last Amended on 5/31/2011</p>	<p>Support</p>
<p>AB 426 Lowenthal, Bonnie D</p> <p>Transit fare evasion.</p>	<p>CHAPTERED 7/25/2011 - Chaptered by the Secretary of State, Chapter Number 100, Statutes of 2011</p>	<p>Existing law authorizes certain transit operators to adopt and enforce an ordinance to impose and enforce civil administrative penalties for fare evasion or passenger misconduct, other than by minors, on or in a transit facility or vehicle in lieu of the criminal penalties otherwise applicable, with specified administrative adjudication procedures for the imposition and enforcement of the administrative penalties, including an initial review and opportunity for a subsequent administrative hearing.</p> <p>This bill would authorize the Southern California Regional Rail Authority and the North County Transit District to adopt and enforce such an ordinance. The bill would provide that a person cited under these ordinances adopted by transit operators shall be afforded an opportunity to complete the administrative process under the circumstances set forth in the ordinance. The bill would require an entity that adopts such an ordinance to submit a report to specified committees of the Legislature both 2 and 5 years after the adoption of the ordinance, as specified. Last Amended on 6/10/2011</p>	
<p>AB 427 John A. Pérez D</p> <p>Transportation bond funds: transit system safety.</p>	<p>ASSEMBLY ENROLLED 9/7/2011 - Enrolled and presented to the Governor at 3:30 p.m.</p>	<p>This bill would provide that commuter rail operators eligible to receive State Transit Assistance funds are also eligible to receive funds from the 60% share of Transit System Safety, Security, and Disaster Response Account funds. The bill would require funds that otherwise would be allocated based on operator revenue for the Southern California Regional Rail Authority (SCRRA) to be allocated to the applicable county transportation commission. The bill would authorize the applicable commission to allocate those funds to eligible purposes, including eligible projects of the SCRRA, or to suballocate those funds to the SCRRA. This bill would delete the provision making intercity and commuter rail entities receiving bond funds from the 15% share of funds ineligible for the 60% share of funds. Last Amended on 8/15/2011</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-12-11**

Bill ID/Topic	Location	Summary	Position
<p>AB 516 V. Manuel Pérez D Safe routes to school.</p>	<p>CHAPTERED 9/7/2011 - Chaptered by the Secretary of State, Chapter Number 277, Statutes of 2011</p>	<p>Existing law requires the Department of Transportation, in consultation with the California Highway Patrol, to establish and administer a "Safe Routes to School" program for construction of bicycle and pedestrian safety and traffic calming projects, and to award grants to local agencies in that regard from available federal and state funds, based on the results of a statewide competition. Existing law requires the department to rate proposals submitted by applicants using specified factors. One of the factors relates to consultation and support for projects by school-based organizations, local traffic engineers, local elected officials, law enforcement agencies, school officials, and other relevant community stakeholders.</p> <p>This bill would delete that factor and instead substitute a factor relating to use of a specified public participation process, with involvement by the public, schools, parents, teachers, local agencies, the business community, key professionals, and others, which process identifies community priorities, ensures those priorities are reflected in the proposal, and secures support for the proposal by relevant community stakeholders. The bill would add another factor relating to benefit of a proposal to a low-income school, as defined, and would make other related changes. Last Amended on 7/14/2011</p>	
<p>AB 551 Campos D Public contracts: prevailing wage requirements: violations.</p>	<p>ASSEMBLY ENROLLMENT 9/6/2011 - Senate amendments concurred in. To Engrossing and Enrolling.</p>	<p>Existing law generally requires that not less than the general prevailing rate of per diem wages, as specified, be paid to workers employed on a public work, as defined. Existing law requires a contractor or subcontractor to submit, to the state or political subdivision on whose behalf a public work is being performed, a penalty of not more than \$50 per calendar day, and not less than \$10 per calendar day except in certain cases of a good faith mistake, as provided and determined by the Labor Commissioner, for violations of these prevailing wage provisions.</p> <p>This bill would increase that maximum penalty to \$200 for each calendar day and would increase the minimum penalty except in certain cases of a good faith mistake to no less than \$40 for each calendar day. The bill would also increase the penalty assessed to contractors and subcontractors with prior violations from \$20 to \$80, and from \$30 to \$120 for willful violations. Last Amended on 8/24/2011</p>	
<p>AB 615 Lowenthal, Bonnie D High-speed rail.</p>	<p>ASSEMBLY ENROLLMENT 9/8/2011 - In Assembly. Concurrence in Senate amendments pending. Senate amendments concurred in. To Engrossing and Enrolling.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion for high-speed train capital projects and other associated purposes.</p> <p>This bill would supplement these Budget Act appropriations by appropriating \$4,000,000 from the High-Speed Passenger Train Bond Fund to the authority for the Los Angeles to San Diego segment, subject to similar conditions and provisions. Last Amended on 9/2/2011</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-12-11**

Bill ID/Topic	Location	Summary	Position
<p>AB 650 Blumenfield D</p> <p>Blue Ribbon Task Force on Public Transportation for the 21st Century.</p>	<p>ASSEMBLY ENROLLMENT 9/6/2011 - Senate amendments concurred in. To Engrossing and Enrolling.</p>	<p>This bill would establish, until March 30, 2013, the Blue Ribbon Task Force on Public Transportation for the 21st Century. The bill would require the task force to be comprised of 12 members and would require the Senate Committee on Rules and the Speaker of the Assembly to each appoint 6 specified members, by January 31, 2012. The bill would require the task force to elect one of its non-legislative members as chair. The bill would require the task force to issue a written report that contains specified findings and recommendations relating to, among other things, the current state of California's transit system, the estimated cost of creating the needed system over various terms, and potential sources of funding to sustain the transit system's needs, and to submit the report by September 30, 2012, to the Governor, the Legislature, the Joint Legislative Budget Committee, the Senate Committee on Rules, the Speaker of the Assembly, and the transportation committees of the Legislature. The bill would require the task force, for purposes of collecting information for the written report, to consult with appropriate state agencies and departments and would require the task force to contract with consultants for preparation of the report. The bill would require the Department of Transportation to provide administrative staffing to the task force. The bill would appropriate \$750,000 from the Public Transportation Account to the department, as specified, to accomplish the purposes of these provisions. Last Amended on 8/15/2011</p>	<p>Support</p>
<p>AB 892 Carter D</p> <p>Department of Transportation: environmental review process: federal pilot program.</p>	<p>ASSEMBLY ENROLLED 8/31/2011 - Enrolled and presented to the Governor at 1:30 p.m.</p>	<p>Existing law gives the Department of Transportation full possession and control of the state highway system. Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Existing law requires the department to submit a report to the Legislature regarding state and federal environmental review. Existing law requires the report to be submitted no later than January 1, 2009, and again, no later than January 1, 2011.</p> <p>This bill would, instead, require the report to be submitted no later than January 1, 2016. Last Amended on 7/13/2011</p>	<p>Support</p>
<p>AB 912 Gordon D</p> <p>Local government: organization.</p>	<p>CHAPTERED 7/25/2011 - Chaptered by the Secretary of State, Chapter Number 109, Statutes of 2011</p>	<p>The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires a local agency formation commission, where the commission is considering a change of organization that consists of a dissolution, disincorporation, incorporation, establishment of a subsidiary district, consolidation, or merger, to either order a change of organization subject to confirmation of the voters, as specified, or order the change of organization without an election if the change of organization meets certain requirements.</p> <p>This bill would authorize the commission, where the commission is considering a change of organization that consists of the dissolution of a district that is consistent with a prior action of the commission, to immediately order the dissolution if the dissolution was initiated by the district board, or if the dissolution was initiated by an affected local agency, by the commission, or by petition, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified. Last Amended on 5/27/2011</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-12-11**

Bill ID/Topic	Location	Summary	Position
AB 952 Jones R High-speed rail.	ASSEMBLY ENROLLMENT 9/7/2011 - Senate amendments concurred in. To Engrossing and Enrolling.	Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor. Members of the authority are subject to the Political Reform Act of 1974. This bill would prohibit a member, employee, or consultant of the authority from being the recipient of any gift, as defined, in a specified provision of the act. The bill would prohibit a construction company, engineering firm, consultant, legal firm, or any other company, vendor, or business entity with a contract or seeking a contract with the authority, or subcontractor of any of the foregoing, or owner, employee, or any member of their immediate families of any of these companies, firms, vendors, entities, or subcontractors, from making any gift to a member, employee, or consultant of the authority, or to any member of their immediate families. The bill would authorize the authority itself to receive gifts, and to transfer those gifts as specified, with the written approval of the Department of Finance. Last Amended on 8/16/2011	
AB 957 Committee on Transportation Transportation omnibus bill.	ASSEMBLY ENROLLMENT 9/8/2011 - Senate amendments concurred in. To Engrossing and Enrolling.	Existing law, the Sacramento Regional Transit District Act, creates the Sacramento Regional Transit District, with specified powers and duties relative to providing transit services in the Sacramento region. Existing law provides that the district is comprised of specified cities and unincorporated territories in the Counties of Sacramento and Yolo. Existing law sets forth provisions for transition from the Sacramento Transit Authority to the district and also sets forth provisions applicable to the establishment of the first board of the district. This bill would provide that the district includes the Cities of Citrus Heights, Elk Grove, Rancho Cordova, and West Sacramento. The bill would delete obsolete provisions relating to the transition from the authority to the district and establishment of the district's first board. Last Amended on 8/31/2011	
AB 1097 Skinner D Transit projects: domestic content.	ASSEMBLY ENROLLMENT 9/6/2011 - Senate amendments concurred in. To Engrossing and Enrolling.	Existing law provides various sources of funding for transit projects. This bill would specifically authorize the state or a local agency, relative to the use of federal funds for transit purposes, to provide a bidding preference to a bidder if the bidder exceeds Buy America requirements applicable to federally funded transit projects, as specified. Last Amended on 8/29/2011	Support
AB 1105 Gordon D High-occupancy toll lanes: roadway markings.	CHAPTERED 7/25/2011 - Chaptered by the Secretary of State, Chapter Number 114, Statutes of 2011	Existing law authorizes the Santa Clara Valley Transportation Authority (VTA) to conduct, administer, and operate a value pricing high-occupancy toll (HOT) lane program on 2 corridors included in the high-occupancy vehicle lane system in Santa Clara County. This bill would provide that such a HOT lane established on State Highway Route 101 may extend into San Mateo County as far as the high-occupancy vehicle lane in that county existed as of January 1, 2011, subject to agreement of the City/County Association of Governments of San Mateo County. Last Amended on 4/13/2011	Support

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-12-11**

Bill ID/Topic	Location	Summary	Position
<p>AB 1164 Gordon D</p> <p>Federal transportation funds.</p>	<p>ASSEMBLY ENROLLMENT 9/8/2011 - Re-referred to Com. on TRANS. pursuant to Assembly Rule 77.2. Joint Rule 62(a), file notice suspended. From committee: That the Senate amendments be concurred in. (Ayes 12. Noes 0.) (September 8). Senate amendments concurred in. To Engrossing and Enrolling.</p>	<p>Existing law generally provides for programming and allocation of state and federal transportation capital improvement program funds pursuant to the state transportation improvement program process administered by the California Transportation Commission.</p> <p>This bill would enact similar provisions authorizing the department, until September 30, 2015, to make loans from the State Highway Account of other specified federal transportation funds to fund bond-funded projects pursuant to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, if the department has determined the loans will not impact the funding of other programs or projects, as specified, and only under circumstances in which federal funds might otherwise be lost, as specified. The bill would appropriate those federal transportation funds in the State Highway Account for these purposes and would require those funds to be obligated to fund the bond-funded projects, as specified. The bill would require the loans to be repaid to the State Highway Account within 3 years from the proceeds of bonds sold pursuant to the bond act and would provide for the appropriation of those repaid funds to the department for use on projects in the state highway operation and protection program or the local assistance program, as specified. The bill would require the department to report to the Joint Legislative Budget Committee each year that federal transportation funds are loaned pursuant to these provisions. This bill contains other existing laws. Last Amended on 9/1/2011</p>	
<p>AB 1388 Wieckowski D</p> <p>Earnings withholding orders.</p>	<p>ASSEMBLY ENROLLMENT 9/7/2011 - Senate amendments concurred in. To Engrossing and Enrolling.</p>	<p>Existing law requires an employer to withhold the amounts required by an earnings withholding order from all earnings of the employee payable for any pay period of the employee that ends during the withholding period. Under existing law, the portion of the judgment debtor's earnings that the judgment debtor proves is necessary for the support of the judgment debtor or the judgment debtor's family supported in whole or in part by the judgment debtor is exempt from the levy of an earnings withholding order. This exemption is not available if the debt was incurred for the common necessities of life furnished to the judgment debtor or the family of the judgment debtor. This bill would delete that exception for the common necessities of life.</p> <p>This bill would, instead, provide an exception for a debt incurred pursuant to an order or award for the payment of attorney's fees in connection with certain family law proceedings. The bill would also make a conforming change. Last Amended on 6/10/2011</p>	
<p>AJR 5 Lowenthal, Bonnie D</p> <p>Transportation revenues.</p>	<p>CHAPTERED 6/8/2011 - Chaptered by the Secretary of State, Chapter Number 29, Statutes of 2011</p>	<p>This measure would request the President and the Congress of the United States to consider and enact legislation to conduct a study regarding the feasibility of the collection process for a transportation revenue source based on vehicle miles traveled, in order to facilitate the creation of a reliable and steady transportation funding mechanism for the maintenance and improvement of surface transportation infrastructure. Last Amended on 3/29/2011</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-12-11**

Bill ID/Topic	Location	Summary	Position
<p>SB 126 Steinberg D</p> <p>Agricultural labor relations.</p>	<p>SENATE ENROLLMENT 9/9/2011 - Re-referred to Com. on RLS. pursuant to Senate Rule 29.10.</p>	<p>Existing law prohibits employers from engaging in unfair labor practices, including interfering in the election by agricultural employees of labor representatives to engage in collective bargaining for the designated bargaining units.</p> <p>This bill would provide that if the board refuses to certify an election regarding certification of a labor organization because of employer misconduct that, in addition to affecting the results of the election, would render slight the chances of a new election reflecting the free and fair choice of employees, the labor union shall be certified as the exclusive bargaining representative for the bargaining unit. Last Amended on 9/2/2011</p>	
<p>SB 310 Hancock D</p> <p>Local development.</p>	<p>SENATE ENROLLMENT 9/9/2011 - Assembly amendments concurred in. (Ayes 22. Noes 15.) Ordered to engrossing and enrolling.</p>	<p>Existing law authorizes the legislative body of a city or county to adopt an infrastructure financing plan, which is required to contain specified information, for the purpose of financing certain infrastructure facilities, if specified procedural requirements are met, and requires the legislative body, if it adopts the plan, to submit the proposal to the voters. Existing law authorizes the legislative body to create an infrastructure financing district, by ordinance, if 2/3 of the qualified electors of the proposed district vote in favor of adoption of the plan, and also authorizes the legislative body to initiate proceedings to issue bonds to finance the infrastructure facilities if 2/3 of those electors vote in favor of the issuance. Existing law authorizes infrastructure finance districts to finance specified projects, including financing certain infrastructure facilities.</p> <p>This bill would authorize a district to reimburse a developer that meets specified requirements for permit expenses or expenses related to the construction of affordable housing units pursuant to the Transit Priority Project Program described below. This bill would also require that an infrastructure financing plan also include a plan to finance any potential costs for reimbursing a developer that meets specified requirements for permit and affordable housing expenses related to a project of the Transit Priority Project Program. Last Amended on 8/29/2011</p>	
<p>SB 582 Yee D</p> <p>Commute benefit policies.</p>	<p>SENATE VETOED 8/1/2011 - Vetoed by the Governor</p>	<p>This bill, beginning on January 1, 2013, subject to certain exceptions, would authorize a metropolitan planning organization jointly with the local air quality management district or air pollution control district to adopt a commute benefit ordinance that requires covered employers operating within the common area of the organization and district with a specified number of covered employees to offer those employees certain commute benefits. The bill would require that the ordinance specify certain matters, including any consequences for noncompliance, and would impose a specified reporting requirement. The bill would provide for the 8 metropolitan planning organizations within the region served by a specified air district to adopt the ordinance only after the district first acts to adopt the ordinance. The bill would exclude from its provisions an air district with a trip reduction regulation initially adopted prior to the federal Clean Air Act Amendments of 1990 as long as it continues to have a regulation that allows trip reduction as a method of compliance. The bill would make its provisions inoperative on January 1, 2017. Last Amended on 7/7/2011</p>	

**AGENDA ITEM # 16 (a)
OCTOBER 6, 2011**

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Marian Lee
Acting Director, Caltrain Modernization Program

SUBJECT: **SUPPORT OF DIRIDON STATION AREA PLAN**

ACTION

Staff Coordinating Council (SCC) recommends that the Board support the land use vision as described in the Diridon Station Area Plan (SAP) prepared by the City of San Jose. City of San Jose staff will be making a PowerPoint presentation on the SAP at the Board meeting.

SIGNIFICANCE

There is significant opportunity for transit-oriented development at the Diridon Station. The station is located in the outer ring of downtown San Jose and is surrounded by land owned by the JPB, Santa Clara Valley Transportation Authority (VTA) and City of San Jose which is currently used as surface parking by transit commuters, special event attendees and the general public. The underutilized land is prime real estate with great market potential for development.

The City of San Jose envisions that the Diridon Station will become a prominent transportation center. Today, it supports Caltrain, VTA light rail, Capital Corridor and Altamont Commuter Express services. In the future it will also support California High Speed Rail and BART services. The collective transit service level at this station is anticipated to be the highest in the region.

In support of the transit station vision, the City of San Jose has embarked on a planning effort to define a complementary land use plan for the station area. The SAP reflects the city's desire to evolve the station area into an iconic "Silicon Valley" entertainment center of the south bay supporting high-density commercial, office and residential buildings and major entertainment and recreational venues.

The SAP is the result of a coordinated effort with JPB and VTA staff to ensure land use and transportation planning coordination. The plan also reflects significant input from local stakeholders and leaders.

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

The SAP was developed from a \$750,000 planning grant provided by the Metropolitan Transportation Commission (MTC).

A draft SAP was approved by the City of San Jose City Council On April 15, 2011. The plan was presented to the Diridon Policy Advisory Committee on September 16, 2011, and will be presented to the VTA Board on October 6, 2011.

The proposed vision is supportive of transit systems and is consistent with the JPB Comprehensive Access Policy. The envisioned developments would generate transit ridership and increase non-auto access trips given their proximity to the transit station.

The JPB owns approximately 8 acres of land in the station area in addition to the Caltrain station and the operating right of way. As we continue to partner with the city and VTA in moving the vision forward, staff will be mindful of Caltrain's interest in providing a safe rail system, modernizing its corridor, and protecting its real estate interests.

Prepared by: Brian W. Fitzpatrick,
Manager, Real Estate and Property Development

650.508.7781

**RESOLUTION NO. 2011-
BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA**

* * *

SUPPORT OF DIRIDON STATION AREA PLAN

WHEREAS, there is significant opportunity for transit-oriented development at the Diridon Station; and

WHEREAS, the City of San Jose (City) envisions that the Diridon Station will become a prominent transportation center; and

WHEREAS, the City of San Jose has embarked on a planning effort to define a complementary land use plan for the station area; and

WHEREAS, the Diridon Station Area Plan (SAP) reflects the city's desire to evolve the station area into an iconic Silicon Valley entertainment center of the South Bay supporting high-density commercial, office and residential buildings and major entertainment and recreational venues; and

WHEREAS, the SAP was developed in coordination with Santa Clara Valley Transportation Authority (VTA) and JPB staff, is supportive of the multiple transit systems that serve the Diridon Station, and is consistent with JPB's Comprehensive Access Policy; and

WHEREAS, the SAP was approved by San Jose City Council on April 15, 2011.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board of Directors hereby supports the Diridon Station vision as described in the SAP; and

BE IT FURTHER RESOLVED, that given JPB's ownership of the station building, right of way and approximately eight acres of land in the station area, Caltrain shall continue to partner with the city and VTA in moving the vision forward while prioritizing Caltrain's interest in providing a safe rail system, modernizing its corridor and protecting its real estate interests.

Regularly passed and adopted this 6th day of October, 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary