



BOARD OF DIRECTORS 2022

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

MICHELLE BOUCHARD  
ACTING EXECUTIVE DIRECTOR

## Agenda

### Peninsula Corridor Joint Powers Board

October 06, 2022, 9:00 am

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

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

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

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

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

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

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

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

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

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

**October 06, 2022 - Thursday**

**9:00 am**

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

1. Call to Order / Pledge of Allegiance
2. Roll Call
3. Adopt Findings to Authorize Holding Meetings via Teleconference for 30 Days Pursuant to Assembly Bill (AB) 361 Resolution

**PART II OF MEETING (CLOSED SESSION): 9:05 am estimated**

4. General Counsel Report – Closed Sessions:
  - 4.a. Closed Session: Public Employment. (Gov. Code § 54957(b)) Title: Executive Director
  - 4.b. Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): Federal Insurance Co. v. San Mateo County Transit District, et al. (San Mateo Superior Court, Case No. 22-CIV-00512)
  - 4.c. Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): Xercor Insurance Services v. San Mateo County Transit District, et al. (San Mateo Superior Court, Case No. 22-CIV-01525)

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**PART III OF MEETING (REGULAR SESSION): 10:35 am estimated**

5. General Counsel Report – Report Out from Above Closed Session
6. Public Comment for Items Not on the Agenda  
Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff reply.
7. Consent Calendar  
Members of the Board may request that an item under the Consent Calendar be considered separately.
  - 7.a. Approve Regular Meeting Minutes of September 1, 2022 Motion
  - 7.b. Appointment of the Citizens Advisory Committee Representatives and Alternate Motion
  - 7.c. Receive Caltrain Key Performance Statistics - August 2022 Informational
  - 7.d. Proclamation Declaring the Month of October as Cybersecurity Awareness Month Resolution

***Approved by the Finance Committee***

- 7.e. Report of the Acting Chief Financial Officer Informational
- 7.f. Accept Statement of Revenues and Expenses for the Period Ending June 30, 2022 Resolution
- 7.g. Accept Statement of Revenues and Expenses for the Period Ending August 31, 2022 Resolution
- 7.h. Approve Adding Federal Employees Liability Act Insurance to the Rail Liability Program Resolution
- 7.i. Authorize Execution of Comprehensive Agreement with the County of Santa Clara in Support of the Mountain View Transit Center Grade Separation and Access Project\* Resolution
- 7.j. Authorize Execution of Amended Cooperative Agreement to Receive Funding for Additional Final Design Cost and the Construction Manager General Contractor (CMGC) Pre-Construction Phase for the Mountain View Transit Center Grade Separation and Access Project\* Resolution
- 7.k. Amend and Increase the Fiscal Year 2023 Caltrain Capital Budget by \$11,636,922 from \$90,956,662 to \$102,593,584 Resolution

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

7.l. Accept On-Call Transportation Planning and Consultant Support Services Update Informational

***Approved by the Work-Program-Legislative-Planning Committee***

7.m. Authorize the Execution of the Necessary Agreements and Amendments to Receive Funds and Act as the Project Lead to Deliver the Final Design Phase of the Rengstorff Avenue Grade Separation Project\* Resolution

7.n. Approve the Compatibility of the Proposed Vehicular Bridge Crossing of the Caltrain Corridor at Communications Hill Boulevard in San Jose\* Resolution

7.o. State and Federal Legislative Update Informational

8. Authorize Award of Contract for the Guadalupe River Bridge Replacement Project Resolution

9. Adopt Revised Disclosure Policy and Receipt of Disclosure Training Resolution

10. Filipino American History Month Resolution Resolution

11. Metropolitan Transportation Commission (MTC)/Regional Update Informational

12. Reports

12.a. Report of the Citizens Advisory Committee Informational

12.b. Report of the Chair Informational

12.c. Report of the Local Policy Maker Group (LPMG) Informational

12.d. Report of the Transbay Joint Powers Authority (TJPA) Informational

12.e. Report of the Executive Director Informational

13. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report Informational

14. Correspondence

15. Board Member Requests

16. Date/Time of Next Regular Meeting: Thursday, November 3, 2022 at 9:00 am.  
*The meeting will be accessible via Zoom teleconference and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94025*

17. 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](http://www.caltrain.com). Communications to the Board of Directors can be e-mailed to [board@caltrain.com](mailto:board@caltrain.com). *Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电1.800.660.4287*

### **Date and Time of Board and Committee Meetings**

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

### **Location of Meeting**

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

### **Public Comment\***

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

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

### **Accessible Public Meetings/Translation**

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

### **Availability of Public Records**

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

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

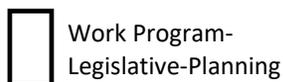
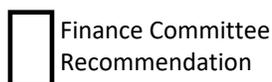
**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors

Through: Michelle Bouchard  
Acting Executive Director

From: James C. Harrison  
General Counsel

Subject: **Adopt Findings to Authorize Holding Meetings via Teleconference for 30 Days Pursuant to Assembly Bill (AB) 361**



**Action**

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

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

**Significance**

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

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

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

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

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

Given the current and evolving conditions, staff recommends that the Board adopt the requisite findings and authorize Advisory, Committee, Regular and Special meetings to be conducted via teleconference for the next 30 days following this October 6, 2022 meeting. Specifically, staff recommends that while the remote meeting resolution is in effect, individual members of the Board and members of the public may opt to participate in-person at Board meetings if they adhere to all policies for attendance.

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

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

If the Board does not renew the resolution, the Board, Committees, and Advisory Committees must meet in person and any member who participates via teleconference must notice the

location from which the member participates, as required by the Brown Act (pending any amendments to the Act, as described in more detail below).

### **Budget Impact**

There is no budget impact associated with receiving this report.

### **Background**

#### **A. New Legislation Regarding Use of Teleconferencing**

The Senate and Assembly approved Assembly Bill 2449 (AB 2449) on August 24, 2022, and August 25, 2022, respectively, and the Governor signed the bill into law on September 13, 2022. AB 2449 extends some of the teleconferencing provisions of AB 361, which is currently set to expire on January 1, 2024, until January 1, 2026. Specifically, AB 2449 authorizes local agencies to use teleconferencing without complying with the requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public, if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction and (1) members participating remotely have just cause or there are emergency circumstances warranting remote participation, and (2) the legislative body has approved the request. Members may only rely upon this exception to participate remotely in two meetings during the calendar year.

#### **B. Public Health Guidance in Member Counties**

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

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

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

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

\* \* \*

**Adopting Findings that there is a Proclaimed State of Emergency and that Meeting in Person  
Poses Imminent Health and Safety Risks to Attendees and Authorizing Remote  
Teleconference Meetings for the Board and Committees for the Period of October 6, 2022  
through November 5, 2022**

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

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

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

**Whereas**, on September 1, 2022, the Board adopted Resolution No. 2022-47, which includes findings that there is a proclaimed state of emergency and that the criteria described in section 54953(e)(1) of the Brown Act have been met, including that state or local officials have imposed or recommended social distancing; and

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

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

**Whereas**, staff recommends that the Board adopt findings that that there is a proclaimed state of emergency and that the criteria described in Government Code section 54953(e)(1) have been met, including that state or local officials have imposed or recommended social distancing, and authorizing the Advisory, Committee, and Regular and Special meetings of the Board to be conducted via teleconference for the next 30 days following this October 6, 2022 resolution, and that while the remote meeting resolution is in effect, individual members of the Board and members of the public may opt to participate in-person at Board meetings; and

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

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

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

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

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

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

Regularly passed and adopted this 6<sup>th</sup> day of October 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary

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

**Draft Minutes of September 1, 2022**

**Members Present:** C. Chavez (arrived at 9:09am), D. Davis, J. Gee, S. Heminger (Chair), D. Pine, C. Stone (Vice Chair), S. Walton, M. Zmuda

**Members Absent:** G. Hendricks

**Staff Present:** M. Bouchard, G. Martinez, J. Harrison, A. Myles-Primakoff, P. Shrestha, B. Shaw, C. Fromson, R. Barnard, A. Robbins, B. Thompson, S. Sargent, W. Lau, D. Seamans, S. Wong, K. Scribner

**1. Call to Order / Pledge of Allegiance**

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

**2. Roll Call**

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

**3. GENERAL COUNSEL REPORT – CLOSED SESSION:**

**3.a. Closed Session: Public Employment. Title: Executive Director**

**3.b. Closed Session: Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(d)(1)): In the Matter of Binding Arbitration, JAMS Reference No. 1100112143, Peninsula Corridor Joint Powers Board v. Union Pacific Railroad Company**

**4. GENERAL COUNSEL REPORT – REPORT OUT FROM ABOVE CLOSED SESSIONS**

*The Board convened in closed session at 9:01 am*

*The Board reconvened in regular session at 9:48 am*

General Counsel James Harrison stated that the Board took no action on the first item regarding personnel. For the second item, the Board authorized the Acting Executive Director to accept a settlement offer from Union Pacific over arbitration over the Guadalupe River Bridge Replacement Project of over \$4 million.

**5. Public Comment for Items Not on the Agenda**

There was none.

**6. Consent Calendar**

**6.a. Approve Regular Meeting Minutes of August 4, 2022**

- 6.b. Renew Resolution Adopting Findings to Authorize Holding Meetings via Teleconference for 30 Days Pursuant to Assembly Bill (AB) 361**
- 6.c. Receive Caltrain Key Performance Statistics – July 2022**
- 6.d. State and Federal Legislative Update**
- 6.e. Accept of Quarterly Fuel Hedge Update**
- 6.f. Report of the Acting Chief Financial Officer**
- 6.g. Accept Statement of Revenues and Expenses for the Period Ending July 31, 202**
- 6.h. Closeout Change Order for 25th Avenue Grade Separation Project 17-J-C-048\***
- 6.i. Authorize the Execution of the 2022 Amended and Restated Clipper Memorandum of Understanding**

Director Chavez recused herself on Item 6h (25<sup>th</sup> Avenue grade separation).

Motion/Second: Davis/Zmuda

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

Noes: None

Absent: Hendricks

Recused: Chavez (on Item 6h)

## **7. Adopt Overall Disadvantaged Business Enterprise Goal for Federal Fiscal Years 2023-2025 for Federal Transit Administration-Assisted Projects**

Wendy Lau, Civil Rights Programs Manager, provided the presentation, which included information on the following:

- Defined what Disadvantaged Business Enterprise (DBE) is within the Code of Federal Regulations
- DBE goals setting methodology, goal calculation steps, and adjustments
- Public Participation, increasing DBE participation, and scopes of work

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

- The federal methodology and threshold for Caltrain calculations and adjustments
- Caltrain's goal compared to other transit agencies based on different factors such as funding
- Caltrain monitoring clients and how they mentor DBEs to meet goals
- Review contract language - consider stronger protection for projects against bad actors
- Caltrain goals lower than BART's due to less construction and Transit America Services, Inc. (TASI) has different method of contracting out their service
- Working with partner agencies to scale outreach work
- Compliance deadline is October 1<sup>st</sup>
- New DBE Director starting next week

Motion/Second: Zmuda/Davis

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

Noes: None

Absent: Hendricks

## **8. Metropolitan Transportation Commission (MTC)/Regional Update**

Chair Heminger announced Therese McMillan's retirement from MTC as its executive director effective in January 2023.

Sam Sargent, Director of Policy and Strategy, provided an update, which included the following:

- Caltrain engagement in regional initiatives and the Blue Ribbon Task Force's work on funding and completion of a network management business case and creation of an advisory group
- Regional Rail Partnership Study for future presentation to MTC with options for discussion
- Monterey County Rail Extension Project –Salinas Extension must be cost neutral to Caltrain and no changes to the JPB governance structure

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

- Operating beyond cost neutrality with significant shortage in funds especially with the capital program and operating out of the JPB's jurisdiction
- Blue Ribbon Task Force getting input for work done at the regional level
- Have Board members, who are not on the MTC, discuss work done at the regional level earlier
- A mismatch of policymakers from other counties without transit agency experience

### Public Comment

Jeff Carter, Millbrae, commented on the Caltrain extension to Salinas.

Adina Levin, Friends of Caltrain, commented on opportunities for service integration, regional needs, DBE hiring issues, standardizing fares, and increasing ridership.

## **9. Hispanic Heritage Month Resolution**

Tasha Bartholomew, Communications Manager, presented the resolution recognizing and commemorating Hispanic Heritage month, which included a past survey indicating that 26 percent of Caltrain riders are of Hispanic origin.

Motion/Second: Gee/Walton

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

Noes: None

Absent: Hendricks

## **10. Proclamation Declaring September Railroad Safety and Suicide Prevention Month**

Tasha Bartholomew, Communications Manager, reaffirmed Caltrain's commitment to provide safe and efficient service between San Francisco and Gilroy. She promoted the advancement of safety and prevention on the right of way to enhance measures and increase public awareness.

### Public Comment

Jeff Carter, Millbrae, commented on Caltrain and California Operation Lifesaver educating the community.

Adrian Brandt, San Mateo County, commented on intentional and unintentional deaths, silent suicides, and difficulty in determining intent.

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

- Golden Gate Bridge District installing a suicide net and should open next year
- How Caltrain could fashion and increase efforts through a capital project to reduce annual deaths on the corridor

Nancy Sheehan, California Operation Lifesaver Executive, spoke about raising rail safety awareness, reaching high-risk populations, and provided statistics on California trespass and grade crossing. She thanked the Board for their support and spoke about expanding the message on social media.

Motion/Second: Davis/Zmuda

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

Noes: None

Absent: Hendricks

### **11. Capital Projects Quarterly Status Report - 4th Quarter Fiscal Year 2022**

Rob Barnard, Deputy Chief of Rail Development, provided the presentation on an overview of the capital program and the 4<sup>th</sup> quarter report, which included the following information:

- Retooling project delivery, focus on Caltrain's goals, and completed projects
- Revised Capital Program – development team currently managing 27 capital projects
- Key Performance Indicator Summary
- Fiscal Year 2022 Trends, funding, and re-baselined projects

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

- Capital timeline projects and indicating course corrections for the Board and public
- Ameliorating risks in the executive summary narrative
- Celebrating projects that are finished under budget and early
- Representing schedule impacts on budget and available funds with color coding red, yellow, or green

*Director Walton left at 11:01 am*

### Public Comment

Adrian Brandt, San Mateo County, commented on the Redwood City (Whipple) grade separation done, the grade separation study process, Broadway Burlingame grade separation design, and value engineering.

Jeff Carter, Millbrae, commented on future 4<sup>th</sup> and King automatic passenger counter data availability.

## 12. REPORTS

### a. Report of the Citizens Advisory Committee (CAC)

Brian Shaw, CAC Chair, provided a report with updates on the following:

- New Caltrain service plan going into effect next week
- Questions on when the baby bullet will return to Sunnyvale
- Member encouraging staff coordination with BART at the Millbrae station
- Wi-Fi options at stations in the future

### b. Report of the Chair

Chair Heminger stated that anniversary for Caltrain ridership strategy has been reached this month. He requested analysis on current trains run versus ridership to determine what savings could be achieved with a lower level of service without affecting current ridership levels with the intent that any funds saved through service would be available for capital improvements.

### c. Report of the Local Policy Maker Group (LPMG)

Director Jeff Gee reported that the group welcomed new staff, had reports on High-Speed Rail, and a major presentation on the Downtown Extension (DTX). He noted DTX is located in San Francisco but is not a San Francisco project as the project pursues a regional funding strategy.

### d. Report of the Executive Director

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

- Service changes, improved connections at Millbrae, and restoring service to bring back riders
- Safety organizational overview – experienced consultants to enhance staff safety assessment work and identifying areas of improvement and keeping safety a top priority
- The Caltrain contractor that fell through a walkway is now in stable condition and recovering; there is an investigation to discover the cause and ensure nothing like that happens again
- Electrification update included the arrival of two new trains and the Southern Power Station's wires have not yet been electrified due to the training needed to ensure wire safety
- The incident where gates were down for 4 hours in Burlingame will be investigated for failures in communication and a non-binding emergency Board has been formed
- Potential national freight rail strike on September 16 and potential impact on the right of way for Gilroy service and contingency planning in the unlikely event it occurs

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

- How to maintain service if it is disrupted
- Observation that whenever BART has strike, AC Transit has not provided bus service because their union says they want to honor it

### Public Comment

Jeff Carter, Millbrae, commented on being cautious about service reduction, bringing in new riders, competing with the car, the San Jose substation, and clearance testing of the new cars.

Adina Levin, Friends of Caltrain, commented on the electrification milestone, growing ridership, changing travel patterns, pandemic regrowth, and Measure RR.

Adrian Brandt, San Mateo County, commented on possibility of improving crew productivity, prefer having more trains versus two train conductors on a train, having more labor efficiency for more savings, and advance funding for quad gates.

Doug DeLong, Mountain View, commented on the safety incident that occurred in Palo Alto and spoke on how it should have been prevented with a safety assessment.

### **13. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report**

Pranaya Shrestha, CalMod Chief Officer, provided the presentation that included the following information:

- Project highlights update included the schedule, no change to project budget, energization of traction power facility in San Jose, and two additional trains arrived in August
- Completed clearance testing from 4<sup>th</sup> and King to Tamien
- Safety & security update included emergency responder training scheduled for September 8<sup>th</sup>
- Construction update with 219 poles left to install and traction power facilities essentially complete
- Signal system and communication (2 speed check) and Crossing Optimization Project
- Critical path milestones and met with TASI and developed plan B to get them to the end
- Giving Executive Director authority to negotiate work orders and major contract progress
- Program contingency, forecasted remaining contingency, and shared risk contingency

*Director Cindy Chavez left at 12:06 pm*

Casey Fromson, Chief Communications Officer, provided a presentation that included the following information:

- Federal Transit Administration (FTA) full funding grant - the House passed for \$51 million
- Federal Railroad Administration (FRA) intercity rail grant program – funds not awarded until 2023 at the earliest
- State funding update – official public guidelines pending for \$900 million - \$1.5 billion for just for Northern California projects that meet certain criteria, and Caltrain electrification would be eligible

*Director Dev Davis left at 12:13 pm*

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

- Considering shipping, storage, and security issues with the early arrival of electric cars here
- Affirmed that the safety of contractors and service delivery staff is a top priority - there is a plan developed to identify resources needed and consolidate work areas to protect workers

Public Comment

Adrian Brandt, San Mateo County, commented on dual speed check system detection zone, future High-Speed Rail (HSR) at 110 miles per hour, forethought for electrification, quad gates, and grade separations.

Doug DeLong, Mountain View, commented on bringing work forward when there is the opportunity to do so, getting South San Francisco documents completed as soon as possible, even though the power does not need to be turned on immediately, to eliminate schedule risk.

**14. CORRESPONDENCE**

Correspondence was available online.

**15. BOARD MEMBER REQUESTS**

Director Charles Stone requested agendaing at a future Work Program – Legislative – Planning (WPLP) Committee meeting communications planning on how to promptly notify appropriate city leaders and staff on any future incidences (such as when gates go down), and then bring it forward to the Board afterwards.

**16. DATE/TIME OF NEXT REGULAR MEETING:**

Thursday, October 6, 2022 at 9:00 am via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA.

**17. ADJOURN**

Adjourned at 12:31 pm

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

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors

Through: Michelle Bouchard, Acting Executive Director

From: Dora Seamans, JPB Secretary

Subject: **Appointment of the Citizens Advisory Committee Representatives and Alternate**

Finance Committee  
Recommendation

Work Program-  
Legislative-Planning

Staff Coordinating  
Council Reviewed

Staff Coordinating Council  
Recommendation

**Action**

The Board of Directors representing the City and County of San Francisco, County of San Mateo, and the Santa Clara County Transportation Authority (VTA), recommend the following appointments/reappointments to the Joint Powers Board Citizens Advisory Committee:

Name	Member	Representing	Term Ending
Rosalind Kutler	Regular Member	San Francisco County	June 30, 2025
Adrian Brandt	Regular Member	San Mateo County	June 30, 2025
Steven Seebart	Regular Member	Santa Clara County	June 30, 2025
Pranav Joshi	Alternate Member	Santa Clara County	June 30, 2023 (partial term)

**Significance**

The CAC Bylaws state:

1. Article 1 – Membership, Section 1: As prescribed by the Peninsula Corridor Joint Powers Board (“JPB” or “Board”), the Citizens Advisory Committee (“CAC” or “Committee”) shall consist of nine (9) members, three appointed from each constituent county (San Francisco County, San Mateo County, Santa Clara County). Each county will select its county committee members and the JPB will affirm these appointments. CAC members should reflect the demographics of Caltrain riders. The Citizens Advisory Committee shall act in an advisory capacity to the JPB. Its activities shall include seeking the views of various groups of users and potential users of Caltrain and ancillary transit facilities; develop proposals and recommendations for meeting the needs of the various groups;

reviewing and commenting on staff proposals and actions as requested by the JPB; and assisting the JPB in any matter which the Board may deem appropriate.

2. Article 1 – Membership, Section 2: CAC members shall serve three (3) year terms.

**Budget Impact**

There is no impact on the budget.

**Background**

The CAC was established as a JPB advisory group by Resolution No. 1992-28, dated June 3, 1992. The CAC serves as a forum for conveying community information, ideas and comments to the Board. The Board adopted a set of Bylaws under Resolution No. 2002-13, dated May 2, 2002, to formalize the rules of procedure governing the manner in which the CAC functions. The Board amended the Bylaws under Resolution No. 2019-45, dated December 5, 2019, to add one alternate member from each of the Counties to help ensure presence of a quorum in case of periodic CAC member absences and vacancies.

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: David Santoro, Acting Chief Operating Officer (Rail)  
Subject: **Caltrain Key Performance Statistics – August 2022**

Finance Committee  
Recommendation

Work Program-  
Legislative-Planning  
Committee  
Recommendation

Staff Coordinating  
Council Reviewed

Staff Coordinating Council  
Recommendation

**Action**

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

**Significance**

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

**Budget Impact**

There is no budget impact.

## MONTHLY UPDATE

### August 2022

	Pre-Pandemic Aug. 2019	Prior FY Aug. 2021	Current FY Aug. 2022	FY22 to FY23 % Change	Pre-Pandemic to FY23 % Change
Total Ridership	1,703,334	250,434*	494,783	97.6%	-71.0%
Average Weekday Ridership	71,557	9,096*	18,609	104.6%	-74.0%
Total Farebox Revenue	9,004,368 \$	2,688,310 \$	4,219,387	57.0%	-53.1%
On-time Performance	93.8%	94.3%	89.0%	-5.6%	-5.1%

### Fiscal Year to Date

	Pre-Pandemic FY2020	Prior FY FY2022	Current FY FY2023	FY22 to FY23 % Change	Pre-Pandemic to FY23 % Change
Total Ridership	3,376,007	497,336*	937,738	88.6%	-72.2%
Average Weekday Ridership	71,025	8,909*	17,771	99.5%	-75.0%
Total Farebox Revenue	18,141,489 \$	5,106,282 \$	7,781,078	52.4%	-57.1%
On-time Performance	93.8%	92.3%	90.4%	-2.1%	-3.6%

*\* Adjusted after thorough review of data from past Fiscal Years*

## RIDERSHIP

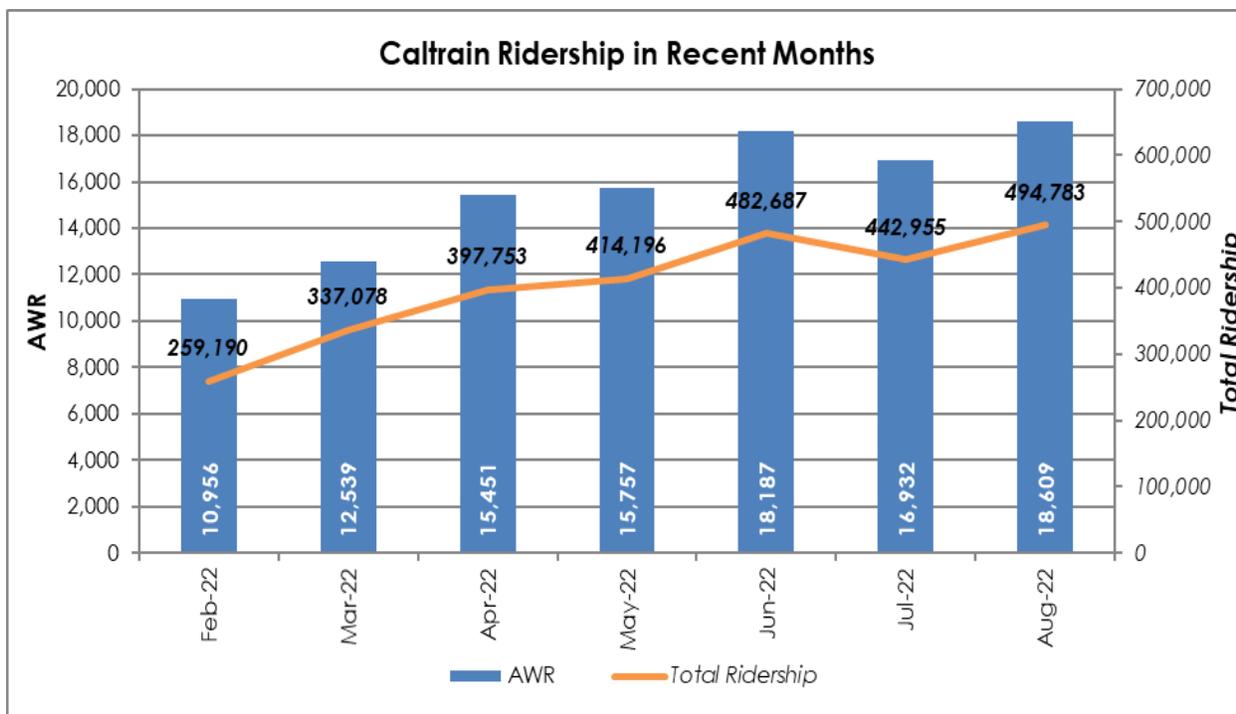
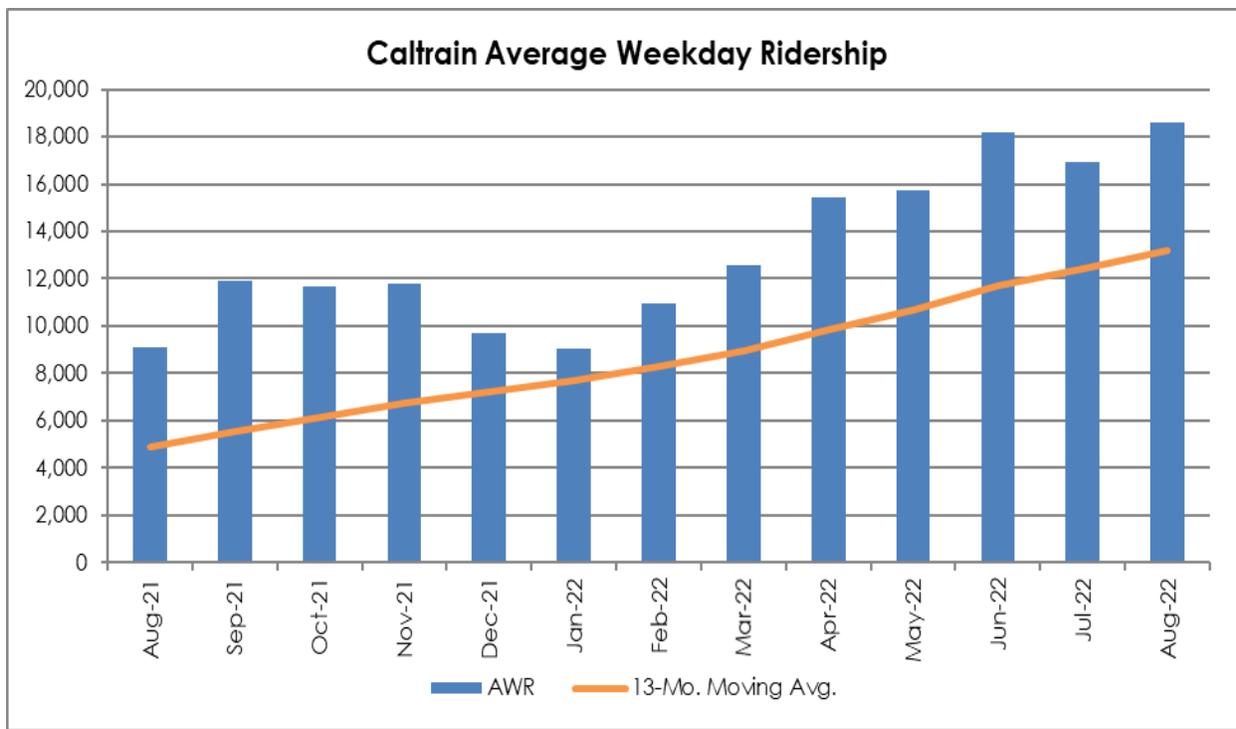
Since April 2020, ridership estimates have been developed using daily conductor counts at 14 key stations and Clipper tags at all stations due to significant impacts to ticket sales and usage patterns from the COVID-19 pandemic.

Both total and average weekday ridership (AWR) increased from the same month in the prior year due to the receding impacts of the COVID-19 pandemic, including gradual introduction of return-to-office policies and increased leisure activities like SF Giants baseball games and other special events at Oracle Park and Chase Center. After a slight drop in July, ridership has rebounded in August, contributing to a consistent positive trend in the 13-month moving average.

Ridership recovery continues to be strong on weekends:

- Average Saturday ridership increased by 46 percent to 9,126 from 6,267 in August 2021.
- Average Sunday ridership increased by 50 percent to 7,568 from 5,050 in August 2021.

Observed trends in weekday and total ridership over the past 13 months are shown in the following graphs.



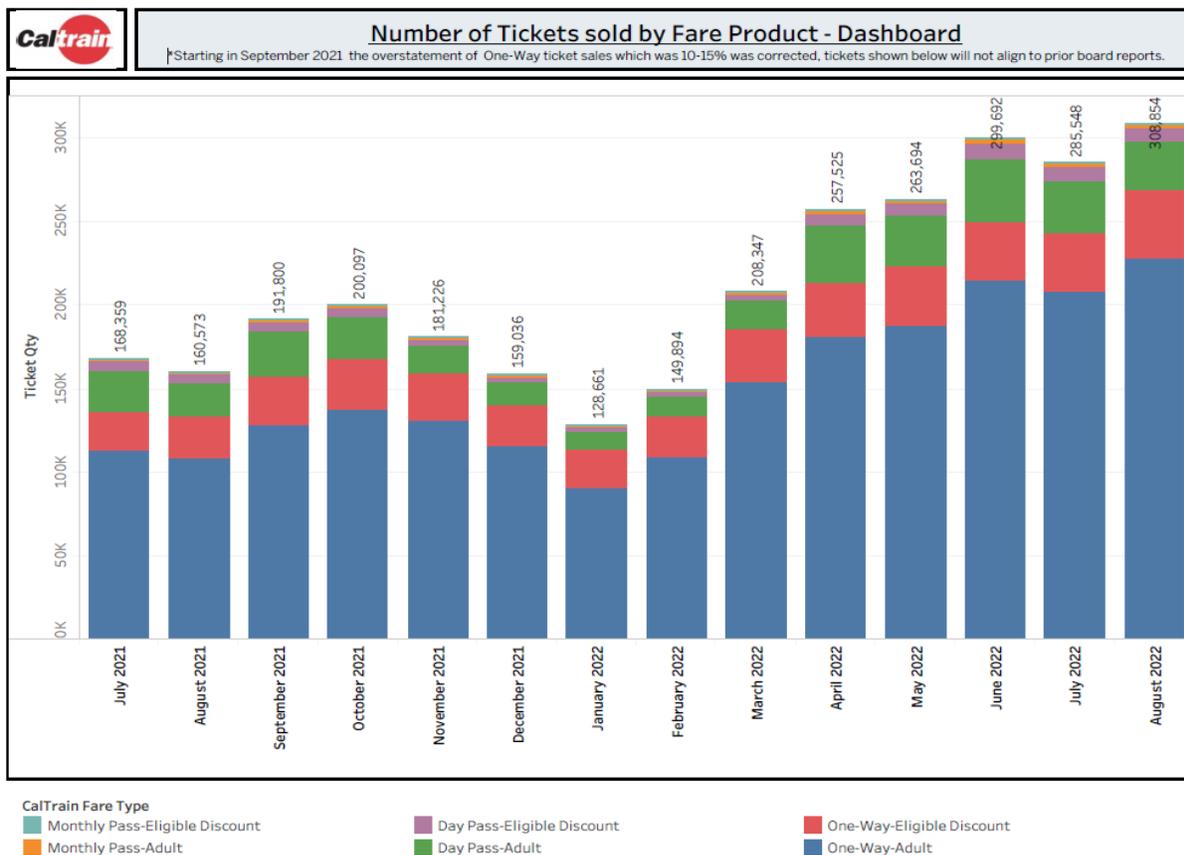
**TICKET SALES**

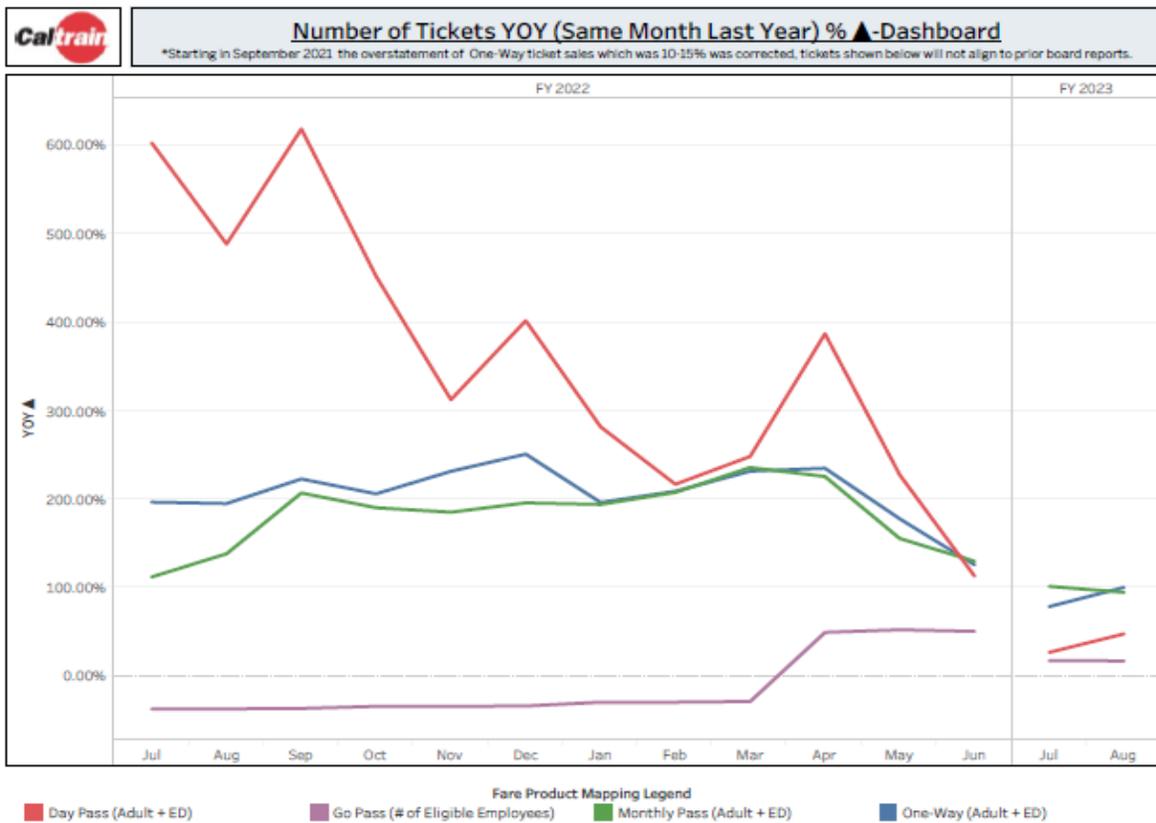
Other ticket sales and farebox revenue statistics trended as follows:

- Number of eligible Go Pass employees was 65, 024 in August 2022 which was an increase from 55,289 in August 2021.
- Number of participating Go Pass companies was 47 in August 2022 which was an increase from 40 in August 2021.
- Total Farebox Revenue was \$4,219,387 in August 2022 which was an increase of 57% from \$2,688,193 in August 2021.

The increase in fare revenue was across all fare sales channels, with Clipper and TVM seeing the biggest dollar increases.

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

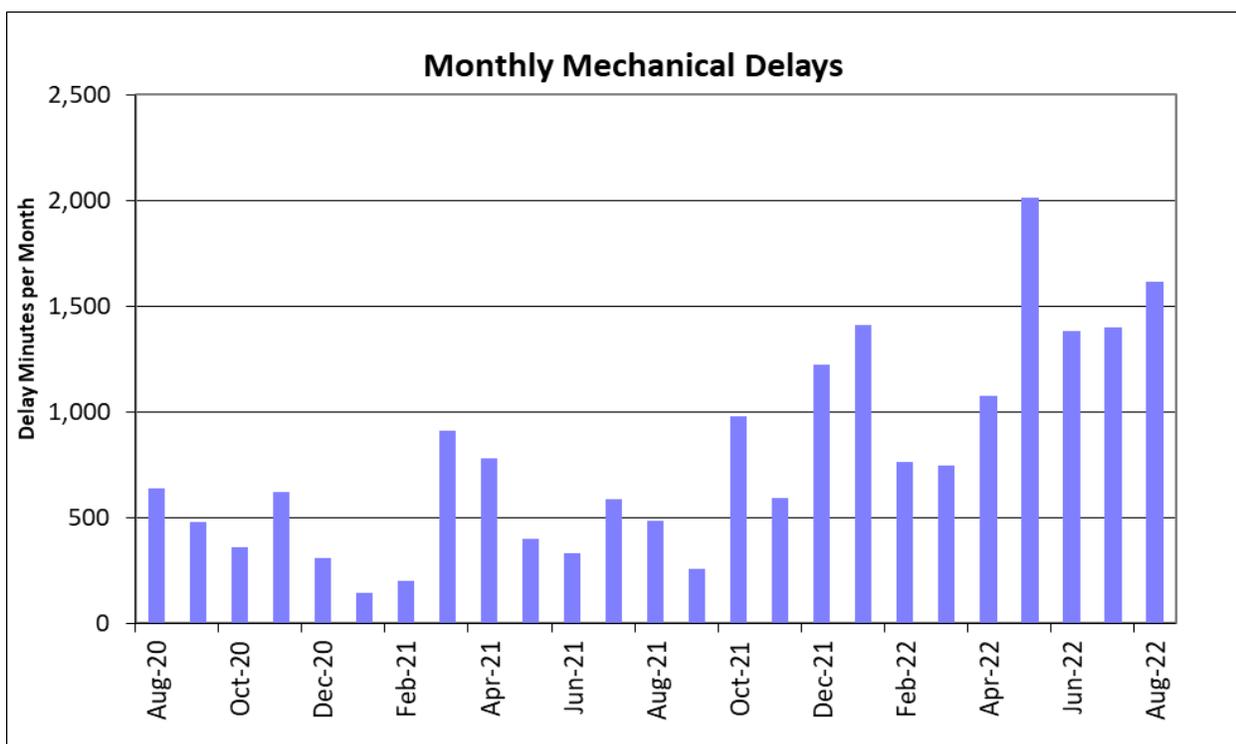
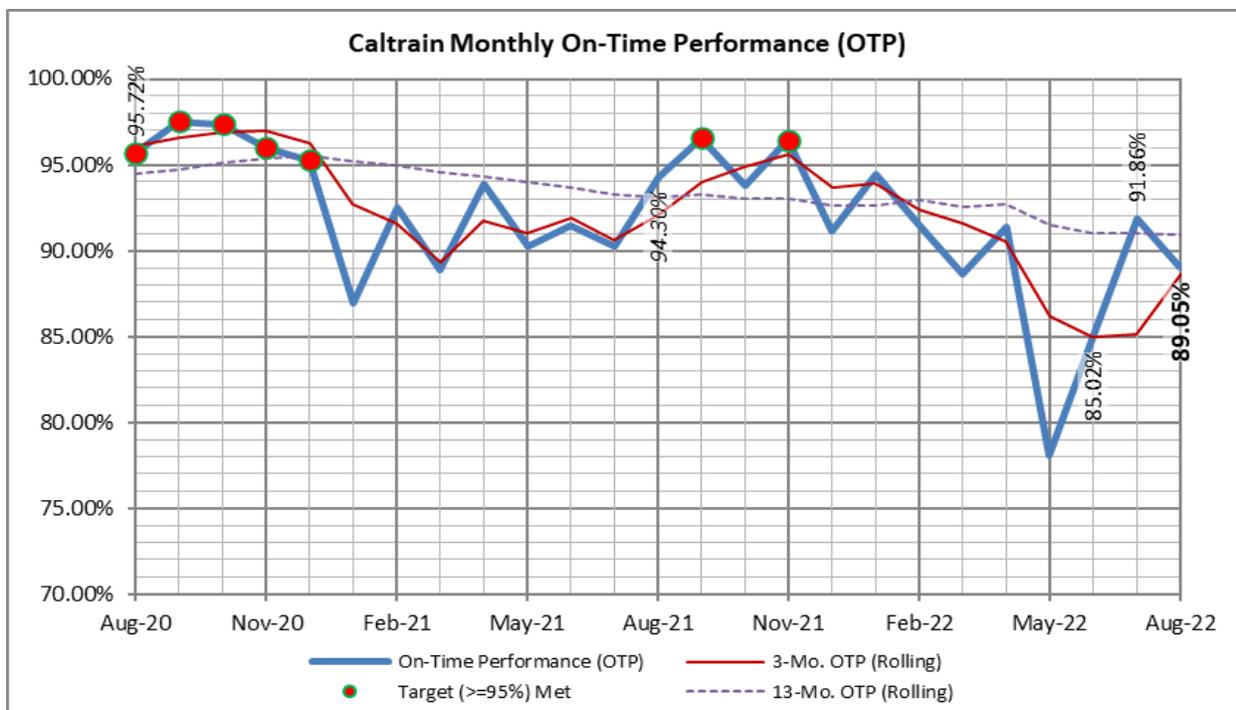




**ON-TIME PERFORMANCE (OTP)**

In August 2022, OTP was 89 percent compared to 94.3 percent in August 2021. The total OTP includes all train delays, terminations, and annulments for the month.

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



Caltrain Communications and Marketing Campaigns for August 2022:

- Press Release: "Caltrain Offers Connections to Outside Lands Festival"
- Press Release: "Caltrain Governance Compromise Accepted by All Partner Agencies"
- Press Release: "Caltrain Delivers Fans to 49ers' Preseason Games at Levi's® Stadium"
- Press Release: "Caltrain Completes Second Clearance Test for Electric Trains Along Corridor"
- Press Release: "Caltrain Hosting Meeting on Energization in San Jose, Santa Clara"
- Press Release: "Caltrain's Third and Fourth Electric Trainsets Arrive"
- Press Release: "Caltrain Offers Weekend Service to See The Weekend at Levi's® Stadium"
- Press Release: "Caltrain and PG&E Celebrate Major Milestone of Electrification Project"
- Press Release: "Caltrain to Operate Weekend Schedule for Labor Day"
- Press Release: "Caltrain Runs Service to Stanford vs. Colgate this Saturday"
- Take Caltrain to the Game - SF Giants Baseball (ongoing)
- Caltrain Special Event Service
- Clipper Mobile (ongoing)
- 20% Off Caltrain Monthly Pass (ongoing)
- Clipper Start (ongoing)

Digital Communications Report:

Trainsets 3 & 4 made their way to the corridor in the month of August, becoming the largest highlight of the month. The first trainset also underwent clearance testing. August was also our first complete month testing out a new form of communications with marketing events, this is an effort between organic and paid for local marketing events.

August Highlights:

- Trainsets 3 & 4 arrive
- Clearance testing

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

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Mehul Kumar, Chief Information & Technology Officer  
Subject: **Proclamation Declaring the Month of October as Cybersecurity Awareness Month**

Finance Committee  
Recommendation

Work Program-  
Legislative-Planning  
Committee  
Recommendation

Staff Coordinating  
Council Reviewed

Staff Coordinating Council  
Recommendation

**Action**

Staff Coordinating Council (SCC) recommends the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) adopt the proclamation designating October as “Cybersecurity Awareness Month.”

**Significance**

The proclamation for “Cybersecurity Awareness Month” reaffirms the JPB’s commitment to promoting secure computing and preventing the propagation of cyber-crime, including identity theft, phishing attacks, ransomware attacks, and other computer-based crimes. The Information Technology department that supports the JPB is actively engaged in identifying and neutralizing threats to Caltrain’s systems and its staff. The Information Technology department will be coordinating a broad communication and education campaign with the goal of increasing awareness and equipping staff members with the tools to identify, report and eliminate cyber-security threats.

**Budget Impact**

There is no impact on the budget, as these activities are covered by funds earmarked in the FY 23 Operating Budget.

**Background**

In October of 2004, the National Cyber Security Alliance & the U.S. Department of Homeland Security launched Cybersecurity Awareness Month. Since then, thousands of organizations have recognized every October as Cybersecurity Awareness Month. Public organizations include the federal government, the Multi-State Information Sharing and Analysis Center, the National Association of State Chief Information Officers and several cities and counties across the country.

More than ever before, technology plays a part in almost everything we do. Connected devices have been woven into society as an integral part of how people communicate and access services essential to their well-being. Despite these great advances in technology and the conveniences this provides, recent events have shown us how quickly our lives and businesses can be disrupted when cyber criminals and adversaries use technology to do harm. Cybersecurity Awareness Month aims to shed light on these security vulnerabilities, while offering actionable guidance surrounding behaviors anyone can take to protect themselves and their organizations. Everyone has a responsibility to do their part in securing our interconnected world.

The Information Technology department is committed to implementing the best practices and technologies to defend against cyber-crime. The observation of Cybersecurity Awareness Month will serve as an annual kickoff of the JPB's efforts to further educate and prepare our employees regarding potential cyber threats.

Prepared by: Mehul Kumar Chief Information & Technology Officer 650.508.6206

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

\* \* \*

**Proclaiming the Month of October as Cybersecurity Awareness Month**

**Whereas**, Cybersecurity Awareness Month was launched by the National Cyber Security Alliance and the U.S. Department of Homeland Security in October 2004 and is now recognized by thousands of organizations including the Federal Government, the Multi-State Information Sharing and Analysis Center, and the National Association of State Chief Information Officers; and

**Whereas**, individuals, businesses, nonprofits, government organizations, academic institutions, and the local economy have become increasingly reliant on information systems and technology to conduct business, engage in commerce, access information, communicate, and provide essential services; and

**Whereas**, cyber threats continue to increase and the impact of cyberattacks has been debilitating to individuals and organizations; and

**Whereas**, cybersecurity education and awareness are crucial for any individual or organization, and that cybersecurity is essential to digital inclusion; and

**Whereas**, maintaining the security of cyberspace is a shared responsibility in which we all have a critical role to play by making ourselves aware of cyber threats and cybersecurity essentials and adopt industry best practices that will improve the security of the Peninsula Corridor Joint Powers Board; and

**Whereas**, the Peninsula Corridor Joint Powers Board recognizes it has a vital role in identifying and responding to cyber threats that may have a significant impact on our collective security and privacy; and

**Whereas**, the Peninsula Corridor Joint Powers Board has developed an effort to promote good cyber practices through guidance and resources for Caltrain; and

**Whereas**, the Peninsula Corridor Joint Powers Board will promote innovation, strengthen cybersecurity investment, and enhance resilience across all sectors.

**Now, Therefore, Be It Resolved** that the Board of Directors the Peninsula Corridor Joint Powers Board, recognizes October 2022 as "Cybersecurity Awareness Month" and officially supports National Cybersecurity Awareness Month.

**Be It Further Resolved** that the Board of Directors calls upon all employees and patrons of the Peninsula Corridor Joint Powers Board to become educated about cybersecurity and put that knowledge into practice to keep our connected community safe from cyber threats.

Regularly passed and adopted this 6th day of October 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary

**Peninsula Corridor Joint Powers Board  
Staff Report**

Date: September 9, 2022  
To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Grace Martinez, Acting Chief Financial Officer  
Subject: **Report of the Acting Chief Financial Officer**

Finance Committee  
Recommendation

Work Program-  
Legislative-Planning  
Committee  
Recommendation

Staff Coordinating  
Council Reviewed

Staff Coordinating Council  
Recommendation

**Highlights**

- Update on fiscal 2022 financial reports
  - Staff has completed final accruals for Fiscal Year 2022, and unaudited statements for June 2022 are being presented to the Finance Committee.
  - We are currently in the process of developing a draft of the Annual Comprehensive Financial Report, which we expect to be presented to the Finance Committee next month.
- The Staff Report on the Statement of Revenues and Expenses for the Two-Month Ending August 31, 2022 follows.

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Grace Martinez, Acting Chief Financial Officer  
Subject: **Accept Statement of Revenues and Expenses for the Period Ending June 30, 2022**

Finance Committee  
Recommendation

Work Program-  
Legislative-Planning  
Committee  
Recommendation

Staff Coordinating  
Council Reviewed

Staff Coordinating Council  
Recommendation

**Action**

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

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through June 30, 2022. The statement has been designed to follow the Agency-wide line item rollup as included in the approved budget. The columns have been designed to provide easy comparison of year-to-date current actuals to the budget including dollar and percentage variances.

**Significance**

**Year to Date Revenues:** As of June year-to-date actual, the Grand Total Revenue (page 1, line 19) is \$87.1 million more than the approved budget. This is primarily driven by increases in Operating Grants (page 1, line 11), Measure RR (page 1, line 13) and ARPA fund (page 1, line 15) which are partially offset by CRRSAA fund (page 1, line 14). CRRSAA funding was received and reported as revenue in late FY21. However, it was not budgeted in FY21 as the amount of funding was unknown at the time of FY21 Budget adoption. Therefore the budget for CRRSAA funding was carried over and budgeted in FY22.

**Year to Date Expenses:** As of June year-to-date actual, the Grand Total Expense (page 2, line 54) is \$4.5 million lower than the approved budget. This is primarily due to decreases in Rail Operator Service (page 2, line 24), Facilities and Equipment Maintenance (page 2, line 31), Wages and Benefits (page 2, line 38), Professional Services (page 2, line 41), Other Office Expenses and Services (page 2, line 43), and Measure RR Ballot Costs (page 2, line 49). The decreases are partially offset by an increase in Fuel and Lubricants (page 2, line 27) and Write-off of Uncollectible Receivables (page 2, line 52).

**Budget Impact**

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

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

<b>PENINSULA CORRIDOR JOINT POWERS BOARD</b>									
<b>STATEMENT OF REVENUE AND EXPENSE</b>									
<b>Fiscal Year 2022</b>									
<b>June 2022</b>									
<b>Preliminary</b>		<b>% OF YEAR ELAPSED</b>					<b>100.0%</b>		
	<b>JULY TO JUNE</b>				<b>ANNUAL</b>				
	<b>CURRENT ACTUAL</b>	<b>APPROVED BUDGET</b>	<b>\$ VARIANCE</b>	<b>% VARIANCE</b>	<b>APPROVED BUDGET</b>	<b>FORECAST</b>	<b>\$ VARIANCE</b>		
<b>REVENUE</b>									
<b>OPERATIONS:</b>									
1	Farebox Revenue	33,236,357	34,639,000	(1,402,643)	(4.0%)	34,639,000	32,639,000	(2,000,000)	1
2	Parking Revenue	1,352,869	1,536,000	(183,131)	(11.9%)	1,536,000	1,286,000	(250,000)	2
3	Shuttles	1,152,152	1,603,900	(451,748)	(28.2%)	1,603,900	1,269,373	(334,527)	3
4	Rental Income	1,237,117	1,192,466	44,651	3.7%	1,192,466	1,281,507	89,041	4
5	Other Income	2,801,792	1,584,608	1,217,184	76.8%	1,584,608	2,156,984	572,376	5
6								-	6
7	<b>TOTAL OPERATING REVENUE</b>	<b>39,780,286</b>	<b>40,555,974</b>	<b>(775,688)</b>	<b>(1.9%)</b>	<b>40,555,974</b>	<b>38,632,864</b>	<b>(1,923,110)</b>	7
8									8
9	<b>CONTRIBUTIONS:</b>								
10	AB434 Peninsula & TA Shuttle Funding	743,472	1,119,300	(375,828)	(33.6%)	1,119,300	1,119,300	-	10
11	Operating Grants	10,041,955	6,525,471	3,516,484	53.9%	6,525,471	9,505,719	2,980,248	11
12	JPB Member Agencies	-	-	-	.0%	-	-	-	12
13	Measure RR*	97,296,566	86,576,919	10,719,647	12.4%	86,576,919	95,621,811	9,044,892	13
14	CRRSAA**	-	27,115,922	(27,115,922)	(100.0%)	27,115,922	-	(27,115,922)	14
15	ARPA	115,995,904	14,849,883	101,146,021	681.1%	14,849,883	115,995,904	101,146,021	15
16									16
17	<b>TOTAL CONTRIBUTED REVENUE</b>	<b>224,077,896</b>	<b>136,187,495</b>	<b>87,890,401</b>	<b>64.5%</b>	<b>136,187,495</b>	<b>222,242,734</b>	<b>86,055,239</b>	17
18									18
19	<b>GRAND TOTAL REVENUE</b>	<b>263,858,182</b>	<b>176,743,469</b>	<b>87,114,713</b>	<b>49.3%</b>	<b>176,743,469</b>	<b>260,875,598</b>	<b>84,132,129</b>	19
20	*\$15,323,081 is not included in the Measure RR actual amount as it is allocated for FY22 capital expenses. **CRRSAA funding was received and reported as revenue in late FY21. However, it was not budgeted in FY21 as the amount of funding was unknown at the time of FY21 Budget adoption. Therefore the budget for CRRSAA funding was carried over and budgeted in FY22. A future FY22 budget action will be brought to the Board to clarify funding sources for the FY22 budget, including reserved funds from the FY21 actual results and/or additional funding made available from ARPA distributions.								

<b>PENINSULA CORRIDOR JOINT POWERS BOARD</b>									
<b>STATEMENT OF REVENUE AND EXPENSE</b>									
<b>Fiscal Year 2022</b>									
<b>June 2022</b>									
<b>Preliminary</b>		<b>% OF YEAR ELAPSED</b>					<b>100.0%</b>		
	<b>JULY TO JUNE</b>				<b>ANNUAL</b>				
	<b>CURRENT ACTUAL</b>	<b>APPROVED BUDGET</b>	<b>\$ VARIANCE</b>	<b>% VARIANCE</b>	<b>APPROVED BUDGET</b>	<b>FORECAST</b>		<b>\$ VARIANCE</b>	
21	<b>EXPENSE</b>							21	
22								22	
23	<b>DIRECT EXPENSE:</b>							23	
24	Rail Operator Service	93,808,976	95,353,730	(1,544,754)	(1.6%)	95,353,730	90,764,152	(4,589,578)	24
25	Security Services	7,391,809	7,486,512	(94,703)	(1.3%)	7,486,512	7,486,512	-	25
26	Shuttle Services	1,938,640	2,723,200	(784,560)	(28.8%)	2,723,200	2,067,849	(655,351)	26
27	Fuel and Lubricants*	13,491,343	12,434,846	1,056,497	8.5%	12,434,846	13,000,000	565,154	27
28	Timetables and Tickets	17,140	55,000	(37,861)	(68.8%)	55,000	55,000	-	28
29	Insurance	5,513,835	5,857,210	(343,375)	(5.9%)	5,857,210	5,515,844	(341,366)	29
30	Claims, Payments, and Reserves	634,024	820,000	(185,976)	(22.7%)	820,000	3,320,000	2,500,000	30
31	Facilities and Equipment Maintenance	6,004,842	7,734,353	(1,729,511)	(22.4%)	7,734,353	6,009,353	(1,725,000)	31
32	Utilities	2,541,458	2,552,600	(11,142)	(.4%)	2,552,600	2,552,600	-	32
33	Maint & Services-Bldg & Other	1,372,866	1,674,250	(301,384)	(18.0%)	1,674,250	1,674,250	-	33
34								34	
35	<b>TOTAL DIRECT EXPENSE</b>	<b>132,714,933</b>	<b>136,691,701</b>	<b>(3,976,768)</b>	<b>(2.9%)</b>	<b>136,691,701</b>	<b>132,445,560</b>	<b>(4,246,141)</b>	35
36								36	
37	<b>ADMINISTRATIVE EXPENSE</b>							37	
38	Wages and Benefits	10,610,123	12,161,799	(1,551,676)	(12.8%)	12,161,799	10,801,799	(1,360,000)	38
39	Managing Agency Admin OH Cost	3,923,397	3,470,871	452,526	13.0%	3,470,871	3,470,871	-	39
40	Board of Directors	22,285	48,275	(25,990)	(53.8%)	48,275	48,275	-	40
41	Professional Services	6,731,087	8,809,801	(2,078,714)	(23.6%)	8,809,801	7,371,301	(1,438,500)	41
42	Communications and Marketing	437,328	322,750	114,578	35.5%	322,750	322,750	-	42
43	Other Office Expenses and Services	1,989,324	3,856,520	(1,867,196)	(48.4%)	3,856,520	2,305,020	(1,551,500)	43
44								44	
45	<b>TOTAL ADMINISTRATIVE EXPENSE</b>	<b>23,713,544</b>	<b>28,670,016</b>	<b>(4,956,472)</b>	<b>(17.3%)</b>	<b>28,670,016</b>	<b>24,320,016</b>	<b>(4,350,000)</b>	45
46								46	
47	<b>TOTAL OPERATING EXPENSE</b>	<b>156,428,477</b>	<b>165,361,717</b>	<b>(8,933,240)</b>	<b>(5.4%)</b>	<b>165,361,717</b>	<b>156,765,576</b>	<b>(8,596,141)</b>	47
48								48	
49	Measure RR Ballot Costs	5,396,910	7,000,000	(1,603,090)	(22.9%)	7,000,000	5,357,846	(1,642,154)	49
50	Governance	1,144,981	2,000,000	(855,019)	(42.8%)	2,000,000	1,000,000	(1,000,000)	50
51	Debt Service Expense	1,935,154	2,381,752	(446,598)	(18.8%)	2,381,752	2,381,752	-	51
52	Write-off of Uncollectible Receivables	7,300,042	-	7,300,042	.0%	-	-	-	52
53								53	
54	<b>GRAND TOTAL EXPENSE</b>	<b>172,205,564</b>	<b>176,743,469</b>	<b>(4,537,905)</b>	<b>(2.6%)</b>	<b>176,743,469</b>	<b>165,505,174</b>	<b>(11,238,295)</b>	54
55								55	
56	<b>NET SURPLUS / (DEFICIT)</b>	<b>91,652,618</b>	<b>-</b>	<b>91,652,618</b>	<b>.0%</b>	<b>-</b>	<b>95,370,423</b>	<b>95,370,423</b>	56
57								57	
58	Measure RR for Capital Reserve**	<b>80,000,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>80,000,000</b>	<b>-</b>	58
59	<b>ADJUSTED NET SURPLUS / (DEFICIT)</b>	<b>11,652,618</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>15,370,423</b>	<b>-</b>	59
60								60	

\* Fuel and Lubricants costs were reduced by a realized gain of \$2,738,698 from the fuel hedge program.

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



FY 2022

PENINSULA CORRIDOR JOINT POWERS BOARD													
<b>Farebox Revenues by Ticket Type</b>	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Total
<b>REVENUE</b>													
OPERATIONS:													
401400 (TVM)	609,407	694,301	297,963	634,662	514,945	503,829	402,001	425,090	518,694	426,130	886,933	922,485	6,836,440
401410 (Clipper)	466,207	507,976	320,066	628,888	773,248	690,398	418,215	564,410	811,782	451,071	1,021,234	1,111,260	7,764,755
401420 (Central)	545	-	5,108	19,817	-	-	(8)	2,475	303	535	5,523	5,613	39,911
401430 (Mobile App)	203,051	217,349	138,764	249,286	239,150	220,698	148,995	181,828	270,431	179,642	349,616	409,987	2,808,795
401500 (Gilroy)	28,850	21,257	28,301	20,933	43,585	46,782	35,746	31,111	32,723	49,067	29,202	81,724	449,281
401700 (Go-Pass)	1,110,030	1,247,311	1,176,248	1,199,282	1,434,953	1,280,454	1,332,357	1,337,351	1,364,606	1,406,171	1,390,999	1,057,412	15,337,175
total Farebox Revenue	2,418,089	2,688,193	1,966,449	2,752,867	3,005,881	2,742,162	2,337,305	2,542,265	2,998,539	2,512,617	3,683,506	3,588,482	33,236,357
Less: Go-Pass													
401700 (Go-Pass)	1,110,030	1,247,311	1,176,248	1,199,282	1,434,953	1,280,454	1,332,357	1,337,351	1,364,606	1,406,171	1,390,999	1,393,850	15,337,175
Revenues without Go-Pass	1,308,059	1,440,882	790,201	1,553,585	1,570,928	1,461,707	1,004,949	1,204,914	1,633,933	1,106,445	2,292,508	2,194,632	17,899,182
<b>Tickets Sold</b>													
TVM	66,225	57,800	65,068	65,036	55,514	50,809	40,552	43,646	58,771	79,927	80,118	92,208	755,674
Clipper	75,041	77,163	94,859	99,959	96,607	83,449	68,589	82,124	115,541	132,306	141,563	160,556	1,227,757
Central	33	-	698	1,876	-	-	-	150	100	124	784	267	4,032
Mobile	27,060	25,610	31,175	33,226	29,105	24,778	19,520	23,974	33,935	45,168	41,229	46,661	381,441
# of tickets sold (without go-pass)	168,359	160,573	191,800	200,097	181,226	159,036	128,661	149,894	208,347	257,525	263,694	299,692	2,368,904
<b>AVG Revenue Per Ticket</b>													
TVM	\$ 9.20	\$ 12.01	\$ 4.58	\$ 9.76	\$ 9.28	\$ 9.92	\$ 9.91	\$ 9.74	\$ 8.83	\$ 5.33	\$ 11.07	\$ 10.00	\$ 9.05
Clipper	\$ 6.21	\$ 6.58	\$ 3.37	\$ 6.29	\$ 8.00	\$ 8.27	\$ 6.10	\$ 6.87	\$ 7.03	\$ 3.41	\$ 7.21	\$ 6.92	\$ 6.32
Central	\$ 16.50	\$ -	\$ 7.32	\$ 10.56	\$ -	\$ -	\$ -	\$ 16.50	\$ 3.03	\$ 4.31	\$ 7.04	\$ 21.02	\$ 9.90
Mobile	\$ 7.50	\$ 8.49	\$ 4.45	\$ 7.50	\$ 8.22	\$ 8.91	\$ 7.63	\$ 7.58	\$ 7.97	\$ 3.98	\$ 8.48	\$ 8.79	\$ 7.36
Total	\$ 7.77	\$ 8.97	\$ 4.12	\$ 7.76	\$ 8.67	\$ 9.19	\$ 7.81	\$ 8.04	\$ 7.84	\$ 4.30	\$ 8.69	\$ 7.32	\$ 7.56

FY 2021

PENINSULA CORRIDOR JOINT POWERS BOARD													
<i>Farebox Revenues by Ticket Type</i>	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Total
<b>REVENUE</b>													
<b>OPERATIONS:</b>													
401400 (TVM)	139,293.75	173,800.08	108,714.84	185,771.57	182,821.01	114,067.80	127,741.55	194,927.10	185,646.11	258,991.28	324,972.20	462,089.72	2,458,837
401410 (Clipper)	226,443	169,044	228,845	243,384	233,896	210,677	183,638	203,835	251,300	229,332	291,553	453,039	2,924,987
401420 (Central)	-	-	-	-	-	-	-	-	-	-	-	309,748	309,748
401430 (Mobile App)	49,871	45,156	52,780	58,999	55,511	43,786	38,122	46,820	69,665	80,485	97,677	191,178	830,051
401500 (Gilroy)	13,594	14,988	15,570	15,641	14,948	13,455	8,075	12,593	11,834	14,470	14,764	28,827	178,759
401700 (Go-Pass)	2,524,374	2,599,447	2,546,728	2,533,100	2,546,634	2,577,123	2,450,631	2,486,822	2,507,143	841,682	929,836	1,194,012	25,737,533
<b>total Farebox Revenue</b>	<b>2,953,576</b>	<b>3,002,435</b>	<b>2,952,638</b>	<b>3,036,896</b>	<b>3,033,810</b>	<b>2,959,110</b>	<b>2,808,208</b>	<b>2,944,996</b>	<b>3,025,589</b>	<b>1,424,960</b>	<b>1,658,803</b>	<b>2,638,894</b>	<b>32,439,915</b>
Less: Go-Pass													
401700 (Go-Pass)	2,524,374	2,599,447	2,546,728	2,533,100	2,546,634	2,577,123	2,450,631	2,486,822	2,507,143	841,682	929,836	1,194,012	25,737,533
<b>Revenues without Go-Pass</b>	<b>429,202</b>	<b>402,988</b>	<b>405,910</b>	<b>503,796</b>	<b>487,176</b>	<b>381,986</b>	<b>357,577</b>	<b>458,174</b>	<b>518,445</b>	<b>583,279</b>	<b>728,966</b>	<b>1,444,882</b>	<b>6,702,382</b>
<b>Tickets Sold</b>													
TVM	23,290	22,588	23,655	26,347	22,915	18,823	17,944	20,142	24,893	28,454	35,016	51,311	315,378
Clipper	20,896	20,875	22,928	25,849	22,954	19,075	18,420	21,189	28,519	33,754	43,762	61,532	339,753
Central	-	-	-	-	-	-	-	-	-	-	-	-	-
Mobile	6,699	6,812	7,299	8,840	7,710	6,064	6,053	7,044	9,074	10,823	14,072	20,904	111,394
<b># of tickets sold (without go-pass)</b>	<b>50,885</b>	<b>50,275</b>	<b>53,882</b>	<b>61,036</b>	<b>53,579</b>	<b>43,962</b>	<b>42,417</b>	<b>48,375</b>	<b>62,486</b>	<b>73,031</b>	<b>92,850</b>	<b>133,747</b>	<b>766,525</b>
<b>AVG Revenue Per Ticket</b>													
TVM	\$ 5.98	\$ 7.69	\$ 4.60	\$ 7.05	\$ 7.98	\$ 6.06	\$ 7.12	\$ 9.68	\$ 7.46	\$ 9.10	\$ 9.28	\$ 9.01	\$ 7.80
Clipper	\$ 10.84	\$ 8.10	\$ 9.98	\$ 9.42	\$ 10.19	\$ 11.04	\$ 9.97	\$ 9.62	\$ 8.81	\$ 6.79	\$ 6.66	\$ 7.36	\$ 8.61
Central	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Mobile	\$ 7.44	\$ 6.63	\$ 7.23	\$ 6.67	\$ 7.20	\$ 7.22	\$ 6.30	\$ 6.65	\$ 7.68	\$ 7.44	\$ 6.94	\$ 9.15	\$ 7.45
<b>Total</b>	<b>\$ 8.43</b>	<b>\$ 8.02</b>	<b>\$ 7.53</b>	<b>\$ 8.25</b>	<b>\$ 9.09</b>	<b>\$ 8.69</b>	<b>\$ 8.43</b>	<b>\$ 9.47</b>	<b>\$ 8.30</b>	<b>\$ 7.99</b>	<b>\$ 7.85</b>	<b>\$ 10.80</b>	<b>\$ 8.74</b>

FY 2020

PENINSULA CORRIDOR JOINT POWERS BOARD														
<b>Farebox Revenues by Ticket Type</b>	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Write Off	Total
<b>REVENUE</b>														
OPERATIONS:														
401400 (TVM)	1,613,345.66	1,662,919.41	1,457,471.17	1,342,293.45	1,123,819.36	1,078,657.47	1,016,784.48	928,899.58	250,924.02	48,093.62	79,418.40	562,993.21	-	11,165,620
401410 (Clipper)	5,200,254	4,701,258	4,510,919	4,895,337	4,513,378	3,819,464	4,409,459	4,240,912	3,096,806	100,300	115,038	182,584	(1,815,013)	37,970,696
401420 (Central)	5,363	1,394	13,086	6,450	5,609	693	1,051	8,475	449	-	-	-	(21,771)	20,799
401430 (Mobile App)	672,028	708,974	665,104	707,979	634,817	579,991	767,140	650,721	207,648	13,646	61,466	20,261	-	5,689,776
401500 (Gilroy)	156,403	156,403	189,506	158,882	216,341	157,214	183,033	170,799	123,994	9,792	9,498	10,308	-	1,542,171
401700 (Go-Pass)	1,489,523	1,773,420	2,292,296	2,235,045	2,224,457	2,224,457	2,434,784	2,488,107	1,282,052	-	-	1,261,231	-	19,705,372
total Farebox Revenue	9,136,916	9,004,368	9,128,382	9,345,986	8,718,421	7,860,476	8,812,250	8,487,914	4,961,874	171,832	265,421	2,037,377	(1,836,784)	76,094,433
Less: Go-Pass														
401700 (Go-Pass)	1,489,523	1,773,420	2,292,296	2,235,045	2,224,457	2,224,457	2,434,784	2,488,107	1,282,052	-	-	1,261,231	-	19,705,372
Revenues without Go-Pass	7,647,393	7,230,948	6,836,086	7,110,941	6,493,964	5,636,019	6,377,467	5,999,807	3,679,822	171,832	265,421	776,146	(1,836,784)	56,389,061
<b>Tickets Sold</b>	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20		Total
TVM	208,484	212,648	191,083	177,888	157,959	148,410	145,704	131,904	48,361	9,273	13,777	20,385	-	1,465,876
Clipper	324,201	336,291	313,278	343,584	291,610	266,076	314,613	288,646	107,071	7,505	10,565	17,376	-	2,620,816
Central	598	278	253	1,710	746	267	212	856	124	-	-	-	-	5,044
Mobile	80,166	83,628	76,775	82,955	74,612	68,233	81,154	77,372	25,947	2,105	2,864	5,704	-	661,515
# of tickets sold (without go-pass)	613,449	632,845	581,389	606,137	524,927	482,986	541,683	498,778	181,503	18,883	27,206	43,465	-	4,753,251
<b>AVG Revenue Per Ticket</b>	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20		Total
TVM	\$ 7.74	\$ 7.82	\$ 7.63	\$ 7.55	\$ 7.11	\$ 7.27	\$ 6.98	\$ 7.04	\$ 5.19	\$ 5.19	\$ 5.76	\$ 27.62	\$ -	\$ 7.62
Clipper	\$ 16.04	\$ 13.98	\$ 14.40	\$ 14.25	\$ 15.48	\$ 14.35	\$ 14.02	\$ 14.69	\$ 28.92	\$ 13.36	\$ 10.89	\$ 10.51	\$ -	\$ 14.49
Central	\$ 8.97	\$ 5.01	\$ 51.73	\$ 3.77	\$ 7.52	\$ 2.59	\$ 4.96	\$ 9.90	\$ 3.62	\$ -	\$ -	\$ -	\$ -	\$ 4.12
Mobile	\$ 8.38	\$ 8.48	\$ 8.66	\$ 8.53	\$ 8.51	\$ 8.50	\$ 9.45	\$ 8.41	\$ 8.00	\$ 6.48	\$ 21.46	\$ 3.55	\$ -	\$ 8.60
Total	\$ 12.47	\$ 11.43	\$ 11.76	\$ 11.73	\$ 12.37	\$ 11.67	\$ 11.77	\$ 12.03	\$ 20.27	\$ 9.10	\$ 9.76	\$ 17.86	\$ -	\$ 11.86

FY 2019

PENINSULA CORRIDOR JOINT POWERS BOARD													
Farebox Revenues by Ticket Type	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Total
<b>REVENUE</b>													
OPERATIONS:													
401400 (TVM)	2,153,744	2,063,162	1,813,930	1,518,480	1,248,783	1,206,898	1,199,057	1,070,443	1,281,978	1,442,306	1,497,611	1,934,874	18,431,265
401410 (Clipper)	4,747,996	4,871,388	4,644,561	4,700,474	4,428,249	3,990,931	4,451,925	4,279,480	4,560,027	4,659,147	4,674,010	4,613,721	54,621,910
401420 (Central)	5,363	1,934	16,623	4,510	3,046	509	1,104	2,789	4,556	-	-	24,474	64,908
401430 (Mobile App)	314,045	339,708	338,446	331,090	292,778	288,482	372,008	370,320	437,031	511,490	567,431	554,129	4,716,955
401500 (Gilroy)	163,844	170,445	170,634	158,882	172,358	157,691	149,881	148,995	148,590	158,699	158,699	155,331	1,903,941
401700 (Go-Pass)	1,569,464	1,623,045	1,674,853	1,977,573	2,194,886	1,725,860	1,590,303	1,609,187	1,637,668	3,632,014	3,120,171	574,114	22,929,136
total Farebox Revenue	8,954,455	9,069,681	8,659,046	8,691,008	8,340,099	7,370,371	7,764,277	7,481,216	8,069,851	10,393,547	10,017,921	7,856,642	102,668,114
Less: Go-Pass													
401700 (Go-Pass)	1,569,464	1,623,045	1,674,853	1,977,573	2,194,886	1,725,860	1,590,303	1,609,187	1,637,668	3,632,014	3,120,171	574,114	22,929,136
Revenues without Go-Pass	7,384,992	7,446,636	6,984,194	6,713,435	6,145,213	5,644,511	6,173,975	5,872,028	6,432,183	6,761,533	6,897,750	7,282,528	79,738,978
<b>Tickets Sold</b>													
TVM	266,524	259,470	227,667	199,846	170,821	163,256	162,688	145,961	169,908	182,690	194,282	211,280	2,354,393
Clipper	302,296	322,858	294,606	314,327	263,864	243,784	290,901	265,601	291,907	308,467	313,201	309,254	3,521,066
Central	438	374	1,419	930	655	273		359	884	550	2,199	1,086	9,167
Mobile	34,565	37,932	36,501	37,065	33,152	32,454	42,223	42,506	50,570	58,542	64,538	73,872	543,920
# of tickets sold (without go-pass)	603,823	620,634	560,193	552,168	468,492	439,767	495,812	454,427	513,269	550,249	574,220	595,492	6,428,546
<b>AVG Revenue Per Ticket</b>													
TVM	\$ 8.08	\$ 7.95	\$ 7.97	\$ 7.60	\$ 7.31	\$ 7.39	\$ 7.37	\$ 7.33	\$ 7.55	\$ 7.89	\$ 7.71	\$ 9.16	\$ 7.83
Clipper	\$ 15.71	\$ 15.09	\$ 15.77	\$ 14.95	\$ 16.78	\$ 16.37	\$ 15.30	\$ 16.11	\$ 15.62	\$ 15.10	\$ 14.92	\$ 14.92	\$ 15.51
Central	\$ 12.24	\$ 5.17	\$ 11.71	\$ 4.85	\$ 4.65	\$ 1.86		\$ 7.77	\$ 5.15	\$ -	\$ -	\$ 22.54	\$ 7.08
Mobile	\$ 9.09	\$ 8.96	\$ 9.27	\$ 8.93	\$ 8.83	\$ 8.89	\$ 8.81	\$ 8.71	\$ 8.64	\$ 8.74	\$ 8.79	\$ 7.50	\$ 8.67
Total	\$ 12.23	\$ 12.00	\$ 12.47	\$ 12.16	\$ 13.12	\$ 12.84	\$ 12.45	\$ 12.92	\$ 12.53	\$ 12.29	\$ 12.01	\$ 12.23	\$ 12.40

**Peninsula Corridor Joint Powers Board  
Staff Report**

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



Finance Committee  
Recommendation



Work Program-  
Legislative-Planning  
Committee  
Recommendation



Staff Coordinating  
Council Reviewed



Staff Coordinating Council  
Recommendation

**Action**

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

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

**Significance**

**Year to Date Revenues:** As of August year-to-date actual, the Grand Total Revenue (page 1, line 16) is \$0.1 million lower than the approved budget. This is primarily driven by the decrease in Caltrain Fares (page 1, line 1) which is partially offset by Go Pass (page 1, line2) and Other Income (page 1, line 5).

**Year to Date Expenses:** As of August year-to-date actual, the Grand Total Expense (page 2, line 50) is \$4.3 million lower than the approved budget. This is primarily driven by decreases in Fuel and Lubricants (page 2, line 24), Facilities and Equipment Maintenance (page 2, line 28), and Professional Services (page 2, line 38) due to the timing of expenses.

**Other Information:** The Agency accounts for revenue and expenditures on a modified cash basis (only material revenues and expenses are accrued) on the monthly financial statement. As such, the variance between the current year actual and the budget may show noticeable variances due to the timing of expenditures.

**Budget Impact**

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

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

Statement of Revenue and Expense

<b>PENINSULA CORRIDOR JOINT POWERS BOARD</b>								
<b>STATEMENT OF REVENUE AND EXPENSE</b>								
<b>Fiscal Year 2023</b>								
<b>August 2022</b>								
							% OF YEAR ELAPSED	16.7%
JULY TO AUGUST					ANNUAL			
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE	
<b>REVENUE</b>								
<b>OPERATIONS:</b>								
1 Caltrain Fares	4,948,124	5,435,334	(487,210)	(9.0%)	30,219,000	30,219,000	-	
2 Go Pass	2,832,954	2,710,000	122,954	4.5%	16,260,000	16,260,000	-	
3 Parking Revenue	286,162	316,000	(29,838)	(9.4%)	1,896,000	1,896,000	-	
4 Rental Income	208,130	155,894	52,236	33.5%	935,357	935,357	-	
5 Other Income	479,606	279,386	200,220	71.7%	1,676,319	1,676,319	-	
6							-	
7 <b>TOTAL OPERATING REVENUE</b>	<b>8,754,976</b>	<b>8,896,614</b>	<b>(141,638)</b>	<b>1</b>	<b>50,986,676</b>	<b>50,986,676</b>	<b>-</b>	
8							-	
<b>CONTRIBUTIONS:</b>								
9							-	
10 AB434 Peninsula & TA Shuttle Fun	6,667	6,666	1	0.0%	40,000	40,000	-	
11 Operating Grants	1,881,360	1,881,360	-	0.0%	11,288,161	11,288,161	-	
12 Measure RR	18,834,833	18,834,833	-	0.0%	114,300,000	114,300,000	-	
13							-	
14 <b>TOTAL CONTRIBUTED REVENUE</b>	<b>20,722,860</b>	<b>20,722,859</b>	<b>1</b>	<b>0.0%</b>	<b>125,628,161</b>	<b>125,628,161</b>	<b>-</b>	
15							-	
16 <b>GRAND TOTAL REVENUE</b>	<b>29,477,836</b>	<b>29,619,473</b>	<b>(141,638)</b>	<b>(.5%)</b>	<b>176,614,837</b>	<b>176,614,837</b>	<b>-</b>	
17							-	

<b>PENINSULA CORRIDOR JOINT POWERS BOARD</b>									
<b>STATEMENT OF REVENUE AND EXPENSE</b>									
<b>Fiscal Year 2023</b>									
<b>August 2022</b>									
							% OF YEAR ELAPSED		
							16.7%		
	JULY TO AUGUST				ANNUAL				
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE		
18	<b>EXPENSE</b>							18	
19								19	
20	<b>DIRECT EXPENSE:</b>							20	
21	Rail Operator Service	15,723,176	15,652,962	70,214	0.4%	98,257,758	98,257,758	-	21
22	Security Services	1,069,471	1,339,228	(269,757)	(20.1%)	7,935,381	7,935,381	-	22
23	Shuttle Services	-	13,640	(13,640)	(100.0%)	121,600	121,600	-	23
24	Fuel and Lubricants*	1,954,929	2,923,204	(968,275)	(33.1%)	17,539,232	17,539,232	-	24
25	Timetables and Tickets	-	22,558	(22,558)	(100.0%)	135,350	135,350	-	25
26	Insurance	6,245,904	6,299,730	(53,826)	(.9%)	9,299,730	9,299,730	-	26
27	Claims, Payments, and Reserves	175,655	220,000	(44,345)	(20.2%)	1,320,000	1,320,000	-	27
28	Facilities and Equipment Maintenan	720,206	1,204,738	(484,532)	(40.2%)	7,258,788	7,258,788	-	28
29	Utilities	380,005	436,266	(56,261)	(12.9%)	2,617,600	2,617,600	-	29
30	Maint & Services-Bldg & Other	11,715	117,186	(105,471)	(90.0%)	1,754,100	1,754,100	-	30
31								31	
32	<b>TOTAL DIRECT EXPENSE</b>	<b>26,281,062</b>	<b>28,229,512</b>	<b>(1,948,450)</b>	<b>(6.9%)</b>	<b>146,239,539</b>	<b>146,239,539</b>	<b>-</b>	32
33								33	
34	<b>ADMINISTRATIVE EXPENSE</b>							34	
35	Wages and Benefits	3,400,568	3,615,910	(215,342)	(6.0%)	13,963,830	13,963,830	-	35
36	Managing Agency Admin OH Cost	253,104	594,242	(341,138)	(57.4%)	3,565,453	3,565,453	-	36
37	Board of Directors	1,684	9,544	(7,860)	(82.4%)	57,275	57,275	-	37
38	Professional Services	108,561	1,539,628	(1,431,067)	(92.9%)	9,305,755	9,305,755	-	38
39	Communications and Marketing	13,307	67,288	(53,981)	(80.2%)	403,730	403,730	-	39
40	Other Office Expenses and Services	245,070	453,334	(208,264)	(45.9%)	2,724,996	2,724,996	-	40
41								41	
42	<b>TOTAL ADMINISTRATIVE EXP.</b>	<b>4,022,294</b>	<b>6,279,946</b>	<b>(2,257,652)</b>	<b>(36.0%)</b>	<b>30,021,039</b>	<b>30,021,039</b>	<b>-</b>	42
43								43	
44	<b>TOTAL OPERATING EXPENSE</b>	<b>30,303,356</b>	<b>34,509,458</b>	<b>(2,639,088)</b>	<b>(7.6%)</b>	<b>176,260,578</b>	<b>176,260,578</b>	<b>-</b>	44
45								45	
46	Governance	1,928	58,334	(56,406)	(96.7%)	350,000	350,000	-	46
47								47	
48	Debt Service Expense	387,625	430,292	(42,667)	(9.9%)	2,581,752	2,581,752	-	48
49								49	
50	<b>GRAND TOTAL EXPENSE</b>	<b>30,692,909</b>	<b>34,998,084</b>	<b>(4,305,175)</b>	<b>(12.3%)</b>	<b>179,192,330</b>	<b>179,192,330</b>	<b>-</b>	50
51								51	
52	<b>NET SURPLUS / (DEFICIT)</b>	<b>(1,215,073)</b>	<b>(5,378,611)</b>	<b>4,163,537</b>	<b>(77.4%)</b>	<b>(2,577,493)</b>	<b>(2,577,493)</b>	<b>-</b>	52
53								53	
54	<b>Draw from FY2022 surplus</b>					<b>2,577,493</b>	<b>2,577,493</b>		54
55	<b>ADJUSTED NET SURPLUS / (DEFICIT)</b>					<b>-</b>	<b>-</b>		55
56								56	
57	<b>* Fuel and Lubricants costs were reduced by a realized gain of \$750,078 from the fuel hedge program.</b>							57	



BOARD OF DIRECTORS 2022

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

MICHELLE BOUCHARD  
ACTING EXECUTIVE DIRECTOR

**PENINSULA CORRIDOR JOINT POWERS BOARD**

**INVESTMENT PORTFOLIO**

**AS OF AUGUST 31, 2022**

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	1.276%	10,088,426	10,088,426
County Pool (Unrestricted)		Liquid Cash	1.263%	563,159	563,159
Other (Unrestricted)		Liquid Cash	2.130%	183,789,629	183,789,629
Other (Restricted)	**	Liquid Cash	0.075%	62,187,874	62,187,874
				<b>\$ 256,629,088</b>	<b>\$ 256,629,088</b>

Interest Earnings for August 2022	\$ 79,186.18
Accrued Dividend for August 2022	\$ 221,910.90
Cumulative Earnings FY2023	\$ 381,450.49

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

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

FY 2023

PENINSULA CORRIDOR JOINT POWERS BOARD			
<i>Farebox Revenues by Ticket Type</i>	Jul-22	Aug-22	Total
<b>REVENUE</b>			
OPERATIONS:			
401400 (TVM)	814,640	1,105,132	1,919,772
401410 (Clipper)	940,595	1,277,187	2,217,782
401420 (Central)	5,139	945	6,084
401430 (Mobile App)	346,758	354,177	700,935
401500 (Gilroy)	37,440	66,110	103,550
401700 (Go-Pass)	1,417,118	1,415,836	2,832,954
total Farebox Revenue	3,561,691	4,219,387	7,781,077
Less: Go-Pass			
401700 (Go-Pass)	1,417,118	1,415,836	2,832,954
Revenues without Go-Pass	2,144,573	2,803,551	4,948,124
<b>Tickets Sold</b>			
TVM	86,060	85,175	171,235
Clipper	156,991	179,837	336,828
Central	319	145	464
Mobile	42,175	43,696	85,871
# of tickets sold (without go-pass)	285,545	308,853	594,398
<b>AVG Revenue Per Ticket</b>			
TVM	\$ 9.47	\$ 12.97	\$ 11.21
Clipper	\$ 5.99	\$ 7.10	\$ 6.58
Central	\$ 16.11	\$ 6.52	\$ 13.11
Mobile	\$ 8.22	\$ 8.11	\$ 8.16
Total	\$ 7.51	\$ 9.08	\$ 8.32

FY 2022

PENINSULA CORRIDOR JOINT POWERS BOARD

<b>Farebox Revenues by Ticket Type</b>	<b>PENINSULA CORRIDOR JOINT POWERS BOARD</b>												
<b>REVENUE</b>	<b>Jul-21</b>	<b>Aug-21</b>	<b>Sep-21</b>	<b>Oct-21</b>	<b>Nov-21</b>	<b>Dec-21</b>	<b>Jan-22</b>	<b>Feb-22</b>	<b>Mar-22</b>	<b>Apr-22</b>	<b>May-22</b>	<b>Jun-22</b>	<b>Total</b>
<b>OPERATIONS:</b>													
401400 (TVM)	609,407	694,301	297,963	634,662	514,945	503,829	402,001	425,090	518,694	426,130	886,933	922,485	6,836,440
401410 (Clipper)	466,207	507,976	320,066	628,888	773,248	690,398	418,215	564,410	811,782	451,071	1,021,234	1,111,260	7,764,755
401420 (Central)	545	-	5,108	19,817	-	-	(8)	2,475	303	535	5,523	5,613	39,911
401430 (Mobile App)	203,051	217,349	138,764	249,286	239,150	220,698	148,995	181,828	270,431	179,642	349,616	409,987	2,808,795
401500 (Gilroy)	28,850	21,257	28,301	20,933	43,585	46,782	35,746	31,111	32,723	49,067	29,202	81,724	449,281
401700 (Go-Pass)	1,110,030	1,247,311	1,176,248	1,199,282	1,434,953	1,280,454	1,332,357	1,337,351	1,364,606	1,406,171	1,390,999	1,057,412	15,337,175
<b>total Farebox Revenue</b>	<b>2,418,089</b>	<b>2,688,193</b>	<b>1,966,449</b>	<b>2,752,867</b>	<b>3,005,881</b>	<b>2,742,162</b>	<b>2,337,305</b>	<b>2,542,265</b>	<b>2,998,539</b>	<b>2,512,617</b>	<b>3,683,506</b>	<b>3,588,482</b>	<b>33,236,357</b>
Less: Go-Pass													
401700 (Go-Pass)	1,110,030	1,247,311	1,176,248	1,199,282	1,434,953	1,280,454	1,332,357	1,337,351	1,364,606	1,406,171	1,390,999	1,393,850	15,337,175
<b>Revenues without Go-Pass</b>	<b>1,308,059</b>	<b>1,440,882</b>	<b>790,201</b>	<b>1,553,585</b>	<b>1,570,928</b>	<b>1,461,707</b>	<b>1,004,949</b>	<b>1,204,914</b>	<b>1,633,933</b>	<b>1,106,445</b>	<b>2,292,508</b>	<b>2,194,632</b>	<b>17,899,182</b>
<b>Tickets Sold</b>	<b>Jul-21</b>	<b>Aug-21</b>	<b>Sep-21</b>	<b>Oct-21</b>	<b>Nov-21</b>	<b>Dec-21</b>	<b>Jan-22</b>	<b>Feb-22</b>	<b>Mar-22</b>	<b>Apr-22</b>	<b>May-22</b>	<b>Jun-22</b>	<b>Total</b>
TVM	66,225	57,800	65,068	65,036	55,514	50,809	40,552	43,646	58,771	79,927	80,118	92,208	755,674
Clipper	75,041	77,163	94,859	99,959	96,607	83,449	68,589	82,124	115,541	132,306	141,563	160,556	1,227,757
Central	33	-	698	1,876	-	-	-	150	100	124	784	267	4,032
Mobile	27,060	25,610	31,175	33,226	29,105	24,778	19,520	23,974	33,935	45,168	41,229	46,661	381,441
<b># of tickets sold (without go-pass)</b>	<b>168,359</b>	<b>160,573</b>	<b>191,800</b>	<b>200,097</b>	<b>181,226</b>	<b>159,036</b>	<b>128,661</b>	<b>149,894</b>	<b>208,347</b>	<b>257,525</b>	<b>263,694</b>	<b>299,692</b>	<b>2,368,904</b>
<b>AVG Revenue Per Ticket</b>	<b>Jul-21</b>	<b>Aug-21</b>	<b>Sep-21</b>	<b>Oct-21</b>	<b>Nov-21</b>	<b>Dec-21</b>	<b>Jan-22</b>	<b>Feb-22</b>	<b>Mar-22</b>	<b>Apr-22</b>	<b>May-22</b>	<b>Jun-22</b>	<b>Total</b>
TVM	\$ 9.20	\$ 12.01	\$ 4.58	\$ 9.76	\$ 9.28	\$ 9.92	\$ 9.91	\$ 9.74	\$ 8.83	\$ 5.33	\$ 11.07	\$ 10.00	\$ 9.05
Clipper	\$ 6.21	\$ 6.58	\$ 3.37	\$ 6.29	\$ 8.00	\$ 8.27	\$ 6.10	\$ 6.87	\$ 7.03	\$ 3.41	\$ 7.21	\$ 6.92	\$ 6.32
Central	\$ 16.50	\$ -	\$ 7.32	\$ 10.56	\$ -	\$ -	\$ -	\$ 16.50	\$ 3.03	\$ 4.31	\$ 7.04	\$ 21.02	\$ 9.90
Mobile	\$ 7.50	\$ 8.49	\$ 4.45	\$ 7.50	\$ 8.22	\$ 8.91	\$ 7.63	\$ 7.58	\$ 7.97	\$ 3.98	\$ 8.48	\$ 8.79	\$ 7.36
<b>Total</b>	<b>\$ 7.77</b>	<b>\$ 8.97</b>	<b>\$ 4.12</b>	<b>\$ 7.76</b>	<b>\$ 8.67</b>	<b>\$ 9.19</b>	<b>\$ 7.81</b>	<b>\$ 8.04</b>	<b>\$ 7.84</b>	<b>\$ 4.30</b>	<b>\$ 8.69</b>	<b>\$ 7.32</b>	<b>\$ 7.56</b>

FY 2021

PENINSULA CORRIDOR JOINT POWERS BOARD													
<b>Farebox Revenues by Ticket Type</b>	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Total
<b>REVENUE</b>													
<b>OPERATIONS:</b>													
401400 (TVM)	139,293.75	173,800.08	108,714.84	185,771.57	182,821.01	114,067.80	127,741.55	194,927.10	185,646.11	258,991.28	324,972.20	462,089.72	2,458,837
401410 (Clipper)	226,443	169,044	228,845	243,384	233,896	210,677	183,638	203,835	251,300	229,332	291,553	453,039	2,924,987
401420 (Central)	-	-	-	-	-	-	-	-	-	-	-	309,748	309,748
401430 (Mobile App)	49,871	45,156	52,780	58,999	55,511	43,786	38,122	46,820	69,665	80,485	97,677	191,178	830,051
401500 (Gilroy)	13,594	14,988	15,570	15,641	14,948	13,455	8,075	12,593	11,834	14,470	14,764	28,827	178,759
401700 (Go-Pass)	2,524,374	2,599,447	2,546,728	2,533,100	2,546,634	2,577,123	2,450,631	2,486,822	2,507,143	841,682	929,836	1,194,012	25,737,533
<b>total Farebox Revenue</b>	<b>2,953,576</b>	<b>3,002,435</b>	<b>2,952,638</b>	<b>3,036,896</b>	<b>3,033,810</b>	<b>2,959,110</b>	<b>2,808,208</b>	<b>2,944,996</b>	<b>3,025,589</b>	<b>1,424,960</b>	<b>1,658,803</b>	<b>2,638,894</b>	<b>32,439,915</b>
Less: Go-Pass													
401700 (Go-Pass)	2,524,374	2,599,447	2,546,728	2,533,100	2,546,634	2,577,123	2,450,631	2,486,822	2,507,143	841,682	929,836	1,194,012	25,737,533
<b>Revenues without Go-Pass</b>	<b>429,202</b>	<b>402,988</b>	<b>405,910</b>	<b>503,796</b>	<b>487,176</b>	<b>381,986</b>	<b>357,577</b>	<b>458,174</b>	<b>518,445</b>	<b>583,279</b>	<b>728,966</b>	<b>1,444,882</b>	<b>6,702,382</b>
<b>Tickets Sold</b>	<b>Jul-20</b>	<b>Aug-20</b>	<b>Sep-20</b>	<b>Oct-20</b>	<b>Nov-20</b>	<b>Dec-20</b>	<b>Jan-21</b>	<b>Feb-21</b>	<b>Mar-21</b>	<b>Apr-21</b>	<b>May-21</b>	<b>Jun-21</b>	<b>Total</b>
TVM	23,290	22,588	23,655	26,347	22,915	18,823	17,944	20,142	24,893	28,454	35,016	51,311	315,378
Clipper	20,896	20,875	22,928	25,849	22,954	19,075	18,420	21,189	28,519	33,754	43,762	61,532	339,753
Central	-	-	-	-	-	-	-	-	-	-	-	-	-
Mobile	6,699	6,812	7,299	8,840	7,710	6,064	6,053	7,044	9,074	10,823	14,072	20,904	111,394
<b># of tickets sold (without go-pass)</b>	<b>50,885</b>	<b>50,275</b>	<b>53,882</b>	<b>61,036</b>	<b>53,579</b>	<b>43,962</b>	<b>42,417</b>	<b>48,375</b>	<b>62,486</b>	<b>73,031</b>	<b>92,850</b>	<b>133,747</b>	<b>766,525</b>
<b>AVG Revenue Per Ticket</b>	<b>Jul-20</b>	<b>Aug-20</b>	<b>Sep-20</b>	<b>Oct-20</b>	<b>Nov-20</b>	<b>Dec-20</b>	<b>Jan-21</b>	<b>Feb-21</b>	<b>Mar-21</b>	<b>Apr-21</b>	<b>May-21</b>	<b>Jun-21</b>	<b>Total</b>
TVM	\$ 5.98	\$ 7.69	\$ 4.60	\$ 7.05	\$ 7.98	\$ 6.06	\$ 7.12	\$ 9.68	\$ 7.46	\$ 9.10	\$ 9.28	\$ 9.01	\$ 7.80
Clipper	\$ 10.84	\$ 8.10	\$ 9.98	\$ 9.42	\$ 10.19	\$ 11.04	\$ 9.97	\$ 9.62	\$ 8.81	\$ 6.79	\$ 6.66	\$ 7.36	\$ 8.61
Central	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Mobile	\$ 7.44	\$ 6.63	\$ 7.23	\$ 6.67	\$ 7.20	\$ 7.22	\$ 6.30	\$ 6.65	\$ 7.68	\$ 7.44	\$ 6.94	\$ 9.15	\$ 7.45
<b>Total</b>	<b>\$ 8.43</b>	<b>\$ 8.02</b>	<b>\$ 7.53</b>	<b>\$ 8.25</b>	<b>\$ 9.09</b>	<b>\$ 8.69</b>	<b>\$ 8.43</b>	<b>\$ 9.47</b>	<b>\$ 8.30</b>	<b>\$ 7.99</b>	<b>\$ 7.85</b>	<b>\$ 10.80</b>	<b>\$ 8.74</b>

FY 2020

PENINSULA CORRIDOR JOINT POWERS BOARD														
Farebox Revenues by Ticket Type	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Write Off	Total
<b>REVENUE</b>														
OPERATIONS:														
401400 (TVM)	1,613,345.66	1,662,919.41	1,457,471.17	1,342,293.45	1,123,819.36	1,078,657.47	1,016,784.48	928,899.58	250,924.02	48,093.62	79,418.40	562,993.21	-	11,165,620
401410 (Clipper)	5,200,254	4,701,258	4,510,919	4,895,337	4,513,378	3,819,464	4,409,459	4,240,912	3,096,806	100,300	115,038	182,584	(1,815,013)	37,970,696
401420 (Central)	5,363	1,394	13,086	6,450	5,609	693	1,051	8,475	449	-	-	-	(21,771)	20,799
401430 (Mobile App)	672,028	708,974	665,104	707,979	634,817	579,991	767,140	650,721	207,648	13,646	61,466	20,261	-	5,689,776
401500 (Gilroy)	156,403	156,403	189,506	158,882	216,341	157,214	183,033	170,799	123,994	9,792	9,498	10,308	-	1,542,171
401700 (Go-Pass)	1,489,523	1,773,420	2,292,296	2,235,045	2,224,457	2,224,457	2,434,784	2,488,107	1,282,052	-	-	1,261,231	-	19,705,372
total Farebox Revenue	9,136,916	9,004,368	9,128,382	9,345,986	8,718,421	7,860,476	8,812,250	8,487,914	4,961,874	171,832	265,421	2,037,377	(1,836,784)	76,094,433
Less: Go-Pass														
401700 (Go-Pass)	1,489,523	1,773,420	2,292,296	2,235,045	2,224,457	2,224,457	2,434,784	2,488,107	1,282,052	-	-	1,261,231	-	19,705,372
Revenues without Go-Pass	7,647,393	7,230,948	6,836,086	7,110,941	6,493,964	5,636,019	6,377,467	5,999,807	3,679,822	171,832	265,421	776,146	(1,836,784)	56,389,061
<b>Tickets Sold</b>														
TVM	208,484	212,648	191,083	177,888	157,959	148,410	145,704	131,904	48,361	9,273	13,777	20,385	-	1,465,876
Clipper	324,201	336,291	313,278	343,584	291,610	266,076	314,613	288,646	107,071	7,505	10,565	17,376	-	2,620,816
Central	598	278	253	1,710	746	267	212	856	124	-	-	-	-	5,044
Mobile	80,166	83,628	76,775	82,955	74,612	68,233	81,154	77,372	25,947	2,105	2,864	5,704	-	661,515
# of tickets sold (without go-pass)	613,449	632,845	581,389	606,137	524,927	482,986	541,683	498,778	181,503	18,883	27,206	43,465	-	4,753,251
<b>AVG Revenue Per Ticket</b>														
TVM	\$ 7.74	\$ 7.82	\$ 7.63	\$ 7.55	\$ 7.11	\$ 7.27	\$ 6.98	\$ 7.04	\$ 5.19	\$ 5.19	\$ 5.76	\$ 27.62	\$ -	\$ 7.62
Clipper	\$ 16.04	\$ 13.98	\$ 14.40	\$ 14.25	\$ 15.48	\$ 14.35	\$ 14.02	\$ 14.69	\$ 28.92	\$ 13.36	\$ 10.89	\$ 10.51	\$ -	\$ 14.49
Central	\$ 8.97	\$ 5.01	\$ 51.73	\$ 3.77	\$ 7.52	\$ 2.59	\$ 4.96	\$ 9.90	\$ 3.62	\$ -	\$ -	\$ -	\$ -	\$ 4.12
Mobile	\$ 8.38	\$ 8.48	\$ 8.66	\$ 8.53	\$ 8.51	\$ 8.50	\$ 9.45	\$ 8.41	\$ 8.00	\$ 6.48	\$ 21.46	\$ 3.55	\$ -	\$ 8.60
Total	\$ 12.47	\$ 11.43	\$ 11.76	\$ 11.73	\$ 12.37	\$ 11.67	\$ 11.77	\$ 12.03	\$ 20.27	\$ 9.10	\$ 9.76	\$ 17.86	\$ -	\$ 11.86

FY 2019

PENINSULA CORRIDOR JOINT POWERS BOARD													
Farebox Revenues by Ticket Type	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Total
<b>REVENUE</b>													
OPERATIONS:													
401400 (TVM)	2,153,744	2,063,162	1,813,930	1,518,480	1,248,783	1,206,898	1,199,057	1,070,443	1,281,978	1,442,306	1,497,611	1,934,874	18,431,265
401410 (Clipper)	4,747,996	4,871,388	4,644,561	4,700,474	4,428,249	3,990,931	4,451,925	4,279,480	4,560,027	4,659,147	4,674,010	4,613,721	54,621,910
401420 (Central)	5,363	1,934	16,623	4,510	3,046	509	1,104	2,789	4,556	-	-	24,474	64,908
401430 (Mobile App)	314,045	339,708	338,446	331,090	292,778	288,482	372,008	370,320	437,031	511,490	567,431	554,129	4,716,955
401500 (Gilroy)	163,844	170,445	170,634	158,882	172,358	157,691	149,881	148,995	148,590	148,590	158,699	155,331	1,903,941
401700 (Go-Pass)	1,569,464	1,623,045	1,674,853	1,977,573	2,194,886	1,725,860	1,590,303	1,609,187	1,637,668	3,632,014	3,120,171	574,114	22,929,136
total Farebox Revenue	8,954,455	9,069,681	8,659,046	8,691,008	8,340,099	7,370,371	7,764,277	7,481,216	8,069,851	10,393,547	10,017,921	7,856,642	102,668,114
Less: Go-Pass													
401700 (Go-Pass)	1,569,464	1,623,045	1,674,853	1,977,573	2,194,886	1,725,860	1,590,303	1,609,187	1,637,668	3,632,014	3,120,171	574,114	22,929,136
Revenues without Go-Pass	7,384,992	7,446,636	6,984,194	6,713,435	6,145,213	5,644,511	6,173,975	5,872,028	6,432,183	6,761,533	6,897,750	7,282,528	79,738,978
<b>Tickets Sold</b>													
TVM	266,524	259,470	227,667	199,846	170,821	163,256	162,688	145,961	169,908	182,690	194,282	211,280	2,354,393
Clipper	302,296	322,858	294,606	314,327	263,864	243,784	290,901	265,601	291,907	308,467	313,201	309,254	3,521,066
Central	438	374	1,419	930	655	273		359	884	550	2,199	1,086	9,167
Mobile	34,565	37,932	36,501	37,065	33,152	32,454	42,223	42,506	50,570	58,542	64,538	73,872	543,920
# of tickets sold (without go-pass)	603,823	620,634	560,193	552,168	468,492	439,767	495,812	454,427	513,269	550,249	574,220	595,492	6,428,546
<b>AVG Revenue Per Ticket</b>													
TVM	\$ 8.08	\$ 7.95	\$ 7.97	\$ 7.60	\$ 7.31	\$ 7.39	\$ 7.37	\$ 7.33	\$ 7.55	\$ 7.89	\$ 7.71	\$ 9.16	\$ 7.83
Clipper	\$ 15.71	\$ 15.09	\$ 15.77	\$ 14.95	\$ 16.78	\$ 16.37	\$ 15.30	\$ 16.11	\$ 15.62	\$ 15.10	\$ 14.92	\$ 14.92	\$ 15.51
Central	\$ 12.24	\$ 5.17	\$ 11.71	\$ 4.85	\$ 4.65	\$ 1.86		\$ 7.77	\$ 5.15	\$ -	\$ -	\$ 22.54	\$ 7.08
Mobile	\$ 9.09	\$ 8.96	\$ 9.27	\$ 8.93	\$ 8.83	\$ 8.89	\$ 8.81	\$ 8.71	\$ 8.64	\$ 8.74	\$ 8.79	\$ 7.50	\$ 8.67
Total	\$ 12.23	\$ 12.00	\$ 12.47	\$ 12.16	\$ 13.12	\$ 12.84	\$ 12.45	\$ 12.92	\$ 12.53	\$ 12.29	\$ 12.01	\$ 12.23	\$ 12.40

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Grace Martinez, Acting Chief Financial Officer  
Subject: **Approve Adding Federal Employees Liability Act Insurance to the Rail Liability Program**

Finance Committee  
Recommendation

Work Program-  
Legislative-Planning  
Committee  
Recommendation

Staff Coordinating  
Council Reviewed

Staff Coordinating Council  
Recommendation

**Action**

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

1. Approve the addition of a new line of insurance coverage for Federal Employees Liability Act Insurance (FELA) to the Rail Liability program; and
2. Authorize the Acting Executive Director or designee to execute an amendment to the JPB's contract with TransitAmerica Services Inc. regarding the JPB's procurement of FELA coverage and to take any other actions necessary to bind FELA coverage with a \$50M limit and \$500,000 self-insured retention.

**Significance**

The JPB is adding FELA coverage to this year's Rail Liability program, for substantial premium savings. This coverage was historically procured by Transit America Services, Inc. (TASI) as a standalone insurance program at \$100M in limits. FELA provides coverage specifically for railroad workers who are injured on the job, and functions similar to workers' compensation. The loss experience on the FELA program has been consistently low since 2013, and the JPB is now adding it as a coverage line on its Rail Liability program at \$50M in limits with a \$500,000 self-insured retention for FELA claims. The JPB's rail liability limits will remain at \$200 million with an additional \$100 million provided by TASI. In addition, the JPB will maintain the additional \$23M in limits given the inflationary increase of the Passenger Rail Cap for a total of \$323 million in coverage for FY2023. FELA is a separate line of coverage from JPB's rail liability program, and has separate dedicated limits.

The reduction of the policy limit for FELA coverage is based on the loss history of the program, and the premium savings associated with the limit reduction. Typically Rail Liability programs include FELA coverage instead of placing it as a separate insurance tower. TASI's expiring premium for this is \$3,400,000 which is passed through as an expense to the JPB as part of the



**Resolution No. 2022-**

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

\* \* \*

**Authorizing the Addition of Federal Employer Liability Act Coverage to the  
Rail Liability Program for Fiscal Year 2023**

**Whereas**, on August 4, 2022, the Board of Directors of the Peninsula Corridor Joint Powers Board (JPB) approved and ratified the renewal of the JPB's insurance program for FY2023, including the types of coverage, limits and premiums with the following significant elements:

1. A self-insured retention in the amount of \$2 million.
2. Railroad Liability, Commercial General Liability and Excess Automobile Liability policies, including Terrorism (TRIA) coverage, with a total limit of \$198 million, in excess of the \$2 million self-insured retention, at an annual premium of \$3,821,250. JPB also procures \$23 million in excess of \$300 million additional policy limits so as to satisfy the federal government's new \$323 million Rail Passenger Liability Cap, as well as meet contractual requirements that the JPB maintain limits up to the rail liability cap, for an annual premium of \$120,175.
3. Property insurance, including Special Risk property policies, at an annual premium of \$2,000,621 with limits of \$400 million and a \$500,000 deductible to cover real and personal property, including stations, the Centralized Equipment Maintenance and Operations Facility, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock, as well as Boiler and Machinery insurance sufficient to meet the State of California inspection requirements;
4. Public Officials Liability coverage with \$15 million limits at an annual premium of \$155,717.
5. Pollution Liability for a 2-year policy term with a \$10 million limit at a premium of \$78,697.
6. Annual Special Events and Emergency Drill liability with a \$2 million limit at a premium of \$27,967.
7. Railroad Protective Liability coverage with an annual premium of \$44,941.
8. Volunteers AD&D for a premium of \$1,499; and

**Whereas**, the Federal Employee Liability Act coverage was historically procured by Transit America Services, Inc. (TASI) as a standalone insurance program at \$100M in limits. The loss experience on the FELA program has been consistently low since 2013, and the JPB has now received quotes to add FELA it as a coverage line on its Rail Liability program at \$50M in limits with a \$500K self-insured retention for FELA claims; and

**Whereas**, TASI's expiring premium for this is \$3,400,000 which is passed through as an expense to the JPB as part of the Operator contract. The premiums to add this FELA coverage to JPB's Rail Liability program this year is \$2,574,000, which is a premium savings of \$826,000; and

**Whereas**, Staff recommends the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) add an additional line of insurance coverage for Federal Employees Liability Act Insurance (FELA) to the Rail Liability program and authorize the Acting Executive Director or designee to execute an amendment to the Agreement for Provision of Rail Operations, Maintenance, and Support Services, effective October 1, 2011, between JPB and TASI (Contract No. 10-PCJPB-S-025) to reflect the change in responsibility for the procurement of FELA coverage.

**Now, Therefore, May It Be Resolved** that the Board of Directors hereby approves the addition of FELA coverage to the JPB's insurance program for FY2023 and authorizes the Acting Executive Director or designee to execute an amendment to the Agreement for Provision of Rail Operations, Maintenance, and Support Services, effective October 1, 2011, regarding responsibility for FELA coverage in a form approved by legal counsel and take any other actions needed to bind this coverage.

Regularly passed and adopted this 6th day of October, 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors

Through: Michelle Bouchard, Acting Executive Director

From: Rob Barnard, Deputy Chief, Rail Development

Subject: **Authorize Execution of Comprehensive Agreement with the County of Santa Clara in Support of the Mountain View Transit Center Grade Separation and Access Project**



Finance Committee  
Recommendation



Work Program-  
Legislative-Planning



Staff Coordinating  
Council Reviewed



Staff Coordinating Council  
Recommendation

**Action**

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

1. Authorize the Acting Executive Director, or designee, to execute a Comprehensive Agreement with County of Santa Clara for the Mountain View Transit Center Grade Separation and Access Project to reimburse the County for work in connection to the project in the not-to-exceed amount of \$135,000; and
2. Authorize the Acting Executive Director, or designee, to file any other required documentation and to take any other actions necessary to give effect to this action.

**Significance**

The Comprehensive Agreement is intended to memorialize the parties’ consultation and cooperation, designate their respective rights and obligations, and ensure cooperation between the JPB and County of Santa Clara in connection with the design and construction of the Mountain View Transit Center Grade Separation and Access Project (“Project”). The Comprehensive Agreement will provide for the JPB to reimburse the County of Santa Clara for plan review, inspection costs, and permits that may be incurred by the County in connection with County-owned facilities, roadways, and expressways affected by the implementation of the Project. The County of Santa Clara estimates that the cost for this effort is \$135,000.

### **Budget Impact**

There is no impact to the JPB's budget.

The costs for design-review, associated permit and inspection costs to be reimbursed to the County of Santa Clara are included in the overall project costs estimate for the Mountain View Transit Center Grade Separation and Access Project, which is funded by VTA and the City of Mountain View.

### **Background**

The Mountain View Transit Center Grade Separation and Access Project will improve safety and multimodal access to the Transit Center and Downtown Mountain View. The Project includes closing Castro Street at West Evelyn Avenue and redirecting motorized traffic to the existing Shoreline Blvd overpass via a new access ramp. A dedicated pedestrian and bicycle undercrossing will be constructed under the Caltrain tracks and Central Expressway to connect Castro Street with Moffett Boulevard on the other side.

The Project will be the first grade separation project in Santa Clara County funded by Measure B, which was passed in Santa Clara County in 2016. The 2016 Measure B establishes \$700 million in funding for grade separations in the cities of Palo Alto, Mountain View, and Sunnyvale. Castro Street/Moffett Boulevard and Rengstorff Avenue are the two grade separations in the City of Mountain View in the Measure B program.

At the JPB Board Meeting on August 4, 2022, the JPB adopted the CMGC Findings and authorized the use of the CMGC Project Delivery Method pursuant to Public Utilities Code Section 103393 et seq. for the Mountain View Transit Center Grade Separation and Access Project. The award of the CMGC Contract is anticipated to occur in summer/fall 2023.

The Comprehensive Agreement will help facilitate the design and construction of the Project by defining the roles and responsibilities among County of Santa Clara, the JPB and the CMGC contractor relative to implementation of the Mountain View Transit Center Grade Separation and Access Project.

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

**Resolution No. 2022 –**

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

\* \* \*

**Authorizing Comprehensive Agreement with County of Santa Clara in Support of the  
Mountain View Transit Center Grade Separation and Access Project in a Not to Exceed  
Amount of \$135,000**

**Whereas**, on June 2, 2022, Pursuant to Resolution No. 2022-31, the Peninsula Corridor Joint Powers Board (JPB) authorized award of a contract to HNTB Corporation for Mountain View Transit Center Grade Separation and Access Project, and Adoption of California Environmental Quality Act (CEQA) Determination and Addendum to the Mitigated Negative Declaration; and

**Whereas**, on August 4, 2022, pursuant to Resolution No. 2022-45, the JPB authorized the use of the Construction Manager/ General Contractor (CMGC) for the Mountain View Transit Center Grade Separation and Access Project; and

**Whereas**, the JPB desires to work with County of Santa Clara to facilitate the design and construction of the Mountain View Transit Center Grade Separation and Access Project and the JPB and the County wish to memorialize their on-going cooperation that during implementation of the Mountain View Transit Center Grade Separation and Access Project in an agreement; and

**Whereas**, the JPB is working with County of Santa Clara to develop procedures to: (1) cooperate during the design and construction process; (2) avoid unnecessary delays in the contracting, design or construction process; and (3) facilitate plan reviews and inspection of the

construction, relocation, and replacement, as necessary of, County-owned facilities affected by the Mountain View Transit Center Grade Separation and Access Project; and

**Whereas**, the Staff Coordinating Council recommends that the JPB enter into a Comprehensive Agreement with County of Santa Clara in support of the Mountain View Transit Center Grade Separation and Access Project that provides for the JPB's reimbursement of the County of Santa Clara in a not-to-exceed value of \$135,000 to provide design and construction support project.

**Now, Therefore, Be It Resolved** that the Board of Directors of the JPB hereby authorizes the Acting Executive Director, or designee, to execute a Comprehensive Agreement with County of Santa Clara to facilitate the design and construction of relative to County of Santa Clara owned facilities that may be affected by the Mountain View Transit Center Grade Separation and Access Project in not-to-exceed value of \$135,000.

Regularly passed and adopted this 6<sup>th</sup> day of October 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors

Through: Michelle Bouchard, Acting Executive Director

From: Rob Barnard, Deputy Chief, Rail Development

Subject: **Authorize Execution of the Amended Cooperative Agreement to Receive Funding for Additional Final Design Cost and the Construction Manager General Contractor (CMGC) Pre-Construction Phase and Amend the Project Budget from \$11,200,000 to \$18,200,000 for the Mountain View Transit Center Grade Separation and Access Project**



Finance Committee  
Recommendation



Work Program-  
Legislative-Planning



Staff Coordinating  
Council Reviewed



Staff Coordinating Council  
Recommendation

**Action**

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

1. Authorize the Executive Director, or designee, to execute the amended agreement with the City of Mountain View (City) and Santa Clara Valley Transportation Authority (VTA) for the Peninsula Corridor Joint Powers Board (JPB) to receive additional funding for the Final Design, Environmental Permitting and Right of Way Engineering phases and funding for the Construction Manager / General Contractor (CMGC) Pre-Construction phase for the Mountain View Transit Center Grade Separation and Access Project; and
2. Increase the Project budget by \$7,000,000, from \$11,200,000 to \$18,200,000; and
3. Authorize the Acting Executive Director, or designee, to file any other required documentation and to take any other actions necessary to give effect to this action.

**Significance**

The Mountain View Transit Center Grade Separation and Access Project (Project) will improve safety and multimodal access to the Transit Center and Downtown Mountain View. The project includes closing Castro Street at W. Evelyn Avenue and redirecting motorized traffic to the existing Shoreline Blvd overpass via a new access ramp. A dedicated pedestrian and bicycle

undercrossing will be constructed under the Caltrain tracks and Central Expressway to connect Castro Street with Moffett Boulevard on the other side.

The Amended Cooperative Agreement with VTA, City of Mountain View, and JPB, which the Board will be authorizing, by this action, will complete the Final Design, Environmental Permitting and Right of Way Engineering phases as well as the CMGC Pre-Construction phase of the Project. The CMGC Pre-construction phase will include the Pre-Construction services executed by the future CMGC Contractor to provide on-going design input, provide constructability reviews, prepare construction cost estimates, prepare construction schedule, and other critical components that would help reduce project costs, expedite the project completion and provide features not achievable through the traditional design-bid-build method.

Although the JPB's work as lead implementing agency will be fully funded by the VTA and City, approval by the Board of Directors to enter into these amended agreements is desired, given the magnitude of the Project and the JPB resources required to support it.

To date, approximately \$11.2M, with \$10M to be reimbursed by VTA and the City bearing \$1.2M of the City's own related costs, has been budgeted for the Final Design Phase. An additional \$3 million will be available for the completion of the Final Design, Environmental Permitting and Right of Way Engineering phases.

At this time, the parties estimate the CMGC Pre-Construction phase will cost approximately \$4 million, to be reimbursed by VTA to JPB for eligible CMGC Pre-Construction phase costs. VTA will bear its own costs of project oversight for this phase. Should additional funds be required for the design work for the relocation of non-franchise utilities or any other additional design work, the parties will seek funds from non-JPB sources. VTA will use 2016 Measure B funds to provide Project funding for these particular phases and scopes of work for eligible activities.

In FY2022, the Project budget was established at \$11,200,000 for the Final Design Phase, with \$10,000,000 for JPB and \$1,200,000 for City of Mountain View for final design related activities. An alternate project delivery method evaluation was conducted and on August 4, 2022, the JPB adopted the CMGC Findings and authorized the use of the CMGC Project Delivery Method pursuant to Public Utilities Code Section 103393 et seq. for the Mountain View Transit Center Grade Separation and Access Project. Costs related to Final Design, Environmental Permitting and Right of Way Engineering phases, and CMGC Pre-construction phase are outlined below:

<b>Final Design Phase</b>	<b>Amount</b>
HNTB Base Contract - Final Design	\$9,590,908
HNTB Option - Renderings	\$99,678
JPB Costs	\$1,808,064
Inter-Agency Agreements	\$300,000
Contingency	\$1,201,350
City of Mountain View Costs	\$1,200,000
<b>(A) Subtotal Costs and Funding</b>	<b>\$14,200,000</b>
<b>Construction Manager / General Contractor (CMGC) Pre-Construction Phase</b>	
HNTB Option – CMGC Final Design Support	\$1,143,227
CMGC RFP Delivery	\$350,000
Total Contract Price Negotiations	\$375,000
CMGC Pre-Construction	\$1,600,000
Contingency	\$531,773
<b>(B) Subtotal Costs and Funding</b>	<b>\$4,000,000</b>
<b>Total Costs and Funding (A+B)</b>	<b>\$18,200,000.00</b>

Following execution of the Amendment to the Cooperative Agreement between the JPB, VTA, and City for the Mountain View Transit Center Grade Separation and Access Project, JPB staff will include the additional funding contribution of \$7 million from VTA into the FY2023 Capital budget for the Project as follows: An additional \$3 million for the Final Design, Environmental Permitting and Right of Way Engineering phases, and \$4 million for the CMGC Pre-construction phase.

**Budget Impact**

Mountain View Transit Center Grade Separation and Access Project was originally approved by the board in FY2022 for a budget of \$11,200,000, funded by VTA Measure B and the City of Mountain View. To address the project cost increase of \$7,000,000 resulting from a rise in Final Design costs and the use of CMGC delivery method, staff recommends that the project budget be increased to \$18,200,000.

The executed Amendment to the Cooperative Agreement between the JPB, VTA, and the City of Mountain View for the Mountain View Transit Center Grade Separation and Access Project will provide additional funding of \$7,000,000 from VTA Measure B funds.



**Resolution No. 2022 –**

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

\* \* \*

**Authorize Execution of the Amended Cooperative Agreement to Receive Funding for Additional Final Design Cost and the Construction Manager General Contractor (CMGC) Pre-Construction Phase and Amend the Project Budget from \$11,200,000 to \$18,200,000 for the Mountain View Transit Center Grade Separation and Access Project**

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

**Whereas**, on June 2, 2022, pursuant to Resolution No. 2022-31, the Peninsula Corridor Joint Powers Board (JPB) authorized the award of contract to HNTB Corporation for the Mountain View Transit Center Grade Separation and Access Project, and Adoption of California Environmental Quality Act (CEQA) Determination and Addendum to the Mitigated Negative Declaration; and

**Whereas**, August 4, 2022, pursuant to Resolution No. 2022-45, the Peninsula Corridor Joint Powers Board (JPB) authorized the use of the Construction Manager/ General Contractor (CMGC) for the Mountain View Transit Center Grade Separation and Access Project; and

**Whereas**, the City and VTA desire to proceed with the CMGC Pre-Construction Phase; and

**Whereas**, the VTA will reimburse JPB \$7,000,000 to perform the Final Design, Environmental Permitting, Right of Way Engineering, and CMGC Pre-Construction Phase of the project; and

**Whereas,** the JPB, VTA, and the City desire that the JPB serve as the lead implementing agency for Pre-Construction phase of the Project; and

**Whereas,** all Project-related costs incurred by the JPB for the CMGC Pre-Construction phase will be paid for by the City and VTA; and

**Whereas,** since the Project was initially budgeted in Fiscal Year (FY) 2022, the total project cost for the planned added work will increase the budget from \$11,200,000 to \$18,200,000; and

**Whereas,** to address the planned Final Design and Pre-Construction services increases, staff recommends accepting 2016 Measure B Funds in the amount of \$7,000,000; and requests that the Board increase the total Project budget to \$18,200,000.

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

1. Authorizes the Acting Executive Director, or designee, to execute the amended agreement with VTA and the City for the JPB to receive funding and act as lead implementing agency for the Final Design, Environmental Permitting, Right of Way Engineering, and CMGC Pre-Construction phases of the Mountain View Grade Separation Project; and
2. Authorizes the Acting Executive Director to receive 2016 Measure B Funds in the amount of \$7,000,000 to support the Final Design, Environmental Permitting, Right of Way Engineering, and CMGC Pre-Construction phases, increasing the Project budget by \$7,000,000, from \$11,200,000 to \$18,200,000; and

3. Authorizes the Acting Executive Director, or designee, to file any other required documentation and to take any other actions necessary to give effect to this resolution.

Regularly passed and adopted this 6<sup>th</sup> day of October 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Grace Martinez, Acting Chief Financial Officer  
Subject: **Amend and Increase the Fiscal Year 2023 Caltrain Capital Budget by \$11,636,922 from \$90,956,662 to \$102,593,584**

*(Amendments made following Finance Committee meeting are in tracked changes)*

<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Work Program-Legislative-Planning Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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**Action**

Staff proposes that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) amend the Fiscal Year (FY) 2023 Capital Budget, included as Attachment B, as follows:

1. Include \$1,317,377 for the Guadalupe River Bridges Replacement and Extension Project; and
2. Include \$7,000,000 for the Mountain View Transit Grade Separation Project; and
3. Include \$3,319,545 for the Downtown Extension (DTX) Support Project.
4. Take any other actions necessary to give effect to this resolution including the execution of funding agreements and other documents required to receive the funding.

**Significance**

Staff proposes an amendment to the FY2023 Caltrain Capital Budget to include an additional \$11,636,922 for the above-mentioned projects, and as further discussed below. This budget increase is the result of agreements to provide funding toward the FY2023 Caltrain Capital Budget.

**Guadalupe River Bridges Replacement and Extension Project**

This capital project was originally approved by the board in FY2014. Since then, a number of amendments have been approved to increase the project budget to \$16,352,807. As part of the adoption of the FY2023 Capital Budget, \$9,642,066 was added to this project, increasing the project budget to \$25,994,873.

For FY2023, additional Local Partnership Program (LPP) funds in the amount of \$1,317,377 was made available to the project to support construction activities. This additional funding will increase the total project budget from \$25,994,873 to \$27,312,250.

**Mountain View Transit Grade Separation Project**

This project was approved by the board in FY2022 for a budget of \$11,200,000. The execution of the Amendment to the Cooperative Agreement between JPB, Valley Transportation Authority (VTA), and the City of Mountain View will provide additional funding of \$7,000,000 from VTA Measure B funds. This additional funding will increase the total project budget from \$11,200,000 to \$18,200,000.

**Downtown Extension (DTX) Support Project**

In FY2022, a budget of \$311,329 was established for the Downtown Extension (DTX) Support Project. As part of the adoption of the FY2023 Capital Budget, \$500,000 was added, resulting in a total project budget of \$811,329.

JPB entered into a [Memorandum of Understanding \(MOU\) Letter of Agreement \(LOA\)](#) with Transbay Joint Powers Authority (TJPA) to support TJPA in the implementation of the Accelerated Work Plan related to the Downtown Extension (DTX) project. Pursuant to the MOU, TJPA will reimburse JPB of eligible staff and consultant costs up to \$3,319,545, [inclusive of a \\$1,500,000 contribution that JPB has committed to TJPA as DTX Funding as part of the adoption of the FY2023 Capital Budget.](#) This additional funding will increase the total project budget from \$811,329 to \$4,130,874.

**Budget Impact**

The funding for this budget amendment shall be as follows:

<b>Project</b>	<b>Funding Source</b>	<b>Amount</b>
Guadalupe River Bridges Replacement and Extension Project	Local Partnership Program Funds	\$1,317,377
Mountain View Transit Grade Separation Project (separate agenda item)	Valley Transportation Authority Measure B	\$7,000,000
Downtown Extension (DTX) Support Project	Transbay Joint Powers Authority	\$3,319,545

**Background**

The Board previously approved the FY2023 Capital Budget on June 2, 2022 for a total amount of \$90,956,662. An earlier board item on this agenda requesting a project budget increase for Mountain View Transit Grade Separation Project has been included in this capital budget amendment request. Proposed amendments described above would increase the FY2023 Capital Budget to \$102,593,584.

Prepared By: Claudette Valbuena, Manager, Budgets  
Ladi Millard-Olmeda, Director, Budgets

**Resolution No. 2022-**

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

\* \* \*

**Amend the Fiscal Year 2023 Caltrain Capital Budget by \$11,636,922  
from \$90,956,662 to \$102,593,584**

**Whereas**, pursuant to Resolution No. 2022-32 adopted on June 2, 2022, the Peninsula Corridor Joint Powers Board (JPB) adopted Fiscal Year (FY) 2023 Capital Budget for a total authorized budget of \$90,956,662; and

**Whereas**, additional Local Partnership Program (LPP) funds in the amount of \$1,317,377 are available for the Guadalupe River Bridges Replacement and Extension Project; and

**Whereas**, additional Valley Transportation Authority (VTA) Measure B funds in the amount of \$7,000,000 are available for the Mountain View Transit Grade Separation Project, as provided for in the Amended Cooperative Agreement between JPB, VTA, and the City of Mountain View, , as referenced in a separate agenda item; and

**Whereas**, additional funds in the amount of \$3,319,545 are available for the Downtown Extension (DTX) Support Project, as provided for in the Memorandum of Understanding between JPB and the Transbay Joint Powers Authority (TJPA); and

**Whereas**, Staff recommends that the Board increase the total project authority for the Guadalupe River Bridges Replacement and Extension Project from \$25,994,873 to \$27,312,250.

**Whereas**, Staff recommends that the Board increase the total project authority for the Mountain View Transit Grade Separation Project from \$11,200,000 to \$18,200,000.

**Whereas**, Staff recommends that the Board increase the total project authority for the Downtown Extension (DTX) Support Project from \$811,329 to \$4,130,874.

**Now, Therefore, Be It Resolved** that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board hereby approves an amendment to the FY2023 Capital Budget for a total authorized capital budget increase of \$11,636,922, from \$90,956,662 to \$102,593,584.

Regularly passed and adopted this 6<sup>th</sup> day of October, 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary



FY2023 AMENDED CAPITAL BUDGET

Attachment B  
Amendment 1  
October 2022

Item #	PROJECT NAME	FY2023 ADOPTED CAPITAL BUDGET	Amendment 1	FY2023 AMENDED CAPITAL BUDGET	Federal Funds	STA SOGR	Unrestricted Funds	Member Agency Funds					Others		FY2023 ADOPTED CAPITAL BUDGET	
								San Francisco	San Mateo	Santa Clara (Gen Funds)	Santa Clara (Measure B)	Total	Others	Externally Funded		Total
<b>i. SOGR</b>																
<b>Bridges</b>																
1	<i>Guadalupe Bridges Replacement<sup>1</sup></i>	9,642,066	1,317,377	10,959,443	6,353,943	-	-	-	-	-	-	-	4,605,500	-	4,605,500	10,959,443
<i>Total Project Budget (Post-Amendment): \$27,312,250</i>																
2	San Francisquito Creek Bridge Replacement	60,000		60,000	48,000		12,000									60,000
<b>Total Bridges</b>		<b>9,702,066</b>	<b>1,317,377</b>	<b>11,019,443</b>	<b>6,401,943</b>	<b>-</b>	<b>12,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,605,500</b>	<b>-</b>	<b>4,605,500</b>	<b>11,019,443</b>
<b>Right of Way</b>																
3	SOGR Track	7,000,000		7,000,000	5,600,000	736,744	63,256	600,000				600,000				7,000,000
4	Track Tie Replacement	500,000		500,000	400,000							100,000				500,000
5	SOGR ROW	800,000		800,000		800,000										800,000
6	ROW Fencing	1,500,000		1,500,000			50,000	1,450,000				1,450,000				1,500,000
<b>Total Right of Way</b>		<b>9,800,000</b>	<b>-</b>	<b>9,800,000</b>	<b>6,000,000</b>	<b>1,536,744</b>	<b>113,256</b>	<b>2,050,000</b>	<b>-</b>	<b>-</b>	<b>100,000</b>	<b>2,150,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>9,800,000</b>
<b>Signal &amp; Communications</b>																
7	SOGR Signal & Communications	3,000,000		3,000,000	2,400,000		600,000									3,000,000
8	SOGR Fiber Optic	2,585,300		2,585,300	2,068,240		517,060									2,585,300
<b>Total Signal &amp; Communications</b>		<b>5,585,300</b>	<b>-</b>	<b>5,585,300</b>	<b>4,468,240</b>	<b>-</b>	<b>1,117,060</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,585,300</b>
<b>Rolling Stock</b>																
9	SOGR Locomotive FY23	1,500,000		1,500,000			650,000			850,000		850,000				1,500,000
<b>Total Rolling Stock</b>		<b>1,500,000</b>	<b>-</b>	<b>1,500,000</b>	<b>-</b>	<b>-</b>	<b>650,000</b>	<b>-</b>	<b>-</b>	<b>850,000</b>	<b>-</b>	<b>850,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,500,000</b>
<b>Station &amp; Intermodal Access</b>																
10	SOGR Facilities	1,000,000		1,000,000			1,000,000									1,000,000
11	SOGR Historical Stations	1,000,000		1,000,000					1,000,000		1,000,000					1,000,000
<b>Total Station &amp; Intermodal Access</b>		<b>2,000,000</b>	<b>-</b>	<b>2,000,000</b>	<b>-</b>	<b>-</b>	<b>1,000,000</b>	<b>-</b>	<b>-</b>	<b>1,000,000</b>	<b>-</b>	<b>1,000,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,000,000</b>
<b>Total SOGR</b>		<b>28,587,366</b>	<b>1,317,377</b>	<b>29,904,743</b>	<b>16,870,183</b>	<b>1,536,744</b>	<b>2,892,316</b>	<b>2,050,000</b>	<b>-</b>	<b>1,850,000</b>	<b>100,000</b>	<b>4,000,000</b>	<b>4,605,500</b>	<b>-</b>	<b>4,605,500</b>	<b>29,904,743</b>
<b>ii. LEGAL MANDATES AND ELECTRIFIED SERVICE RAIL PROGRAM INTEGRATION</b>																
12	CCTV End of Life Equipment	75,000		75,000			75,000									75,000
<b>Total</b>		<b>75,000</b>	<b>-</b>	<b>75,000</b>	<b>-</b>	<b>-</b>	<b>75,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>75,000</b>
<b>iii. OPERATIONAL IMPROVEMENTS/ENHANCEMENTS</b>																
13	PADS Replacement	1,060,000		1,060,000			1,060,000									1,060,000
14	Next Generation Visual Messaging Sign (VMS)	2,700,000		2,700,000			2,700,000									2,700,000
15	BCCF Virtualization Project	1,200,000		1,200,000			1,200,000									1,200,000
16	Broadband Communication	5,193,586		5,193,586			5,193,586									5,193,586
17	Caltrain VoIP	222,000		222,000			222,000									222,000
18	Technology Refresh Assessment	325,000		325,000			325,000									325,000
19	GIS System - Update & Upgrade	2,000,333		2,000,333			2,000,333									2,000,333
20	Enterprise Asset Management Software System	1,048,000		1,048,000			1,048,000									1,048,000
21	Backup Central Control Facility (BCCF) Office Remodel	1,000,000		1,000,000			1,000,000									1,000,000
22	Support for Property Mapping	500,000		500,000			500,000									500,000
23	South Linden & Scott Grade Separation*	5,500,000		5,500,000									5,500,000	5,500,000		5,500,000
24	Mary Ave/Sunnyvale Ave Grade Separation*	18,898,000		18,898,000									18,898,000	18,898,000		18,898,000
25	Rengstorff Grade Separation*	8,715,436		8,715,436									8,715,436	8,715,436		8,715,436
26	Middle Ave Undercrossing*	400,000		400,000									400,000	400,000		400,000
27	Bernardo Ave Undercrossing*	4,990,000		4,990,000									4,990,000	4,990,000		4,990,000
28	San Mateo Grade Crossing Improvements*	2,066,941		2,066,941									2,066,941	2,066,941		2,066,941
42	<i>Mountain View Transit Grade Separation<sup>2</sup></i>	-	7,000,000	7,000,000									7,000,000		7,000,000	7,000,000
<i>Total Project Budget (Post-Amendment): \$18,200,000</i>																
<b>Total</b>		<b>55,819,296</b>	<b>7,000,000</b>	<b>62,819,296</b>	<b>-</b>	<b>-</b>	<b>15,248,919</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>7,000,000</b>	<b>40,570,377</b>	<b>47,570,377</b>	<b>62,819,296</b>
<b>iv. PLANNING/STUDIES</b>																
29	<i>DTX Support<sup>3</sup></i>	500,000	3,319,545	3,819,545			500,000						3,319,545		3,319,545	3,819,545
<i>Total Project Budget (Post-Amendment): \$4,130,874</i>																
30	Redwood City Corridor Planning	1,000,000		1,000,000			25,000		975,000			975,000				1,000,000
31	Rail Network and Operations Planning	200,000		200,000			200,000									200,000
32	Transit-Oriented Development Studies	750,000		750,000			750,000									750,000
33	Electric Multiple-Unit (EMU) Hybridization	350,000		350,000						350,000		350,000				350,000
34	San Francisco Corridor and Stations Planning	250,000		250,000				250,000				250,000				250,000
35	SF Railyards Preliminary Business Case	250,000		250,000			250,000									250,000
36	Caltrain Access Policy Update	100,000		100,000			100,000									100,000
37	Capital Planning Technical Support	250,000		250,000			250,000									250,000
<b>Total</b>		<b>3,650,000</b>	<b>3,319,545</b>	<b>6,969,545</b>	<b>-</b>	<b>-</b>	<b>2,075,000</b>	<b>250,000</b>	<b>975,000</b>	<b>-</b>	<b>350,000</b>	<b>1,575,000</b>	<b>3,319,545</b>	<b>-</b>	<b>3,319,545</b>	<b>6,969,545</b>



FY2023 AMENDED CAPITAL BUDGET

Attachment B  
Amendment 1  
October 2022

Item #	PROJECT NAME	FY2023 ADOPTED CAPITAL BUDGET	Amendment 1	FY2023 AMENDED CAPITAL BUDGET	Federal Funds	STA SOGR	Unrestricted Funds	Member Agency Funds				Others			FY2023 ADOPTED CAPITAL BUDGET	
								San Francisco	San Mateo	Santa Clara (Gen Funds)	Santa Clara (Measure B)	Total	Others	Externally Funded		Total
<b>v. DTX FUNDING</b>																
38	DTX Funding	1,500,000		1,500,000	-	-	1,500,000									1,500,000
	<b>Total</b>	<b>1,500,000</b>	<b>-</b>	<b>1,500,000</b>	<b>-</b>	<b>-</b>	<b>1,500,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,500,000</b>
<b>vi. CAPITAL/CONTINGENCY FUNDS</b>																
39	Capital Contingency Funds - Engineering	330,000		330,000	-	-			330,000			330,000	-	-	-	330,000
40	Capital Contingency Funds - Rail	660,000		660,000	-	-			660,000			660,000	-	-	-	660,000
41	Capital Project Development	335,000		335,000	-	-			335,000			335,000	-	-	-	335,000
	<b>Total</b>	<b>1,325,000</b>	<b>-</b>	<b>1,325,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,325,000</b>	<b>-</b>	<b>-</b>	<b>1,325,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,325,000</b>
	<b>Total</b>	<b>90,956,662</b>	<b>11,636,922</b>	<b>102,593,584</b>	<b>16,870,183</b>	<b>1,536,744</b>	<b>21,791,235</b>	<b>2,300,000</b>	<b>2,300,000</b>	<b>1,850,000</b>	<b>450,000</b>	<b>6,900,000</b>	<b>14,925,045</b>	<b>40,570,377</b>	<b>55,495,422</b>	<b>102,593,584</b>

\* Project is externally funded and relies on separate, project-specific funding plan.

<sup>1</sup> \$1,317,377 is funded by Local Partnership Program (LPP) funds

<sup>2</sup> \$7,000,000 is funded by Valley Transportation Authority (VTA) Measure B through an Amended Cooperative Agreement between JPB, VTA, and City of Mountain View

<sup>3</sup> \$3,319,545 is funded by Transbay Joint Powers Authority (TJPA) through a Memorandum of Understanding (MOU) between JPB and TJPA

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Lawrence Leung, Manager, Rail Contracts & Budget  
Melissa Reggiardo, Manager, Caltrain Planning  
Subject: **Accept On-Call Transportation Planning and Consultant Support Services Update**



Finance Committee  
Recommendation



Work Program-  
Legislative-Planning  
Committee  
Recommendation



Staff Coordinating  
Council Reviewed



Staff Coordinating Council  
Recommendation

**Action**

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

**Significance**

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

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

The tables below provide an update of contract activities from June 4<sup>th</sup>, 2022 thru September 8<sup>th</sup>, 2022. Table 1 summarizes the contract capacity status. Table 2 updates the percentage of capacity used against the percent time elapsed. Table 3 shows the Board approved dates and amounts. Table 4 aggregates the WD amounts issued to each of the vendors. Table 5 describes each of the WDs issued since the last reporting period.

**Budget Impact**

There is no impact on the budget.

**Background**

Pursuant to Resolution No. 2020-18, the Board of Directors (Board) awarded contracts to Fehr & Peers, HNTB Corporation, Kimley-Horn & Associates, Inc., Arup North America Ltd., Mott MacDonald Group Inc., and WSP USA, Inc., consisting of a five-year base term for an aggregate not-to-exceed amount of \$25,000,000 with two additional, one-year option terms in an aggregate not-to-exceed amount of \$5,000,000 for each option year.



**Table 1**

<b>Contract Summary</b>	<b>Years</b>	<b>Amount</b>
Total Capacity:	7.0	\$35,000,000
Exercised:	5.0	\$25,000,000
Work Directives Issued:		\$15,695,405
Remaining Exercised Capacity:		\$9,304,595

**Table 2**

<b>Contract Days</b>	<b>Days Elapsed</b>	<b>% Time Elapsed</b>	<b>Capacity Used</b>
1825	799	44%	63%

**Table 3**

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

**Table 4**

<b>Vendor</b>	<b>Fehr &amp; Peers</b>	<b>HNTB</b>	<b>Kimley-Horn</b>	<b>ARUP</b>	<b>Mott</b>	<b>WSP</b>
<b>Contract #</b>	20-J-P-006A	20-J-P-006B	20-J-P-006C	20-J-P-006D	20-J-P-006E	20-J-P-006F
<b>Total WDs Issued</b>	\$2,842,923	\$4,100,566	\$4,461,097	\$1,183,094	\$2,654,096	\$453,628
<b>Previous Reporting Period</b>	\$2,458,283	\$1,526,948	\$3,057,186	\$1,033,094	\$2,370,439	\$499,528
<b>Current Reporting Period</b>	\$384,640	\$2,573,618	\$1,403,911	\$150,000	\$283,657	\$(45,900)

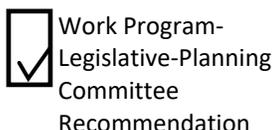
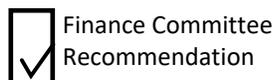
Table 5

WD#	Title	Description (Updates in Bold)	Vendor	Updated	Start	(Revised) End	Current Value
10447	Caltrain Go Pass Donation Program Support	Consultant support for the Go Pass Donation Program. A1 extended to 6/30/22. A2 added \$15k to partially fund Phase 2. <b>A3 extended from 6/30/22 to 12/31/22.</b>	Mott	9/2/2022	6/14/2021	<b>12/31/2022</b>	\$65,942.33
10672	Caltrain Construction Timetable Production	Support to: produce a temporary construction timetable for weekday Caltrain service to accommodate single-tracking required for the Electrification Project, produce two options for a weekend train schedule that would accommodate a midline bus bridge, and develop supporting documents including string line charts and a power point presentation describing the service plan for JPB.	Fehr & Peers	9/2/2022	8/31/2022	10/1/2022	\$33,832.16
23107 01000	Rail Operations and Maintenance Planning Manager	Seconded staff support for Rail Operations and Maintenance (O&M) Planning for electrified service. The service request includes one full time Rail O&M Planning Manager to manage all work related to railroad readiness for electrified service.	HNTB	9/2/2022	9/3/2022	6/30/2024	\$1,231,940.07
10450	Major Stations Planning Support	Support for major station projects managed within the Planning Department, primarily the San Francisco Railyards, Downtown Extension (DTX) and Diridon station.	Mott	9/1/2022	9/1/2022	3/31/2023	\$283,657.22
10300	<sup>1</sup> Business Plan - Project Management Support	Project management to support the continuation and completion of the Caltrain Business Plan technical work. A1 added \$155k for additional support. A2 added \$15k for additional support. A3 added \$135k for additional support. A4 extended to 12/31/21. A5 added \$30k for additional support and extended from 6/30/21 to 12/31/21. <b>A6 extended from 12/31/21 to 9/30/22.</b>	Fehr & Peers	8/15/2022	7/1/2020	<b>9/30/2022</b>	\$508,683.45
10301	<sup>1</sup> Business Plan - Outreach Support	Stakeholder outreach to support the continuation and completion of the Caltrain Business Plan technical work. A1 added \$60k for additional support. A2 from 6/30/21 to 12/31/21. A3 extended from 12/31/21 to 3/31/22. <b>A4 extended from 3/31/22 to 9/30/22.</b>	Fehr & Peers	8/15/2022	7/1/2020	<b>9/30/2022</b>	\$104,208.64
10671	Schedule & Service Plan Alternatives Analysis	Support to: analyze our current 104 train per weekday/32 trains per weekend day schedule to determine the optimal crew and equipment (trainset) requirements, develop a new schedule to reduce the overall equipment requirements and/or to provide more maintenance time for the existing rolling stock, and look at alternative service plans to increase track time for construction activities.	Fehr & Peers	8/15/2022	8/15/2022	10/1/2022	\$68,141.49
10305	<sup>2</sup> DISC Plan – Technical Support & Analysis	Technical management and support and organizational, governance and funding analysis and strategy for the remainder of Phase I of the Diridon Station Concept Plan. A1 added \$59k for additional support. A2 added \$208k and extended from 6/30/21 to 10/31/21. A3 revised scope. A4 extended from 10/31/21 to 2/28/22. <b>A5 extended from 2/28/22 to 6/30/22. A6 extended from 6/30/22 to 9/30/22.</b>	Kimley-Horn	8/10/2022	9/3/2020	<b>9/30/2022</b>	\$594,682.00
10669	Caltrain Policy, Strategy and Communications Support	Support in the areas of policy and strategy on a number of key issues including the Caltrain governance.	Fehr & Peers	8/10/2022	7/1/2022	12/31/2022	\$174,991.15
10670	Short Range Transit Plan (S RTP) Reimagined	Support to draft the Caltrain Short Range Transit Plan (S RTP) Reimagined. Such consultant help and support is sought by Fehr & Peers based on prior work on Caltrain's Business Plan, recent COVID-19 Recovery & Scenario Planning efforts, and planning support for Caltrain's March 2022 Special Finance meeting. It is anticipated that prior work by Fehr & Peers can be used as background and backup documentation for this effort.	Fehr & Peers	8/5/2022	8/5/2022	12/31/2022	\$44,905.95
10337	Clipper 2.0 Implementation Project Management	Project management and consulting services for the Clipper 2.0 program (project) administered by the MTC. The project is currently underway with final design review expected to be provided in July 2021. The consultant will provide project management and ongoing consultant services for both Caltrain and SamTrans (the District). The expectation is that 50% of the CONSULTANT'S time will be dedicated to each of the two agencies. <b>A1 extended from 6/30/22 to 6/30/23.</b>	HNTB	7/27/2022	8/16/2021	<b>6/30/2023</b>	\$126,379.00

WD#	Title	Description (Updates in Bold)	Vendor	Updated	Start	(Revised) End	Current Value
10429	PCEP Grant Application Support	Consultant shall help develop a grants strategy and grant application development to help Caltrain close a \$410 million funding gap in the Peninsula Corridor Electrification Project (PCEP). A1 added \$121k for additional support. <b>A2 reduced \$46k for descoping.</b>	WSP	7/27/2022	1/25/2022	12/31/2022	\$353,719.07
10700	San Francisco DTX Agreement Development Services	Support on Agreement Development services for Caltrain as part of the development of the San Francisco Downtown Extension (DTX) project. <b>A1 added \$1.1M for additional support to develop term sheets and a final Master Cooperative Agreement with the Transbay Joint Powers Authority (TJPA).</b>	HNTB	7/26/2022	2/8/2022	6/30/2023	\$1,470,911.23
10309	Caltrain Governance Support	Support for Caltrain's governance process including the following tasks: assisting with designing and structuring meetings, providing meeting facilitation services, developing and producing visual communications and graphics, and providing notetaking services during meetings. A1 added \$44k for additional support and extended from 12/31/21 to 6/30/22. A2 added \$92k for additional support. <b>A3 added \$26k for additional support.</b>	Fehr & Peers	6/30/2022	2/22/2021	6/30/2022	\$265,563.06
10310	Caltrain Policy, Strategy and Communications Support	Support to Caltrain in the areas of policy and strategy on a number of key issues including the Caltrain governance process as well as other areas. <b>A1 added \$37k for additional support.</b>	Fehr & Peers	6/30/2022	9/1/2021	6/30/2022	\$308,198.96
10342	DSAP Architectural Services	Development support services including planning, land use, economic, environmental and development strategy associated with commercial development on the Caltrain-owned parcels within the Diridon Station Area Plan area in the City of San Jose. A1 \$1.085M initially budgeted but \$578k authorized for FY21, so A1 authorized another \$411k and extended from 6/30/21 to 6/30/22. <b>A2 authorized remaining \$96k to fully fund initial budget of \$1.085M, authorized \$54k of 5% contingency in initial budget for a total of \$150k, and extended from 6/30/22 to 6/30/23.</b>	ARUP	6/30/2022	1/6/2021	6/30/2023	\$1,139,259.00
10470	PM & Support for Corridor Wide Grade Sep Strategy	Provide project management and staff support services on Caltrain's Corridor Wide Grade Separation Strategy (CCWGS). The CCWGS has been discussed as a Caltrain priority since 2019 when it was first identified as a future study need as part of the Caltrain Business Plan Process. The study effort was funded as part of Caltrain's FY19 Capital Budget but was significantly delayed due to the COVID Pandemic. Caltrain is now seeking to launch this important effort as expeditiously as possible.	Kimley-Horn	6/16/2022	6/16/2022	6/30/2023	\$1,403,911.00
23085 32000	Communications and Outreach Program Support for PCEP FY23	Communication and outreach program support including a comprehensive marketing and communications program for PCEP in FY23.	HNTB	6/13/2022	7/1/2022	6/30/2023	\$269,813.00
10299	Business Plan - Business Modeling Support	Business modeling support including the evaluation of potential service and operating scenarios and the development of business modeling tools. A1 added \$27k for additional support and extended from 6/30/21 to 12/31/21. A2 added \$22k for additional support and extended from 12/31/21 to 6/30/22. <b>A3 extended from 6/30/22 to 9/30/22.</b>	Fehr & Peers	6/9/2022	8/1/2020	9/30/2022	\$116,310.00

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Robert Barnard, Deputy Chief, Rail Development  
Subject: **Authorize the Execution of the Necessary Agreements and Amendments to Receive Funds and Act as the Project Lead to Deliver the Final Design Phase of the Rengstorff Avenue Grade Separation Project**



**Action**

Staff Coordinating Council recommends the Board:

1. Authorize the Acting Executive Director, or designee, to execute agreements with the City of Mountain View (City) and the Santa Clara Valley Transportation Authority (VTA) for the Peninsula Corridor Joint Powers Board (JPB) to receive funds and to act as the project lead to deliver the final design phase of the Rengstorff Avenue Grade Separation project; and
2. Authorize the Executive Director, or designee, to file any required documentation and to take any additional actions necessary to give effect to deliver this action.

**Significance**

The JPB has completed the preliminary design and the environmental clearance for the Rengstorff Avenue Grade Separation. Moving forward, the City of Mountain View (City), the Santa Clara Valley Transportation Authority (VTA) and the Peninsula Corridor Joint Powers Board (JPB) staff believe that the best approach is for the JPB to act as the lead implementing agency, with VTA taking on the Funding and Oversight role and the City serving as the Project Sponsor, Funding Partner and the Community Outreach lead.

A cooperative agreement between the VTA, the City and the JPB will define the roles and responsibilities of each party for the final design phase. Several other agreements including but not limited to construction and real estate will be executed in the future. The cost of the next phase of work for this project, the final design, is estimated at \$20.0 million. To fund this phase of work, VTA will contribute \$18.5 million in 2016 Measure B funds and the City will contribute \$1.5 million. During the final design phase, detailed design work will be performed and bid documents for construction will be prepared.

### **Budget Impact**

The design phase is fully funded by the VTA and the City. Therefore, no budget impact to the JPB is expected.

### **Background**

For the past several years, the JPB has served as the lead agency for the engineering design and environmental clearance, and eventual construction, of grade separations in San Mateo County, including projects in the Cities of San Bruno and San Mateo.

In 2016, Santa Clara County voters approved Measure B, which established \$700 million in funding for the grade separation of eight roads that intersect the Caltrain tracks in the cities of Palo Alto, Mountain View, and Sunnyvale. The intersection at Castro Street and Moffett Boulevard, along with Rengstorff Avenue, are the two grade separations in the City of Mountain View.

The Rengstorff Avenue Grade Separation Project (Project) will: (1) grade separate Rengstorff Avenue from the JPB rail crossing by depressing the intersection at Rengstorff Avenue and Central Expressway below grade and leaving the railroad at approximately the existing elevation in Mountain View; (2) close Crisanto Avenue and Leland Avenue; (3) construct Leland Connector to maintain vehicular access to the market and residential area on the west side of Rengstorff Avenue; and (4) construct a bicycle and pedestrian bridge parallel to the JPB tracks to maintain an east-west connection across Rengstorff Avenue. The goal of the project is to improve safety, increase mobility of the surrounding communities, improve accessibility to the emergency vehicles, reduce noise and improve air-quality. The detailed design phase is expected to start in April of 2023 and finish in March of 2025. The construction is expected to start in Summer 2025 and finish in Winter 2027.

Prepared By: Arul Edwin

Senior Project Manager

650.339.8845

**Resolution No. 2022-**

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

\* \* \*

**Authorizing the Execution of the Necessary Agreements and Amendments to Receive Funds  
and Act as the Project Lead to deliver the Final Design phase of the Rengstorff Avenue Grade  
Separation Project**

**Whereas**, the Peninsula Corridor Joint Powers Board (JPB) is a public agency existing under the laws of the State of California and operates commuter rail passenger service (“Caltrain”) along a seventy-seven (77) mile route between San Francisco and Gilroy, California; and

**Whereas**, the Santa Clara Valley Transportation Authority (VTA), is a public agency existing under the laws of the State of California and is a member agency of the JPB and is authorized to design, fund, and construct transportation improvements in and near the County of Santa Clara; and

**Whereas**, the City of Mountain View, is a California charter city and municipal corporation (“City”), is the sponsor of the Rengstorff Avenue Grade Separation Project; and

**Whereas**, on November 8, 2016, the voters of Santa Clara County enacted 2016 Measure B for 30 years to pay for nine transportation-related program categories (“2016 Measure B”); and

**Whereas**, on October 5, 2017, the VTA Board of Directors established the 2016 Measure B Program and adopted the 2016 Measure B Program Category Guidelines; and

**Whereas**, 2016 Measure B includes a “Caltrain Grade Separations” program category for the purpose of funding grade separation projects along the Caltrain corridor in the cities of

Sunnyvale, Mountain View, and Palo Alto, separating the Caltrain tracks from roadways to provide increased safety benefits for drivers, bicyclists, and pedestrians and also reduce congestion at the intersections (“Grade Separation Program Projects”); and

**Whereas**, the implementation of the Grade Separation Program Projects will enable Caltrain to operate more frequent service without negatively impacting local traffic while also making rail operations safer by separating rail operations from local streets; and

**Whereas**, the JPB is responsible for the safe and reliable operation of its train service and the passengers who use it, and the JPB retains responsibility for the final design and construction of Grade Separation Program Projects occurring on its right of way; and

**Whereas**, VTA is responsible for the allocation and use of the 2016 Measure B funding for the Grade Separation Program Projects and will provide oversight, guidance, and support throughout all applicable phases of the Grade Separation Program Projects; and

**Whereas**, the City of Mountain View (City) is responsible for the provision of non-2016 Measure B Contribution Requirement to sponsor Grade Separation Program Projects within the City; and

**Whereas**, the JPB, the City, and VTA desire to grade-separate the Rengstorff Avenue at-grade crossing to improve safety and reduce traffic congestion, and the JPB has completed the preliminary design and the environmental clearance for the Rengstorff Avenue Grade Separation. The City, VTA, and the JPB staff believe that the best approach is for the JPB to act as the lead implementing agency, with VTA taking on the Funding and Oversight role and the City serving as the Project Sponsor, Funding Partner, and the Community Outreach lead: and

**Whereas**, the City and VTA desire to proceed with the final design phase of the Project and the total cost of the final design phase of the Project is estimated to be approximately \$20 million; VTA has budgeted \$18.5 million for the final design phase of the Project; the City has budgeted \$1.5M for the final design phase of the Project; the JPB, VTA and the City desire that the JPB continue as the lead implementing agency for the final design phase of the project; and all Project-related costs incurred by the JPB for the final design phase will be paid for by the City and VTA; and

**Whereas**, the Staff Coordinating Council recommends the Board:

1. Authorize the Acting Executive Director, or designee, to execute agreements with the City and VTA for the JPB to receive funds and to act as the project lead to deliver the final design phase of the Rengstorff Avenue Grade Separation project; and
2. Authorize the Acting Executive director, or designee, to file any required documentation and to take any additional actions necessary to give effect to deliver this action.

**Now, Therefore, Be It Resolved** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorize the Acting Executive Director, or designee, to execute agreements with the City and VTA for the JPB to receive funds and to act as the project lead to deliver the final design phase of the Rengstorff Avenue Grade Separation project; and

**Be It Further Resolved** that the Board of Directors authorize the Acting Executive Director, or designee, to file any required documentation and to take any additional actions necessary to give effect to accomplish this action.

Regularly passed and adopted this 6th day of October 2022, by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors

Through: Michelle Bouchard  
Acting Executive Director

From: Dahlia Chazan  
Deputy Chief, Caltrain Planning

Subject: **Approve the Compatibility of the Proposed Vehicular Bridge Crossing of the Caltrain Corridor at Communications Hill Boulevard in San Jose**

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

**Action**

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) approve the proposed project for a new vehicular bridge crossing of the Caltrain rail corridor at Communications Hill Boulevard in San José as compatible, with conditions, with current and future railroad needs.

**Significance**

KB Home, Inc. is the project sponsor for a proposed new vehicular bridge crossing of the Caltrain right-of-way (ROW) at Communications Hill Boulevard in the City of San José. This proposed capital project is in the initial stages of conceptual design, with the bridge’s design currently in development and under consideration. Once constructed, the completed bridge over the Caltrain ROW will provide a new east-west connection to serve the new community that is being developed on Communications Hill in San José.

The JPB has a long-established property access agreement process for reviewing and approving third parties’ proposed uses of its property, including proposed capital projects such as the Communications Hill Boulevard Bridge. The first stage of review now includes determining the compatibility of the proposed use with the current and future rail needs, using the Caltrain Rail Corridor Use Policy (RCUP) that was adopted by the Board in February 2020. After compatibility is confirmed, all proposed uses proceed through the various stages of the design and delivery process to ensure compliance with JPB engineering, operational, and regulatory requirements. This includes conceptual design, preliminary design, environmental clearance, final design, and eventually construction. Construction and maintenance and property access agreements could start to be negotiated as early as 35 percent design and would be approved prior to construction.

JPB staff initiated the property access agreement process for the proposed vehicular bridge at Communications Hill based on a request of the project sponsors. Using the RCUP, JPB staff reviewed the proposed project for initial compatibility with current and future rail needs. In accordance with the adopted RCUP, the proposed project was found initially to be “incompatible.” As laid out in the RCUP, JPB staff then completed additional review through the RCUP’s Use Variance process (described in more detail below, in “Background”).

Consistent with the Use Variance process, JPB staff has developed a recommendation for the Board’s approval regarding the compatibility of the proposed Communications Hill Boulevard Bridge based on a number of key conditions that ensure the project will be developed and delivered in a manner consistent with the railroad’s policies and current and future needs. The Board’s approval of the proposed project’s compatibility with current and potential future rail needs is required to advance the project through the design, delivery, and property access agreement processes.

At this time, staff recommends that the Board approve the compatibility of the proposed vehicular bridge crossing at Communications Hill Boulevard with conditions, which are summarized below and are detailed in the resolution. These conditions are critical to ensuring the success of this proposed project as it moves forward through technical review in the JPB’s capital project design and delivery processes.

A summary of recommended conditions to ensure compatibility with current and future rail needs is as follows:

- Minimize impacts to railroad infrastructure, operations, and maintenance;
- Ensure JPB compliance with existing Union Pacific Railroad and California High Speed Rail Authority agreements;
- Comply with Caltrain construction standards;
- Achieve compatibility with future projects to support achievement of Caltrain’s Long-Range Service Vision;
- KB Home, Inc. will lead the design and construction processes, with JPB providing support and coordination; and
- Agreements will document roles and responsibilities in each phase of project development.

### **Background**

The proposed Communications Hill Boulevard Bridge is included in the City of San José’s General Plan and Communications Hill Specific Plan, and the City has required its construction as part of the entitlements process for the Communications Hill development project. Caltrain staff understands the bridge’s importance in providing access and enhancing connectivity in the surrounding communities in San José, including the housing, commercial, industrial, and public uses in the new Communications Hill development.

The JPB frequently receives requests from third parties to use its property and has a long-established process to consider and approve them. The first step in the process is to ensure the proposed use would be compatible with current and future rail needs in the corridor, in support of Caltrain's mission as a rail service provider. To provide a transparent decision-making process regarding the compatibility of proposed uses, the JPB adopted the RCUP in 2020, shortly after adopting Caltrain's Long-Range Service Vision in 2019. The RCUP provides a Board-adopted policy to check the compatibility of proposed uses and guide the use of JPB property in the long-term towards achieving the Service Vision, while also clarifying opportunities for non-railroad uses (of short and long duration) on the rail corridor.

The RCUP establishes a clear process for reviewing and approving the compatibility of proposed uses of JPB property. Projects that are found initially to be incompatible with current and future rail needs may undergo additional review through the RCUP's Use Variance process, in which individual consideration is given to each potential project with the goal of ultimately aiding the project sponsor in developing a successful project. The Use Variance process provides an opportunity for the JPB to identify any potential issues or processes that would need to be addressed to prevent conflicts with operations, infrastructure, or other future railroad needs for the property. Following Use Variance review of the proposed project, staff develops a recommendation to the Board, and the Board then makes a final compatibility determination for the proposed project.

After the initial RCUP incompatibility finding, staff completed a detailed review of the proposed bridge project through the Use Variance process to identify important factors that will be necessary for this proposed capital project on the Caltrain ROW to be compatible with current and future rail needs in the area. The recommended conditions associated with compatibility approval are necessary to move through the Caltrain design and delivery process in a manner that yields a project that successfully meets the needs of the railroad, as well as the needs of the project sponsor, City of San Jose, and community.

Following Board approval of the Use Variance for the proposed Bernardo undercrossing, the project will be considered "compatible" with the railroad's current and potential future needs. Then, the project will proceed through the JPB's capital project design and delivery process, with the planned project moving through conceptual design to preliminary engineering, environmental clearance, final design, and ultimately construction. All project-specific details and processes will be memorialized in a series of agreements between the JPB and project sponsors as this third-party project moves through the various phases of design and delivery. Because this is a third-party project, all project costs must be covered by the project sponsors.

The RCUP is a policy framework to assist the JPB in deciding upon future uses of its own property and does not have a binding legal effect on the agency. This compatibility determination is therefore not considered a "project" under the terms of the California Environmental Quality Act (CEQA). Any actual change in use would be subject to review under CEQA, as appropriate. In the instance of the proposed bridge at Communications Hill

Boulevard, environmental clearance, including CEQA compliance, will be included in the capital project design and delivery process.

Prepared By: Melissa Jones

Deputy Director, Caltrain Policy  
Development

650.295.6852

**Resolution No. 2022-**

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

\* \* \*

**Approved Compatibility of the Proposed Vehicular Bridge Crossing of the Caltrain Corridor at  
Communications Hill Boulevard in San Jose**

**Whereas**, KB Home, Inc. (“project sponsor”) is sponsoring a proposed use of Peninsula Corridor Joint Powers Board (“JPB”) property for replacement of the American Dairy Bridge with a new vehicular bridge crossing at Communications Hill Boulevard in the City of San José (“proposed project”) to support development on Communications Hill; and

**Whereas**, the American Dairy Bridge is an existing cattle bridge over JPB property near Milepost 50.4 near Communications Hill Boulevard, and the existing bridge structure was not designed for nor is structurally sound for public vehicular travel and is not in compliance with current JPB standards for engineering, operations, and maintenance; and

**Whereas**, to complete the proposed project, the project sponsor proposes to demolish the American Dairy Bridge and replace it with construction of a new two-lane vehicular bridge that will be owned and maintained by another entity that is not the JPB; and

**Whereas**, the proposed project has been required as a condition of approval from the City of San José for the Communications Hill development project, which will provide approximately 2,200 housing units; approximately 67,500 square feet of commercial/retail uses; approximately 1.44 million square feet of industrial park uses; and parks, play fields, open space, trails, streets, stormwater facilities, and other supporting infrastructure; and

**Whereas**, the proposed project will contribute to enhanced connectivity in the City of San José's communities and is supported in the following planning documents: City of San José 2040 General Plan and Communications Hill Specific Plan; and

**Whereas**, the proposed project is located in a portion of the corridor that includes Union Pacific Railroad ("UPRR") ownership of the Mainline Track 1's ("MT-1") track, including rails, ties, and ballast, and thus is located in a portion of the corridor where UPRR performs the ordinary and capital maintenance and capital improvements on MT-1 track; and

**Whereas**, the JPB has existing agreements and amendments (herein collectively referred to as the Trackage Rights Agreements or "TRA") with UPRR and must remain in compliance with the terms contained within the TRA; and

**Whereas**, the JPB has existing agreements with the California High Speed Rail Authority (CHSRA) and must remain in compliance with the terms contained with those agreements; and

**Whereas**, in compliance with the JPB's Property Access Agreement process, the proposed project was reviewed for compatibility with the Caltrain Rail Corridor Use Policy ("RCUP"); and

**Whereas**, that review process initially found the proposed project to be "incompatible" with the RCUP thus requiring additional detailed review through the RCUP's Use Variance process; and

**Whereas**, the RCUP's Use Variance review process clarified conditions that would ensure the compatibility of the proposed project with current and future rail needs, including Caltrain's Long-Term Service Vision; and

**Whereas**, in accordance with the findings of these reviews, the JPB finds that the proposed project is compatible with current and future rail needs with the following conditions:

1. The proposed project will be designed and constructed so as to ensure it complies with the terms contained in the JPB's TRA with UPRR and the JPB's agreements with CHSRA.
2. The proposed project will be designed and constructed to account for and minimally disrupt all rail infrastructure, assets, and facilities within the rail envelope that are owned by the JPB and UPRR.
  - If there is disruption or damage to JPB or UPRR infrastructure, assets, and facilities, the project sponsor will need to cover all costs related to the impacts and actively work with the JPB and UPRR to ensure the impacts are mitigated in a way that is minimally disruptive to ongoing operations.
3. The proposed project will be designed and constructed so as to minimally interrupt Caltrain operations, tenant railroad operations, and freight operations during and after construction.
  - It is anticipated that this project would proceed at a time when the JPB's Peninsula Corridor Electrification Project ("PCEP") may still be under construction as well as in the future when Caltrain will be operating a mix of electric and diesel service. It is anticipated that PCEP and the future energized railroad operations on the corridor may add complexity to the process of designing and delivering the proposed project.
  - It is anticipated that freight service and UPRR coordination required by the TRA may add complexity to the process of designing and delivering the proposed project.

- Passenger service and freight service delays and speed restrictions shall be taken into account in the construction scheduling and delivery, and they may result in limitations on the hours available for construction.
4. The proposed project will be designed to be compatible with the potential future capital projects that the Caltrain Business Plan has conceptually identified in this area of the corridor to achieve the growth in passenger train service outlined in Caltrain's Long-Range Service Vision, adopted by the JPB in 2019.
- This includes potential future capital projects in this area that are associated with expansion of the rail corridor from two tracks to three tracks (with provision of space for additional track expansion if feasible); infrastructure and facilities to enable electric train service in this portion of the corridor; systems improvements (signals, communications, etc.); rail infrastructure improvements associated with CHSRA; and other rail infrastructure improvements associated with the potential future reconstruction of Diridon Station and CEMOF relocation/construction of new Heavy Maintenance Facility (HMF) near Capitol Expressway.
5. The design of the proposed project will comply with all current and future JPB standards and UPRR standards, including those for engineering, operations, and maintenance.
- "Future" JPB standards refers to the forthcoming, updated standards for the soon-to-be electrified railroad, which are anticipated to be complete by December 31, 2022, or as soon thereafter as the revised standards are issued.
6. The proposed project will be designed to not impede the JPB's ability and UPRR's ability to access, secure, and maintain infrastructure and property in the area during and after construction.

7. The proposed project will be designed to minimize potential impacts to the surrounding communities that could arise from the perception of sounds emanating from the rail corridor due to the new bridge.
8. The project sponsor will be responsible for all planning and activities associated with the proposed demolition of the American Dairy Bridge, including ensuring compliance with JPB standards, UPRR standards, and all relevant State and local laws (such as California Environmental Quality Act requirements and State Office of Historic Preservation requirements).
9. The project sponsor will be responsible for leading all design activities for the proposed project, and the JPB will be responsible for completing its design review of the proposed project from conceptual design through final design.
10. The project sponsor will be responsible for the construction of the proposed project, and the JPB will be responsible for coordinating with the project sponsor during construction.
11. Future agreements will provide clear roles and responsibilities for all parties for all stages of the proposed project.
  - This will include agreement(s) related to reimbursement of JPB costs, project coordination, community outreach and engagement, and project construction, as well as the constructed project's asset ownership and provision of ongoing security, maintenance, repairs, lighting, etc. associated with the constructed project.

**Now, Therefore, Be It Resolved** that Peninsula Corridor Joint Powers Board hereby approves the compatibility of the proposed project with current and future rail needs with the conditions listed above

Regularly passed and adopted this 6<sup>th</sup> day of October, 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary

**Peninsula Corridor Joint Powers Board  
Staff Report**

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

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

**Action**

Staff proposes the Committee recommend the Board:

1. Receive the attached Federal and State Legislative Updates

**Significance**

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

**Budget Impact**

None.

**Background**

None.

Prepared By: Devon Ryan    Government & Community Affairs Officer    650.730.6172



September 9, 2022

TO: Caltrain Board of Directors

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

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

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### **General Update**

The Legislature adjourned for final recess on August 31, marking the end of the 2021-22 Legislative Session. The Legislature spent the last days of session on the Senate and Assembly Floor working through final budget bills as well as hundreds of policy bills that needed floor votes and concurrence votes to pass out of the Legislature.

The Governor will have until September 30 to act upon the bills passed at the end of session.

### **Bills with Action Taken**

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

This bill was not set for hearing and won't move further this session.

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

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

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

The bill is on the Governor's desk.

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

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

The bill is on the Governor's desk.

**Bills of Interest**

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

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

The bill was amended in August to clarify the definition of transit agency for grant eligibility purposes.

The bill is on the Governor's desk.

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

The bill passed out of the Legislature and is on its way to the Governor's desk.

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

portion of state transit funding in an amount determined by MTC. Amendments in June require transit agencies to establish a regional transit coordinating council and would require the Council to develop and adopt an integrated transit fare structure that would be submitted to the Commission for approval. After approval, each transit agency would be required to present the structure to its board.

The bill was held in the Assembly Appropriations Committee, so it won't move further.

## Grants

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

**Status:** Project awards for Cycle 5 have been announced and can be [found here](#).

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

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

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

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

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

Transit and Intercity Rail Capital Program – As discussed above, the TIRCP is managed by CalSTA and is available to fund rail and transit projects that reduce greenhouse gas emissions. The program receives funding from Cap and Trade and the recently created Transportation Improvement Fee to the tune of approximately \$500 million per year. The TIRCP is programmed over five years, with the most recent cycle beginning in May 2018. Caltrain received \$160 million for the CalMod project. The State Budget included a \$3.6 billion supplement to the TIRCP. At least \$900 million of this is reserved for multi-year grants to support the delivery of capital projects that already have received TIRCP grants and can demonstrate that additional state grants will help secure local or federal dollars. The Caltrain Electrification Project would be eligible for these funds.

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

# Caltrain State Legislative Matrix

## September 9, 2022

PRIORITY BILLS			
Bill Number (Author)	Summary	Location	Position
<p><a href="#">AB 2197</a> (Mullin D)</p> <p>Caltrain Electrification: Funding</p>	<p>Existing law provides for the creation of the Peninsula Corridor Joint Powers Board, which operates Caltrain as the commuter rail service along the San Francisco Peninsula commute corridor. This bill would appropriate \$260,000,000 from the General Fund to the Transportation Agency for allocation to the Peninsula Corridor Joint Powers Board for the purpose of completing the Caltrain Electrification Project.</p> <p>Introduced: 2/15/2022</p>	<p>Assembly Transportation</p>	<p>Supported 3/3/2022</p>
<p><a href="#">SB 922</a> (Wiener D)</p> <p>California Environmental Quality Act: exemptions: transportation-related projects.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA, until January 1, 2030, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would delete the requirement that the bicycle transportation plan is for an urbanized area. The bill would extend the exemption to an active transportation plan or pedestrian plan. The bill would define “active transportation plan” and “pedestrian plan.” The bill would specify that individual projects that are a part of an active transportation plan or pedestrian plan remain subject to the requirements of CEQA unless those projects are exempt by another provision of law. This bill contains other related provisions and other existing laws.</p> <p>Enrollment: 8/23/2022</p>	<p>Senate Enrolled</p>	<p>Supported 4/7/2022</p>
<p><a href="#">SB 942</a> (Newman D)</p> <p>Low Carbon Transit Operations Program: free or reduced fare</p>	<p>Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board as part of a market-based compliance mechanism to be deposited into the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law continuously appropriates specified portions of the annual proceeds in the fund to various programs, including 5% for the Low Carbon Transit Operations Program, which is administered by the Department of Transportation and</p>	<p>Senate Enrolled</p>	<p>Supported 4/7/2022</p>

<p>transit program.</p>	<p>provides operating and capital assistance for transit agencies to reduce the emissions of greenhouse gases and improve mobility. Existing law requires each of those transit agencies to demonstrate that each expenditure of program moneys allocated to the transit agency reduces the emissions of greenhouse gases and does not supplant another source of funds, to use those moneys to provide transit operating or capital assistance, to use at least 50% of those moneys to benefit disadvantaged communities, and to submit specified information to the department before seeking a disbursement of those program moneys, as specified. Existing law authorizes a transit agency that has used program moneys for certain authorized operational assistance purposes in a previous fiscal year to use those moneys to continue the same service or program in any subsequent fiscal year if the transit agency can demonstrate that reductions in the emissions of greenhouse gases can be realized. This bill would exempt a transit agency using program moneys for the continuation of a free or reduced fare transit program from the above-described requirement to demonstrate that reductions in the emissions of greenhouse gases can be realized through the continuation of its transit program, and authorize the transit agency to continue to use those moneys for that purpose without any restriction to length of time. The bill would require the transit agency to submit an initial allocation request to the department and, for the next three fiscal years, to provide documentation necessary to meet an annual reporting requirement and comply with the program’s requirements. This bill contains other related provisions and other existing laws.</p> <p>Enrollment: 8/30/2022</p>		
<p><a href="#">AB 1944 (Lee D)</a></p> <p>Local government: open and public meetings.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely. The bill would also require an updated agenda reflecting all of the members participating in the meeting remotely to be posted, if a member of the legislative body elects to participate in the meeting remotely after the agenda is posted. This bill contains other related provisions and other existing laws.</p>	<p>Senate Dead</p>	<p>Supported 5/5/2022</p>

	Amended: 5/25/2022		
<a href="#">SB 917 (Becker D)</a> Seamless Transit Transformation Act.	Existing law creates the Metropolitan Transportation Commission, as a local area planning agency and not as a part of the executive branch of the state government, to provide comprehensive regional transportation planning for the region comprised of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma. This bill would require the commission to develop and adopt a Connected Network Plan, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards, as specified. The bill would require the region's transit agencies, as defined, to comply with those established regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards, as provided.  Amended: 6/20/2022	Assembly Dead	Watch
<a href="#">AB 1919 (Holden D)</a> Youth Transit Pass Pilot Program: free youth transit passes.	Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Upon the appropriation of moneys by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by the department, for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program, as specified. The bill would authorize a transit agency to submit a grant application in partnership with one or more educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare free program, as provided. The bill would authorize a transit agency with an existing fare free program that enables a person 18 years of age or younger to use a transit agency's bus and rail services without paying any additional fare or charge to submit an application without an educational institution partner, as provided. The bill would require the department to submit a report to specified committees of the Legislature on or before January 1, 2027, on, among other things, the outcomes of the program and the funding conditions associated with offering free youth transit passes, the status of transit pass programs statewide, and whether these provisions led to reductions in the emissions of greenhouse gases and vehicle miles traveled, as provided. The bill would repeal its provisions as of January 1, 2028. This bill contains other existing laws.  Enrolled: 8/26/2022	Assembly Enrollment	Watch
<b>OTHER LEGISLATION</b>			
<a href="#">AB 1938 (Friedman D)</a> Traffic safety: speed limits.	Existing law establishes various default speed limits for vehicles upon highways, as specified. Existing law requires the Department of Transportation (Caltrans), by regulation, to require Caltrans or a local authority to round speed limits up or down to the nearest 5 miles per hour of the 85th percentile of free-flowing traffic. This bill would, if the speed limit needs to be rounded down to the nearest 5	Assembly Enrollment	Watch

	<p>miles per hour increment of the 85th-percentile speed, authorize Caltrans or a local authority to lower the speed limit by 5 miles per hour from the nearest 5 miles per hour of the 85th percentile, as specified. The bill would prohibit the total reduction in the speed limit from exceeding 12.4 miles per hour from the 85th-percentile speed and would authorize a local authority to retain the currently adopted speed limit without further reduction or restore the immediately prior adopted speed limit without further reduction. The bill would make conforming changes. This bill contains other related provisions and other existing laws.</p> <p>Enrolled: 9/2/2022</p>		
<p><a href="#">AB 2061 (Ting D)</a></p> <p>Transportation electrification: electric vehicle charging infrastructure.</p>	<p>Existing law creates the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission (Energy Commission), to provide, among other things, competitive grants and revolving loans to specified entities for those entities to develop and deploy innovative technologies that transform California’s fuel and vehicle types to help attain the state’s climate change policies. Existing law requires the Energy Commission to develop and adopt an investment plan to determine priorities and opportunities for the program. Existing law requires the Energy Commission, in consultation with the State Air Resources Board (state board), as part of the development of the investment plan, to assess whether charging station infrastructure is disproportionately deployed, as specified, and, upon finding disproportionate deployment, to use moneys from the Alternative and Renewable Fuel and Vehicle Technology Fund, as well as other mechanisms, including incentives, to more proportionately deploy new charging station infrastructure, except as specified. This bill would require the Energy Commission, in consultation with the PUC, to develop uptime recordkeeping and reporting standards for electric vehicle chargers and charging stations by January 1, 2024. The bill would require that the uptime recordkeeping and reporting standards only apply to electric vehicle chargers and charging stations that received an incentive from a state agency or through a charge on ratepayers, apply for a minimum of 6 years, and apply to electric vehicle chargers and charging stations installed on or after January 1, 2024. The bill would authorize the Energy Commission to consider additional reliability metrics, as specified, and require the Energy Commission, in consultation with the PUC, to hold a public workshop to discuss and identify industry best practices and charger technology capabilities that are demonstrated to increase reliability.</p> <p>Enrolled: 9/1/2022</p>	<p>Assembly Enrollment</p>	<p>Watch</p>
<p><a href="#">AB 2237 (Friedman D)</a></p> <p>Transportation planning: regional transportation improvement plan: sustainable communities strategies:</p>	<p>Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. Existing law, to the extent the sustainable communities strategy is unable to achieve the greenhouse gas emissions reduction targets, requires the affected metropolitan planning</p>	<p>Senate Dead</p>	<p>Watch</p>

<p>alternative planning strategy: state transportation funding.</p>	<p>organization to prepare an alternative planning strategy showing how the targets may be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies. Existing law requires each regional transportation planning agency or county transportation commission to biennially adopt and submit to the California Transportation Commission and the Department of Transportation a 5-year regional transportation improvement program that includes, among other things, regional transportation improvement projects and programs proposed to be funded, in whole or in part, in the state transportation improvement program. This bill would require that those projects and programs included in each regional transportation improvement program also be consistent with the most recently prepared sustainable communities strategy of the regional transportation planning agency or county transportation commission, or, if applicable, the alternative planning strategy, and state and federal air quality standards. The bill would prohibit funds collected from any local transportation tax measure passed on or after January 1, 2023, from being spent until the transportation projects or programs to be funded by the tax measure are included in the most recently adopted sustainable communities strategy of the applicable regional transportation planning agency or county transportation commission or, if applicable, the alternative planning strategy. The bill would also prohibit the expenditure of funds from local tax measures that passed before January 1, 2023, but that exclusively provide for the collection and expenditure of funds on or after January 1, 2023, until the transportation projects or programs to be funded by the tax measure are included in the most recently adopted sustainable communities strategy, or, if applicable, the alternative planning strategy. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/13/2022</p>		
<p><a href="#">AB 2357 (Ting D)</a> Surplus land.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements before disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local agency send a notice of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. Existing law defines “exempt surplus land,” for which a local agency is not required to follow the requirements for disposal of surplus land, except as provided, as, among other things, surplus land that is subject to valid legal restrictions that are not imposed by the local agency and that would make housing prohibited, as specified. This bill would also require the department to maintain on its internet website a listing of all entities, including housing sponsors, that have notified the department of their interest in surplus land for the purpose of developing low- and moderate-income housing. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/5/2022</p>	<p>Senate Dead</p>	<p>Watch</p>
<p><a href="#">AB 2438 (Friedman D)</a></p>	<p>Existing law provides for the funding of projects on the state highway system and other</p>	<p>Assembly Enrollment</p>	<p>Watch</p>

<p>Transportation funding: guidelines and plans.</p>	<p>transportation improvements, including under the interregional transportation improvement program, the state highway operation and protection program, the Solutions for Congested Corridors Program, the Trade Corridor Enhancement Program, and the program within the Road Maintenance and Rehabilitation Program commonly known as the Local Partnership Program. This bill would require, no later than January 1, 2024, the guidelines or plans applicable to those programs to include the strategies established in the Climate Action Plan for Transportation Infrastructure adopted by the Transportation Agency, as provided. The bill would also require the Transportation Agency, the California Transportation Commission, and the Department of Transportation, no later than January 1, 2024, to each establish guidelines to ensure transparency and accountability for specified transportation funding programs that they respectively administer and for the project selection processes applicable to those programs. The bill would require those guidelines to meet certain requirements and would require those agencies to hold public workshops to solicit input before establishing the guidelines. This bill contains other related provisions and other existing laws.</p> <p>Enrolled: 9/1/2022</p>		
<p><a href="#">AB 2441 (Kalra D)</a></p> <p>Public employment: local public transit agencies: autonomous transit vehicle technology.</p>	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matter subject to collective bargaining. This bill would require a public transit employer to provide written notice to the exclusive employee representative of the workforce affected by autonomous transit vehicle technology of its determination to begin, or its substantive progress toward initiating, any procurement process or a plan to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of the workforce to which the autonomous transit vehicle technology applies not less than 12 months before commencing the process, plan, or deployment. The bill would require a public transit employer, upon a written request of the exclusive employee representative, to provide specified information to the exclusive employee representative, including the potential gaps in skills that may result from the new service. The bill would require the public transit employer, following the written request for information by the exclusive employee representative, and within 30 days of receiving the specified information, to commence collective bargaining on specified subjects, including creating plans to train and prepare the affected workforce to fill new positions created by the autonomous transit vehicle technology.</p> <p>Enrollment: 9/6/2022</p>	<p>Assembly Enrolled</p>	<p>Watch</p>
<p><a href="#">AB 2449 (Rubio, Blanca D)</a></p> <p>Open meetings: local agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. The act authorizes a legislative body to</p>	<p>Assembly Enrolled</p>	<p>Watch</p>

	<p>take action on items of business not appearing on the posted agenda under specified conditions. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances. The emergency circumstances basis for remote participation would be contingent on a request to, and action by, the legislative body, as prescribed. The bill, until January 1, 2026, would authorize a legislative body to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The bill would define terms for purposes of these teleconferencing provisions.</p> <p>Enrollment: 9/6/2022</p>		
<p><a href="#">ACA 1 (Aguiar-Curry D)</a></p> <p>Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 12/7/2020</p>	<p>Assembly Dead</p>	<p>Supported 2021</p>

<p><b>SB 1121 (Gonzalez D)</b></p> <p>State and local transportation system: needs assessment.</p>	<p>Existing law requires the California Transportation Commission to adopt and submit to the Legislature an annual report summarizing its prior-year decisions in allocating transportation capital outlay appropriations, and identifying timely and relevant transportation issues facing the state. Existing law authorizes the report to also include a discussion of any significant upcoming transportation issues anticipated to be of concern to the public and the Legislature and requires the report to include specific, action-oriented, and pragmatic recommendations for legislation to improve the transportation system. This bill would require the commission, in consultation with the Transportation Agency and the Department of Transportation, to prepare a needs assessment of the cost to operate, maintain, and provide for the necessary future growth of the state and local transportation system for the next 10 years, as provided. As part of the needs assessment, the bill would require the commission to forecast the expected revenue, including federal, state, and local revenues, to pay for the cost identified in the needs assessment, any shortfall in revenue to cover the cost, and recommendations on how any shortfall should be addressed. The bill would require the commission to submit to the Legislature an interim needs assessment on or before January 1, 2024, and a completed needs assessment on or before January 1, 2025, and every 5 years thereafter.</p> <p>Enrollment: 9/6/2022</p>	<p>Senate Enrolled</p>	<p>Watch</p>
<p><b>SB 1161 (Min D)</b></p> <p>Transit operators: street harassment survey.</p>	<p>Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. This bill would require the Mineta Transportation Institute at San Jose State University to, on or before December 31, 2023, develop and make available on its internet website a survey for the purpose of promoting consistency in the collection of specified survey data to inform efforts to improve the safety of riders and reduce street harassment on public transit.</p> <p>Enrollment: 9/6/2022</p>	<p>Senate Enrolled</p>	<p>Watch</p>
<p><b>SB 1410 (Caballero D)</b></p> <p>California Environmental Quality Act: transportation impacts.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. CEQA requires the Office of Planning and Research to prepare and develop proposed guidelines for the implementation of CEQA by public agencies and requires the Secretary of the Natural Resources Agency to certify and adopt those guidelines. CEQA requires the office to prepare, develop, and transmit to the secretary for certification and adoption proposed revisions to the guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas, as defined, that promote the reduction of greenhouse gas emissions, the development of multimodal transportation</p>	<p>Assembly Dead</p>	<p>Watch</p>

	<p>networks, and a diversity of land uses. Existing law requires the office to recommend potential metrics to measure transportation impacts, as specified. CEQA authorizes the office to adopt guidelines establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit priority areas. This bill would require the office, by January 1, 2025, to conduct and submit to the Legislature a study on the impacts and implementation of the guidelines described above relating to transportation impacts. The bill would require the office, upon appropriation, to establish a grant program to provide financial assistance to local jurisdictions for implementing those guidelines. This bill contains other existing laws.</p> <p>Amended: 5/2/2022</p>		
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## Caltrain Federal Report As of September 14, 2022

### CONGRESSIONAL UPDATE

#### President Signs into Law the Reconciliation/Inflation Reduction Act

- On August 16, President Biden signed into law the Inflation Reduction Act (H.R. 5736), a \$739 billion reconciliation package that includes tax, healthcare, transportation, environmental justice, and climate provisions. This comprehensive legislation results from many months of negotiations among Democrats to advance some of President Biden's highest policy priorities.
- The legislation provides approximately \$370 billion in new climate and energy tax incentives. Among the new provisions are tax credits for the purchase of electric vehicles (EV).
- Transportation provisions in the bill include:
  - \$3 billion for a Neighborhood Access and Equity Grant Program to support neighborhood equity, safety, and affordable transportation access to reconnect communities divided by existing infrastructure barriers, mitigate negative impacts of transportation facilities or construction projects on disadvantaged or underserved communities, and support equitable transportation planning and community engagement activities.
  - \$100 million for an Environmental Review Implementation program to facilitate the development and review of documents for the environmental review process for proposed transportation projects for state, local governments, and metropolitan planning organizations.
- Federal agencies have significant authority overseeing the programs in the bill; implementation will include the promulgation of many new rules and creation of many new programs. Holland & Knight's summary of the Inflation Reduction Act can be viewed [here](#).

#### FY 2023 Appropriations Update

- The U.S. Senate draft of the FY 2023 Transportation, and Housing and Urban Development (THUD) Appropriations bill released in late July included a request by Senator Feinstein and Senator Padilla for \$10 million for the Peninsula Corridor Electrification Project.
- The U.S. House of Representatives passed its FY 2023 THUD Appropriations bill in July, which included \$800,000 in funding for a project to add winglets to existing fencing along the Caltrain corridor requested by Congresswoman Speier and Congresswoman Eshoo. The bill also included language requested by Speaker Pelosi that would help Caltrain's Electrification Project become eligible for \$51 million in funding through the Federal Transit Administration's Capital Investment Grants Program.

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- Lawmakers return from the August recess intent on passing a continuing resolution (CR) to keep the government funded after the end of the fiscal year, September 30. In anticipation of a short-term funding deal, the White House released a [request](#) for several funding priorities to be included in the CR.
- The document provides language and funding requests for several Department of Transportation (DOT) programs including giving DOT authority to extend the availability of funding awarded for BUILD grants for one additional year. Without this provision, specific projects may lose access to financing at the end of the fiscal year.
- Passing a CR is the top priority for members before they recess for the midterm elections. Congress may need to pass a second CR after the election if lawmakers continue to be without an agreement on FY 2023 appropriations bills.

## *Administration Update*

### **Round-Up of Open Grant Opportunities**

- [All Stations Accessibility Program](#). \$343 million available. All applications due by September 30, 2022.
- [Railroad Crossings Elimination Program](#). \$573 million available. All applications due by October 4, 2022.
- [Reconnecting Communities Pilot Discretionary Grant Program](#). \$195 million available. All applications due by October 13, 2022.
- [Consolidated Rail Infrastructure and Safety Improvements Grant Program](#). \$1.4 billion available. All applications due by December 1, 2022.

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Grace Martinez, Acting Chief Financial Officer  
Subject: **Authorize Award of Contract for Guadalupe River Bridge Replacement Project**

*(Amendments made following Finance Committee meeting are in tracked changes)*



Finance Committee  
Recommendation



Work Program-  
Legislative-Planning  
Committee  
Recommendation



Staff Coordinating  
Council Reviewed



Staff Coordinating Council  
Recommendation

**Action**

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

1. Award a contract to the lowest, responsive and responsible bidder, Walsh Construction Company II, LLC of Concord, California (Walsh), for the Guadalupe River Bridge Replacement Project (Project) for a total amount of \$29,764,499.
2. Authorize the Acting Executive Director or designee to execute a contract with Walsh in full conformity with the terms and conditions set forth in the solicitation documents and in a form approved by legal counsel.

**Significance**

This Project involves full replacement of a northbound bridge (Main Track Bridge 1 or "MT-1") and a partial replacement of a southbound bridge (Main Track Bridge 2 or "MT-2"), both located in the City of San José (Santa Clara County), just North of Caltrain Tamien Station. The MT-1 bridge was built in 1935 and the MT-2 bridge was refurbished and extended in 2008. This Project will address the structural deficiencies of the MT-1 bridge and the geomorphic instability of the Guadalupe River channel in the vicinity of the MT-1 and MT-2 bridges to provide for long-term public safety and service reliability.

The Project's scope of work consists of furnishing all labor, equipment, and materials for the following:

MT-1 bridge: Full replacement of the Northbound Bridge. Demolish and replace the existing bridge built in 1935 on wooden piles, piers and sub-structure from an existing 187-foot in length to a new 265-foot bridge. The center portion of this new bridge will be a steel deck plate girder span of 110 foot in length over the river, with the remaining portion of the bridge being precast/pre-stressed concrete girders.

MT-2 bridge: Partial replacement of the Southbound Bridge. Extend bridge built in 1990 from 195 feet in length to 250 feet by replacing only the existing south abutment with a new Pier 5 and constructing a new Abutment 6, approximately 55 feet south of the existing abutment. Modification to this bridge also requires upgrades to the existing piles and pile-caps due to new seismic requirements.

Other Project Improvements: Install new conduits, manholes and pull boxes to accommodate fiber optic cable relocations by Union Pacific Railroad carriers. Remove and replace Overhead Contact System pole and wires installed by the Peninsula Corridor Electrification Project Contractor on MT-2 bridge as required to accommodate MT-2 bridge construction. Perform environmental mitigation work such as channel grading, rip rap placement, and planting.

The total projected cost for this project has recently changed from \$52,225,135 to \$63,698,593 for an increase of \$11,473,458. This increase, which is attributable to a challenging building climate and a significant rise in inflation, reflects the as-bid construction price together with a risk and contingency analysis inclusive of a thorough analysis of recent construction industry price escalation, costs for removal and re-installation of overhead contact system equipment to support bridge construction activities, supplemental roadway worker protection, temporary property rights, project management, and construction engineering oversight. There were also staff and legal costs expended associated with the arbitration process that resulted in a negotiated settlement agreement, which was approved by the Board on September 1, 2022, whereby Union Pacific Railroad will provide important funding into the Project.

### **Budget Impact**

Guadalupe River Bridges Replacement and Extension Project was originally approved by the board in FY2014. Since then, a number of amendments have been approved to increase the project budget to \$25,994,873. This project budget is funded by federal, state, and local funding.

For FY2023, Local Partnership Program (LPP) funds in the amount of \$1,317,377 have been made available to the project to support construction activities. This additional funding will increase the project budget from \$25,994,873 to \$27,312,250. A separate board item in the agenda will be presented to request approval for the increase in project budget.

Future requests will be brought to the Board for FY2024 and FY2025 to approve funding for the remaining construction and District project activities based on an anticipated blend of local and/or member agency Funds, a UPRR Settlement Agreement, FTA 5337 Funds, and ACE Funds.

As the Board recognized during the March finance workshop and its consideration of Caltrain's operating and capital budgets for FY 2023, Caltrain faces significant budget constraints that have affected our ability to fund capital needs, including State of Good Repair projects, resulting in the deferral of several projects. Due to safety needs, the PCEP schedule, and the limited in-water work windows available to complete the Guadalupe River Bridget Project, staff believe that it is imperative that we move forward with the Guadalupe River Project, rather than delaying it. However, under the

current Project funding plan, the Project will use 90% of FTA 5337 State of Good Repair (SOGR) funds for both FY2024 and FY2025.

To address other ongoing Caltrain SOGR needs, staff plans to present alternative funding options for the remaining construction and Caltrain project activities as it prepares the FY2024 and FY2025 Budgets for Board consideration. Anticipated range of alternatives include: (a) utilizing a portion of the Capital Reserve, (b) using Measure RR funding currently obligated to PCEP for other capital projects if Federal and State funding is available to meet PCEP funding needs, (c) obtaining member contributions to support capital program, (d) shifting a portion of Measure RR revenues from the operating budget to the capital budget, and (e) financing options.

**Background**

On June 12, 2022, the JPB issued an Invitation for Bids (IFB), solicitation number 22-J-C-032, for the Project and advertised in a newspaper of general circulation and on the JPB’s procurement website. Prior to releasing the IFB, extensive outreach for small business enterprises was conducted. Sixteen potential bidders attended the pre-bid meeting and site walk, and four bids were received as follows:

Company	Grand Total Bid Price
<b>Engineer’s Estimate</b>	<b>\$26,500,000</b>
1. Walsh Construction Company II, LLC, Concord, CA	\$29,764,499
2. Brosamer & Wall, Inc., Walnut Creek, CA	\$30,792,975
3. California Engineering Contractors, Inc., Pleasanton, CA	\$34,858,713
4. Disney Construction, Burlingame, CA/Mc Guire & Hester, Alameda, CA (A Joint Venture)	\$36,224,099

After the bid opening and evaluation of the bids, staff determined to award the contract based on the lowest, responsive and responsible bid to Walsh.

Walsh submitted all required bid documentation. Staff has determined, and legal counsel concurred, that the bid submitted by Walsh is responsive.

The JPB has established a contract-specific disadvantaged business enterprise (DBE) utilization goal of 14%. Walsh has committed to a DBE utilization goal of over 25%.

Walsh is an established contractor with more than 13 years of construction experience. Staff contacted Walsh’s references and confirmed its experience and competency. Based upon these findings, staff concludes that Walsh is appropriately qualified and capable of meeting the requirements of the contract and is, therefore, the lowest, responsive and responsible bidder.

Prepared By: Patrick Ng, Procurement Administrator II  
Mike Boomsma, Sr. Project Manager

650.622.8018  
808.208.2355

**Resolution No. 2022 –**

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

\* \* \*

**Awarding a Contract to Walsh Construction Company II, LLC for the  
Guadalupe River Bridge Replacement Project for a Total  
Amount of \$29,764,499**

**Whereas**, on June 15, 2022, the Peninsula Corridor Joint Powers Board (JPB) issued an Invitation for Bids (IFB), solicitation number 22-J-C-032, for the Guadalupe River Bridge Replacement Project (Project); and

**Whereas**, staff conducted extensive outreach to small business enterprises, advertised in a newspaper of general circulation, and posted the IFB on the JPB's e-procurement website; and

**Whereas**, in response to the IFB, the JPB received four bids; and

**Whereas**, staff and legal counsel have reviewed the bids and determined that Walsh Construction Company II, LLC of Concord, California (Walsh) submitted the lowest responsive and responsible bid; and

**Whereas**, Walsh has committed to a Disadvantaged Business Enterprise (DBE) utilization goal of over 25%, which exceeds the JPB's contract-specific DBE utilization goal of 14%; and

**Whereas**, staff recommends that the Board of Directors award a contract to Walsh to deliver the Project for a total amount of \$29,764,499.

**Now, Therefore, Be It Resolved** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Walsh Construction Company II, LLC for the Guadalupe River Bridge Replacement Project for a total amount of \$29,764,499; and

**Be It Further Resolved** that the Acting Executive Director or designee is authorized to execute a contract on behalf of the JPB with Walsh, in full conformity with all the terms and conditions of the solicitation documents and in a form approved by legal counsel.

Regularly passed and adopted this 6<sup>th</sup> day of October, 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Grace Martinez, Acting Chief Financial Officer  
Subject: **Adopt Revised Disclosure Policy and Receive Disclosure Training**

Finance Committee  
Recommendation

Work Program-  
Legislative-Planning  
Committee  
Recommendation

Staff Coordinating  
Council Reviewed

Staff Coordinating Council  
Recommendation

**Action**

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

1. Adopt a revised Continuing Disclosure Policy in order to comply with obligations imposed on government agencies that issue debt to meet specific continuing disclosure standards set forth in continuing disclosure agreements entered into at the time of bond issuance; and
2. Receive required Continuing Disclosure Training.

**Significance**

In 2015, the Board approved a Continuing Disclosure Policy in order to comply with obligations imposed on government agencies that issue debt to meet specific continuing disclosure standards set forth in continuing disclosure agreements entered into at the time of bond issuance. Since 2015, there have been various industry evolutions that now require that the JPB update and replace its existing policy to meet market standards. The proposed revised Continuing Disclosure Policy satisfies these standards.

In addition, as members of the board of a government agency that issues debt, the Board of Directors of the JPB is required to receive training. The training, which will be provided by the JPB’s disclosure counsel, Rudy Salo of Nixon Peabody, LLP, will inform the Board regarding the purpose of continuing disclosure and the Board’s responsibilities pertaining to continuing disclosure.

**Budget Impact**

There is no budget impact associated with this item.

## **Background**

Government agencies that issue debt have an obligation to meet specific continuing disclosure standards set forth in continuing disclosure agreements. The agreements are entered into at the time of bond issuance to enable their underwriters to comply with SEC Rule 15c2-12. The SEC's Municipal Continuing Disclosure Cooperation initiative in 2014, along with other recent federal regulatory actions, have highlighted the importance of maintaining a reliable system to adequately manage continuing disclosure. Failure to comply with these agreements may impair access to the capital markets.

Continuing disclosures are intended to assist investors in determining the suitability of an obligation, as well as potential risks associated with the credit. By looking at continuing disclosures, investors can compare annual financial information about a particular debt obligation from year to year.

Some disclosures provide for updated information such as the annual audited financial statements. Other continuing disclosures provide notification of specific events that may influence repayment of debt such as principal and interest payment delinquencies, bond calls, rating changes, etc.

The revised Continuing Disclosure Policy and the training to be provided at the Board meeting are designed to satisfy the JPB's obligations with respect to continuing disclosure.

Prepared By: Connie Mobley-Ritter Director, Treasury

(650) 508-7765

**Resolution No. 2022-**

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

\* \* \*

**Authorizing Adoption of Revised Continuing Disclosure Policy and Acknowledgement of  
Receipt of Continuing Disclosure Training**

**Whereas**, the Peninsula Corridor Joint Powers Board (“JPB”), a public entity duly organized and existing as a joint exercise of powers agency under and by virtue of the laws of the State of California, created pursuant to the Joint Exercise of Powers Agreement-Peninsula Corridor Project, made and entered into as of October 3, 1996 (the “JPA Agreement”), among the Santa Clara Valley Transportation Authority, formerly known as the Santa Clara County Transit District, the City and County of San Francisco and the San Mateo County Transit District, oversees and operates the Caltrain commuter rail service; and

**Whereas**, pursuant to Article 4 of Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the “Act”) and the JPA Agreement, the JPB is authorized to and has previously issued debt, including revenue debt, from time to time (collectively, the “JPB Debt”) to finance the costs of public capital improvements, including mass transit facilities and vehicles, whenever there are significant public benefits (as such term is defined in the Act) from doing so; and

**Whereas**, SEC Rule 15c2-12 of the U.S. Securities and Exchange Commission requires that dealers, when underwriting certain types of municipal securities, ensure that the JPB enters into an agreement to provide certain information to the Municipal Securities Rulemaking Board (MSRB) about the securities on an ongoing basis; and

**Whereas**, certain JPB Debt that is outstanding is subject to such continuing disclosure requirements; and

**Whereas**, continuing disclosure is intended to assist investors in determining the suitability of a bond as well as potential risk associated with the credit of the JPB; and

**Whereas**, continuing disclosure can provide updated financial information regarding JPB or may provide for notification of specific events that may have an impact on the repayment of the bonds; and

**Whereas**, certain continuing disclosures such as financial information must be submitted on an annual basis where disclosure of events must be submitted timely but not later than 10 business days after the occurrence of an event; and

**Whereas**, the JPB Board of Directors has received training related to their role in providing continuing disclosure; and

**Whereas**, in 2015, the JPB Board of Directors previously adopted and approved a disclosure policy (the "Existing Policy"); and

**Whereas**, since 2015, there have been various industry evolutions that now require that the Board update and replace the Existing Policy to meet market standards.

**Now, Therefore, Be It Resolved** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approves the revised Disclosure Policy attached hereto and acknowledges receipt of training at its October 6, 2022, meeting regarding the JPB's continuing disclosure obligations.

Regularly passed and adopted this 6<sup>th</sup> day of October, 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary

**Peninsula Corridor Joint Powers Board Policy and Procedures  
Concerning Compliance with Federal Securities Laws Relating to Disclosure**

**Date of Adoption:** \_\_\_\_\_

This (revised) statement of Policy and Procedures Concerning Compliance with Federal Securities Laws Relating To Disclosure (this "Disclosure Policy") replaces is promulgated to establish a framework for compliance by the Peninsula Corridor Joint Powers Board (the "JPB") with its disclosure and/or contractual obligations with respect to the securities it issues or that are issued on its behalf, pursuant to the requirements of the Securities Exchange Act of 1934, as amended (the "1934 Act"), and the Securities Act of 1933, as amended, including, in particular, Rule 15c2-12, as amended ("SEC Rule 15c2-12"), promulgated under the 1934 Act, and other applicable rules, regulations, and orders.

Section 1. **Definitions.** The following capitalized terms shall have the following meanings:

1.1. **Annual Filing** means the financial information and operating data to be filed with the MSRB through EMMA on an annual basis pursuant to one or more Disclosure Agreements.

1.2. **Chief Executive Officer** means the individual who functions as chief executive officer of the JPB, whose title as of the date of adoption of this Disclosure Policy is Executive Director.

1.3. **Chief Financial Officer** means the individual who functions as chief financial officer of the JPB, whose title as of the date of adoption of this Disclosure Policy is Chief Financial Officer.

1.4. **Continuing Disclosure Documents** means financial and operating data and Event Notices filed with the MSRB through EMMA pursuant to one or more Disclosure Agreements.

1.5. **Disclosure Agreement** means an agreement or other undertaking of the JPB to provide financial and operating data periodically, and timely notices of certain events, to the MSRB, whether expressly or acting in its capacity as the only nationally recognized municipal securities information repository under SEC Rule 15c2-12.

1.6. **Disclosure Counsel** means counsel engaged from time to time by the JPB to prepare Offering Documents, which as of the date of adoption of this Disclosure Policy is Nixon Peabody LLP.

1.7. **Disclosure Documents** means Offering Documents, Continuing Disclosure Documents, and Voluntary EMMA Filings.

1.8. **Disclosure Officer** means the Chief Financial Officer, Director-Treasury, or such other person, having knowledge of the type that a potential investor would want to know,

as shall be designated in writing to serve as Disclosure Officer under this Disclosure Policy by the Chief Financial Officer.

1.9. **Disclosure Working Group** means management and staff of the JPB charged with exercising the responsibilities described in Section 5 hereof in connection with preparing or checking Offering Documents or Annual Filings, as applicable, or, at the request of the Chief Financial Officer, Event Notices and/or Voluntary EMMA Filings, which Disclosure Working Group will be designated by the Chief Financial Officer as needed.

1.10. **EMMA** means the Electronic Municipal Market Access System maintained by the MSRB.

1.11. **Event Notice** means a notice of the occurrence of an event identified in a Disclosure Agreement as an event of the type requiring a notice to be filed with the MSRB through EMMA.

1.12. **Governing Body** means the governing body of the JPB.

1.13. **JPB Financial Advisor** means the firm or firms engaged by the JPB from time to time to serve as its financial advisor(s).

1.14. **JPB Bond Counsel** means the firm serving as bond counsel to the JPB, which as of the date of adoption of this Disclosure Policy is Nixon Peabody LLP.

1.15. **JPB Debt Obligations** means bonds, notes, commercial paper, certificates of participation, and other debt obligations or securities of the JPB, or the payment of which the JPB is obligated to support by a lease, contract, or other arrangement, that are sold to, or otherwise held or traded in, by the public.

1.16. **JPB General Counsel** means the firm serving as general counsel to the JPB, which as of the date of adoption of this Disclosure Policy is Olson Remcho, LLP.

1.17. **Material**, when used with respect to a fact included in a Disclosure Document means, generally, that a reasonable investor likely would attach significance to it in making a decision to buy, hold, or sell JPB Debt Obligations.

1.18. **MSRB** means the Municipal Securities Rulemaking Board.

1.19. **Offering Documents** means preliminary and final official statements and other documents, including, but not limited to, remarketing memoranda and placement memoranda, by which JPB Debt Obligations are offered to the public by the JPB as well as solicitation statements by which the JPB requests consents or waivers regarding JPB Debt Obligations or the JPB offers to purchase JPB Debt Obligations.

1.20. **SEC** means the Securities and Exchange Commission or any successor agency thereto.

1.21. **Voluntary EMMA Filing** means a filing (other than an Annual Filing or an Event Notice) by the JPB with the MSRB through EMMA.

## Section 2. **Background.**

2.1. **Investor Reliance.** The JPB has issued and expects to continue to issue JPB Debt Obligations in the public debt markets and, in connection therewith, to approve and authorize the distribution and/or execution of Offering Documents and to enter into Continuing Disclosure Documents to update financial and operating information contained in the Offering Documents at least annually and to file timely notices of certain events with the MSRB through EMMA. The JPB acknowledges that investors in JPB Debt Obligations rely on such Offering Documents and Continuing Disclosure Documents in deciding whether to buy, hold, or sell JPB Debt Obligations.

2.2. **Federal Securities Laws.** Under the above-identified federal securities laws (the "Federal Securities Laws"), the JPB must exercise reasonable care to avoid material misstatements or omissions in preparing Offering Documents that are used to sell JPB Debt Obligations in primary offerings or that are used by the JPB in offers to purchase JPB Debt Obligations or in solicitations for consents, and the JPB may not knowingly or recklessly include material misstatements or misleading statements in other statements or communication that is intended (or reasonably can be expected) to be accessible to, and relied upon, by investors in JPB Debt Obligations while its JPB Debt Obligations are outstanding. Knowledge of any member of management or staff of the JPB as well as information in files of the JPB may be imputed to the JPB. Opinions of counsel provided in connection with Offering Documents or other Disclosure Documents may help to establish care, but any such opinion is no defense to an action against the JPB for failing to disclose or misstating a known material fact.

Section 3. **Purposes.** The purposes of this Disclosure Policy are to formally confirm and enhance existing policies and procedures regarding compliance with Federal Securities Laws relating to disclosure in order to: (a) facilitate compliance with applicable law and existing contracts when preparing and disseminating Disclosure Documents in connection with JPB Debt Obligations offerings and Continuing Disclosure Documents; (b) reduce exposure of the JPB, the members of its Governing Body and its management and staff to liability for damages and enforcement actions based on misstatements and omissions in Disclosure Documents; and (c) avoid damage to the JPB, including damage to the JPB's reputation, from misstatements or omissions in Disclosure Documents.

Section 4. **Policy.** It is the policy of the JPB to comply fully: (a) with applicable Federal Securities Laws and other applicable securities laws regarding disclosure in connection with the issuance of JPB Debt Obligations; and (b) with the terms of its Disclosure Agreements.

Section 5. **Procedures.** The procedures set forth below shall be implemented in preparing, checking, and disseminating Disclosure Documents.

### 5.1. **Offering Documents.**

**5.1.1. Assistance Relating to Offering Documents.** In connection with the preparing, checking and disseminating Offering Documents, the Disclosure Working Group shall be assisted by JPB General Counsel, JPB Bond Counsel and Disclosure Counsel, if any, and the JPB Financial Advisor (hereinafter in this Section 5.1 referred to as the "Finance Team").

**5.1.2. Establishing Scope and Process.** At the beginning of the disclosure process in connection with a primary offering of JPB Debt Obligations, the Disclosure Working Group, with input from the Finance Team and, in the case of a negotiated offering of JPB Debt Obligations, with input from the underwriters, will: (a) determine what information should be disclosed in the Offering Document to present fairly a description of the source of repayment and security for the JPB Debt Obligations being offered, including related financial and operating information (which may include a discussion of material risks related to investment in JPB Debt Obligations); (b) assign responsibilities within the JPB for assembling and verifying the information; and (c) establish a schedule for producing the information and drafts of the Offering Document that will afford sufficient time for final review by the Disclosure Working Group and the Disclosure Officer and the approvals required by this Disclosure Policy. In determining what information should be disclosed, the Disclosure Working Group should not assume that the information included in the most recent Offering Document represents a complete list of what is currently required because facts which are deemed important by investors may change over time as conditions evolve. In negotiated offerings, input should be sought from the underwriters who may be better informed as to what is deemed important by investors and may be better aware of what facts other issuers consider important and are disclosing.

**5.1.3. Assembling Current Information.** The Disclosure Officer shall: (a) identify members of management and staff of the JPB who are likely to know or be able to obtain and verify required information; (b) request that such management and staff assemble, verify, and forward such information and also notify the Disclosure Officer of any other fact that they believe to be important to investors; and (c) establish a reasonable but sufficient deadline for producing the information. The Disclosure Officer should produce (or cause to be produced) one or more drafts of the Offering Document based on the information that is received. The Disclosure Officer shall assure that staff devote sufficient time and care to produce timely and accurate information, when requested. The Disclosure Officer shall distribute or cause to be distributed drafts of the Offering Document to the Disclosure Working Group for review, together with a description of the process used to compile drafts. The Disclosure Officer shall also distribute or cause to be distributed drafts of the Offering Document to the Finance Team (and to the underwriters in the case of a negotiated offering) for review.

**5.1.4. Disclosure Working Group Review for Process, Accuracy, and Completeness.** The Disclosure Working Group shall review Offering Document drafts and the Disclosure Officer's process description to determine (and shall report to the Disclosure Officer as to) whether, based on information known or reported to them: (a) this Disclosure Policy was followed; (b) the material facts in the final draft of the Offering Document appear to be consistent with those known to the members of the Disclosure Working Group; and (c) the

Offering Document omits any material fact that is necessary to be included to prevent the final Offering Document from being misleading to investors. The Disclosure Officer shall take such action as may be necessary, based on feedback from the Disclosure Working Group to enable the Disclosure Working Group to conclude that this Disclosure Policy was followed and that the final Offering Document is accurate and complete in all material respects. This Disclosure Policy contemplates that members of the Disclosure Working Group will check the final draft of each Offering Document for accuracy and completeness by comparing the final draft of such Offering Document to what they know or what has been reported to them and identifying possible inaccuracies or omissions of known material facts. Members of the Disclosure Working Group should also confirm, based on the process description provided by the Disclosure Officer, that proper procedures were used to prepare the final draft.

**5.1.5. Final Approval.** The Disclosure Working Group shall approve the final draft of each Offering Document. The approval of the Disclosure Working Group, together with the final draft of the Offering Document and the Disclosure Officer's description of the process used to prepare and check the Offering Document, shall be sent to the Chief Financial Officer. No Offering Document shall be distributed in final form until approved by the Chief Financial Officer.

**5.1.6. Documentation of Procedures.** In order to document compliance with the procedures set forth in this Disclosure Policy, the Disclosure Officer shall compile and retain a file of the actions taken to prepare, check, and approve each Offering Document, including the sources of the information included, the comments and actions of the Disclosure Working Group, the description of the process followed by the Disclosure Officer, and the approval of the Chief Financial Officer.

## **5.2. Annual Filings.**

**5.2.1. Assembling Current Information.** The Disclosure Officer shall: (a) compile and maintain or cause to be filed and maintained (and update or cause to be updated after every issuance or defeasance of JPB Debt Obligations) a list of all financial information and operating data required to be filed with the MSRB through EMMA pursuant to each Disclosure Agreement; (b) assign responsibilities to management and staff for periodically assembling and verifying the data; (c) request that such management and staff assemble, verify, and forward the data to the Disclosure Officer and notify the Disclosure Officer if they have learned of any other fact that they consider to be material with respect to the information provided; and (d) establish a schedule for producing the data and each Annual Filing document that will afford sufficient time for final review by the Disclosure Working Group and the Disclosure Officer and the approvals required by this Disclosure Policy. The Disclosure Officer shall distribute the final draft of each Annual Filing to the Disclosure Working Group for review together with a description of the process used to compile it.

**5.2.2. Review for Process, Accuracy, and Completeness.** The members of the Disclosure Working Group shall review the final draft of each Annual Filing and the

Disclosure Officer's process description to determine (and shall report to the Disclosure Officer as to) whether, based on information known or reported to them: (a) this Disclosure Policy was followed; (b) the material facts in the final draft Annual Filing appear to be consistent with those known to the members of the Disclosure Working Group; and (c) the Annual Filing omits any material fact that is necessary to be included to prevent the Annual Filing from being misleading to investors. The Disclosure Officer shall take such action as may be necessary, based on feedback from the Disclosure Working Group, to enable the Disclosure Working Group to conclude that this Disclosure Policy was followed and that each Annual Filing is accurate and complete in all material respects.

**5.2.3. Final Approval.** The Disclosure Working Group shall approve the final draft of each Annual Filing. Its action, together with the final draft of the Annual Filing and the Disclosure Officer's report regarding the process used to prepare and check the Annual Filing, shall be sent to the Chief Financial Officer. No Annual Filing shall be released until approved by the Chief Financial Officer.

**5.2.4. Posting.** The Disclosure Officer shall file or cause to be filed each Annual Filing with the MSRB through EMMA by the deadline established by the applicable Disclosure Agreement. The Disclosure Officer shall exercise reasonable care to file each Annual Filing in the format and with the identifying information required by the applicable Disclosure Agreement, including applicable CUSIP numbers for JPB Debt Obligations.

**5.2.5. Documentation of Procedures.** The Disclosure Officer shall compile and retain or cause to be filed and retained a file of the actions taken to prepare, check, and approve each Annual Filing, including the sources of the information included, the comments and actions of the Disclosure Working Group, the Disclosure Officer's report regarding the process used to prepare and check such Annual Filing, and approval of the Chief Financial Officer.

### **5.3. Event Notices.**

**5.3.1. Identification of Reportable Events.** The Disclosure Officer shall maintain a list of events identified in each Disclosure Agreement (as currently set forth in Appendix A hereto), the occurrence of which require the JPB to provide notice to the MSRB through EMMA.

**5.3.2. Preparation of Event Notices.** The Disclosure Officer shall: (a) with the assistance of JPB General Counsel and/or JPB Bond Counsel/Disclosure Counsel, assess the materiality of any reported event, and, if it is determined that an Event Notice will be given; (b) prepare or cause to be prepared an Event Notice; and (c) forward the draft Event Notice to the Chief Financial Officer for review.

**5.3.3. Review and Approval of Event Notices.** The Chief Financial Officer shall promptly review and approve or comment on each draft Event Notice. The Disclosure Officer shall incorporate such comments into the Event Notice to be filed with EMMA. The Disclosure Officer shall not file an Event Notice until it is approved by the Chief Financial Officer unless such approval of the Chief Financial Officer has not been received

by the Disclosure Officer by the filing deadline specified in the applicable Disclosure Agreement.

5.3.4. **Posting.** The Disclosure Officer shall file or cause to be filed each Event Notice with the MSRB through EMMA by the deadline established by the applicable Disclosure Agreement. The Disclosure Officer shall exercise reasonable care to file each Event Notice in the format and with the identifying information required by the applicable Disclosure Agreement, including CUSIP numbers for the applicable JPB Debt Obligations. In the event that an Event Notice shall not be filed on a timely basis, the Disclosure Officer shall keep or cause to be kept a record of any late filing, which record shall be reviewed in connection with any future primary offerings to determine if such late filing should be disclosed in the Offering Documents prepared in connection with such future primary offerings.

5.3.5. **Documentation of Procedures.** The Disclosure Officer shall compile and retain or cause to be compiled and retained a file of the actions taken to report each event and prepare, check, and approve each Event Notice, including the approval of the Chief Financial Officer, if obtained.

5.4 **Voluntary EMMA Filings.** In the event that the Chief Financial Officer determines, upon consultation with the Chief Executive Officer, that a Voluntary Emma Filing should be filed with the MSRB through EMMA, the Chief Financial Officer shall direct the Disclosure Officer to prepare a notice for filing on EMMA, which notice shall be reviewed and approved by the Chief Financial Officer before filing. The Disclosure Officer shall exercise reasonable care to file each such filing in the format and with the identifying information required in connection with the filing of an Event Notice described in Section 5.3 above, including CUSIP numbers for the applicable JPB Debt Obligations.

## Section 6. **Training.**

6.1. **Personnel to be Trained.** Each member of the Disclosure Working Group, the Disclosure Officer, the Chief Executive Officer, the Chief Financial Officer and each other member of management or staff identified as a source of data pursuant to this Disclosure Policy shall undergo periodic training.

6.2. **Training Programs and Materials.** The training program shall include information relating to the requirements of Federal Securities Laws and each Disclosure Agreement, the meaning of "material," and the duties of the management and staff of the JPB under this Disclosure Policy. The training program and materials may include materials prepared by or with the assistance of JPB General Counsel, JPB Bond Counsel and/or Disclosure Counsel and programs and/or materials provided by other third party providers.

6.3. **Training Frequency.** Each affected member of management or staff shall undergo training as necessary to address any changes in the requirements of applicable Federal Securities Laws or this Disclosure Policy.

**Section 7. Updates to Policies and Procedures.**

7.1. **Periodic Review.** The Disclosure Policy shall be reviewed bi-annually by the Disclosure Policy Working Group. In addition, at any time all management and staff of the JPB are invited and encouraged to make recommendations for changes to this Disclosure Policy so that it fosters better compliance with applicable law, results in better information to investors, or makes the procedures required by this Disclosure Policy more efficient.

7.2. **Recommendations for Change.** Following receipt of any such recommendation, the Disclosure Officer shall give her or his advice regarding the recommendation to the Disclosure Working Group. The Disclosure Working Group shall consider the recommendation and advice, determine whether to propose a change to this Disclosure Policy, and submit such proposal to the Chief Financial Officer.

7.3. **Changes to Disclosure Policy.** The Chief Executive Officer, with advice from, the Chief Financial Officer, JPB General Counsel and JPB Bond Counsel, shall approve and implement any change to this Disclosure Policy that is proposed by the Disclosure Working Group, which does not change the fundamental policies or procedures established by this Disclosure Policy and is determined by the Chief Executive Officer to be advisable.

**Section 8. Miscellaneous.**

8.1. **Consultation.** JPB General Counsel and/or JPB Bond Counsel may be consulted in connection with any aspect of this Disclosure Policy.

8.2. **Waiver of Procedures.** Management and staff charged by this Disclosure Policy with performing or refraining from any action may depart from this Disclosure Policy if the Disclosure Officer in good faith determine that such departure is in the best interests of the JPB and consistent with the duties of the JPB under Federal Securities Laws. Any such departure shall require approval of the Chief Financial Officer.

8.3. **Internal Use Only.** This Disclosure Policy is intended for the internal use of the JPB only and is not intended to establish any duties in favor of or rights of any person other than the JPB.

**Appendix A: 15c2-12 Events (as of October 2022)**

- (i) principal and interest payment delinquencies;
- (ii) non-payment related defaults, if material;
- (iii) unscheduled draws on debt service reserves reflecting financial difficulties;
- (iv) unscheduled draws on credit enhancements reflecting financial difficulties;
- (v) substitution of credit or liquidity providers, or their failure to perform;
- (vi) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (vii) modifications to rights of security holders, if material;
- (viii) bond calls, if material, and tender offers;
- (ix) defeasances;
- (x) release, substitution, or sale of property securing repayment of the security, if material;
- (xi) rating changes;
- (xii) bankruptcy, insolvency, receivership, or similar event of the Issuer or another obligated person;
- (xiii) the consummation of a merger, consolidation, or acquisition involving the Issuer or another obligated person or the sale of all or substantially all of its assets, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (xiv) appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (xv) incurrence of a Financial Obligation of JPB, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation of JPB, any of which affect security holders, if material; and
- (xvi) default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of JPB, if any such event reflects financial difficulties.

**Resolution No. 2022-**

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

\*\*\*

**Resolution Honoring Filipino American History Month**

**Whereas**, the Peninsula Corridor Joint Powers Board (Caltrain) pays tribute to the many contributions of Filipino Americans who make up one of the largest Asian American ethnic groups in the United states today; and

**Whereas**, the month of October is an appropriate time to reflect on Philippine history and culture to provide all Americans with the opportunity to hear about and appreciate the many contributions of Filipino Americans; and

**Whereas**, during World War II, more than 260,000 Filipino and Filipino American soldiers answered the call to action and bravely served under the American flag; and

**Whereas**, the Filipino Veterans of World War II Congressional Gold Medal Act unanimously passed through Congress and was signed into law in December 2016; and

**Whereas**, a 2020 rider survey showed that Filipinos help make up 26% of Caltrain's AAPI ridership; and

**Whereas**, Caltrain believes every person has the freedom to feel valued and respected, and condemns racism in rhetoric or action; and

**Now, Therefore, Be It Resolved** that the Caltrain Board of Directors does hereby recognize October as Filipino American History Month and celebrate the countless contributions that Filipino Americans have made in the United States.

Regularly passed and adopted this 6<sup>th</sup> day of October, 2022 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board



Attest:

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JPB Secretary

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Acting Executive Director  
From: Sam Sargent, Director, Strategy and Policy  
Subject: **Metropolitan Transportation Commission (MTC)/Regional Update**

Finance Committee  
Recommendation

Work Program-  
Legislative-Planning  
Committee  
Recommendation

Staff Coordinating  
Council Reviewed

Staff Coordinating Council  
Recommendation

**Action**

None

**Significance**

The Metropolitan Transportation Commission (MTC) provides planning, funding, coordination, and technical assistance to cities, counties, transit agencies, and other partners to bring the region together. The California Legislature created the MTC in 1970 to plan and provide a cohesive vision for the Bay Area's transportation system.

The Commission's scope over the years has expanded to address other regional issues, including housing and development. MTC is actively considering several key policy and funding decisions that affect Caltrain, and staff wants to ensure the Joint Powers Board (JPB) is apprised of these decisions as well as other important regional efforts.

**Budget Impact**

No budget impact.

**Key Regional Items this Month**

1. **MTC Transit Oriented Communities (TOC) Policy Adoption**
  2. **MTC Major Project Advancement Policy (MAP) Action**
  3. **Regional Transportation Measure Update**
  4. **High Speed Rail Coordination Update**
1. **MTC Transit Oriented Communities (TOC) Policy Adoption in September**

On September 28, the MTC adopted a regional TOC Policy, which applies to local jurisdictions with land use control, and consists of the following four elements:

1. Minimum required and allowed residential and/or commercial office densities for new development;
2. Policies focused on housing production, preservation and protection, and commercial anti-displacement and stabilization policies;
3. Parking management;
4. Transit station access and circulation.

Jurisdictions subject to the TOC Policy are grouped into tiers based on levels of transit service:

Level of Transit Service	Definition
Tier 1	Rail stations serving regional centers (i.e., Downtown San Francisco, Downtown San Jose)
Tier 2	Transit stop/station served by two or more BART lines or BART and Caltrain
Tier 3	Transit stop/station served by one BART line, Caltrain, light-rail transit, or bus rapid transit
Tier 4	Commuter rail (SMART, ACE, Capitol Corridor, Valley Link) stations, Caltrain stations south of Tamien, or ferry terminals

At the July 2022 Joint MTC Planning and ABAG Administrative Committee meeting, action was deferred on the TOC Policy to allow MTC staff to address concerns raised by committee and community members. Concerns included:

- How the policy may affect smaller communities, including their ability to comply with policy requirements;
- Whether the policy should apply to the entire half mile-transit station area as opposed to only applying to designated Priority Development Areas (PDAs) or Transit-Rich Areas (TRAs) if no PDA is designated;
- Whether the policy’s density and parking requirements should be expanded to other commercial land uses in addition to office;

- Whether the “No Net Loss and Right to Return to Demolished Homes” affordable housing and anti-displacement policy option should be a mandatory TOC Policy requirement instead of an option;
- How state housing law intersects with the menu of affordable housing policy options in the TOC Policy, and how housing element implementation aligns with the proposed TOC Policy implementation timeline and available funding support.

In response to these concerns, MTC staff made the following revisions to the TOC Policy, which are reflected in the now adopted version:

- Tier 3 jurisdictions (stop/station served by one BART line, Caltrain, light rail transit, or bus rapid transit) with a population of 30,000 or less may comply with Tier 4 (commuter rail stations, including Caltrain stations south of Tamien, or ferry terminals) jurisdiction residential density requirements. As a reminder, those density requirements are:

<b>Level of Transit Service</b>	<b>Minimum Residential Density</b>	<b>Allowable Maximum Residential Density</b>
Tier 3	50 units/net acre or higher	75 units/net acre or higher
Tier 4	25 units/net acre or higher	35 units/net acre or higher

Cities served by Caltrain that would fall into the under-30,000 category include Atherton, Belmont, Brisbane and Millbrae. The adjusted density requirements will be revisited in four years when the policy is updated by MTC staff, with input from regional communities and agencies.

- The TOC Policy will apply to *all* areas within one half-mile of fixed-guideway transit stops and stations, to simplify and clarify where the policy applies. Density requirements would only apply to parcels that are vacant or occupied by non-residential uses where new commercial or residential development is allowed under a local jurisdiction’s planning and zoning policies.
- The TOC Policy’s parking management requirement has been expanded to new general and neighborhood-serving commercial development (including offices), to ensure that new commercial development is transit-supportive and pedestrian-oriented. In addition, the requirement to eliminate parking minimums no longer applies to Tier 4 locations.

- Because of the wide range of comments received and the region’s range of housing and land use contexts, MTC staff has created a “menu” approach for affordable housing policy options. For a jurisdiction to be in compliance with the TOC Policy, two or more of the eleven Affordable Housing Protection and Anti-Displacement policy options must be applied to the half-mile area around transit stops and stations. Options include:
  - Just cause evictions
  - No net loss and right to return to demolished homes
  - Legal assistance for tenants
  - Foreclosure assistance
  - Rental assistance programs
  - Rent stabilization
  - Preventing displacement from substandard conditions via code enforcement
  - Tenant relocation assistance
  - Mobile home rent stabilization
  - Fair housing enforcement
  - Tenant anti-harassment protections

The TOC Policy requires local jurisdictions with fixed-guideway transit stops and stations to comply prior to the allocation of regional discretionary funding. Regional discretionary funding for transit extensions will be contingent on TOC Policy compliance. MTC staff have stated that the Major Project Advancement Policy (MAP) may consider the TOC Policy in funding allocation and sequencing. MAP will be considered for initial adoption by the MTC in October (see below).

Within six months (no later than March 2023), MTC staff will provide initial guidance regarding the documentation that local jurisdictions should provide to demonstrate TOC Policy compliance. MTC’s One Bay Area Grant (OBAG3) and the Regional Early Access Planning Grant (REAP 2.0) programs will provide planning support funds to jurisdictions subject to the policy.

Caltrain staff supports the overarching goals of the TOC policy, which focuses growth near rail stations while encouraging complete communities where residents of all abilities, income levels and racial and ethnic backgrounds can access regional employment and services.

The goals of the TOC Policy are consistent with the goals of the Caltrain TOD Policy, adopted by the JPB in February 2020. At the same time, Caltrain staff encourages the MTC to work closely with jurisdictions to incentivize compliance and ensure that TOC Policy requirements reflect local community contexts, including land use policies and procedures.

Caltrain staff will provide an update to the JPB no later than March 2023 and will continue to work closely with MTC staff and corridor communities to address local and agency concerns.

## 2. Major Project Advancement Policy (MAP) October Action

At the August 4 JPB meeting, Caltrain staff provided an overview of the MTC Major Project Advancement Policy (MAP). To recap, the stated goal of this regional policy is to support implementation of Plan Bay Area 2050 and to sequence and prioritize discretionary funding requests for regionally significant projects. The MAP prioritizes funding for the following types of projects:

- Megaprojects including Caltrain Electrification, BART Core Capacity, BART to San Jose Phase II, Caltrain Downtown Extension (DTX), and the Valley Link rail project’s initial operating segment;
- High performing, low-cost smaller projects to improve local and regional transit networks and multimodal facilities;
- Transit fleet transitions to Zero Emission consistent with state policies and mandates.

Regionally significant projects are placed in one of four MAP levels based on readiness and funding commitments:

MAP Level	Definition
<b>Level 1</b>	Project with more than 50% committed funding and construction start by 2028 <i>or</i> a transit megaproject with approved Federal Transit Administration (FTA) Capital Investment Grant (CIG) Full Funding Grant Agreement (FFGA) or FTA Letter of Intent for funding in the Expedited Project Delivery (EPD) pilot program.
<b>Level 2</b>	Project with more than 30% committed funding and construction start by 2035.
<b>Level 3</b>	Project with less than 30% committed funding.
<b>Level 4</b>	Also known as Tier 2 or Future Projects Level, projects competing for Project Development funding only.

At the October 26 meeting, the MTC will consider initial adoption of funding endorsements and an update to the MTC Transit and Intercity Rail Capital Program (TIRCP) framework in advance of the TIRCP Fall 2022 Augmentation Call for Projects. In the initial draft MAP-based funding endorsement table, MTC staff has included Caltrain Electrification and select grade separations in Level 1. DTX and other grade separations have been included in Level 2.

MTC staff expects to bring MAP “Policy Reinforcements and Risk Management Principles” in the December, January, or February timeframes. Caltrain staff are proactively engaging MTC staff on these two topics to maintain or increase the competitiveness of major railroad projects for discretionary grant funds.

Should the MAP framework be adopted on October 26, MTC will provide annual updates, including refined endorsement tables for federal and state discretionary grant programs. Adjustments to the MAP, according to MTC staff, may be required to maintain alignment with long range projects and priorities among the regional transit operators.

### **3. Regional Transportation Measure Update**

The Transit Transformation Action Plan developed by the Blue-Ribbon Transit Recovery Task Force (BTRTF) recommended MTC convene stakeholders to identify priorities and a funding framework by the end of 2023 for a regional transportation ballot measure in November 2024. It should be noted that Plan Bay Area 2050 incorporates passage of a regional ballot measure by 2030 into its funding assumptions.

At the September 9 Joint MTC ABAG Legislation Committee, MTC staff provided an overview of fall engagement planning and recapped prior polling on a regional ballot measure. That polling suggested that it would be inadvisable to place both a housing and transportation measure on the ballot at the same time, with a preference for a housing measure in 2024.

While initial polling showed a preference for a regional housing ballot measure, MTC staff will begin stakeholder engagement in October around key transportation priorities should there be a regional transportation ballot measure. Considering the operating deficits that most regional transit operators are facing in the coming years, there is a need to identify new revenue streams at the regional, state and/or federal levels. Stakeholders will include Caltrain and other regional transit operators, advocacy organizations, county transportation agencies, and the business community.

Caltrain staff continues to engage MTC staff and regional operators on the regional transportation ballot measure concept and other new revenue streams. Additional updates to the JPB will be provided when the fall engagement process concludes.

#### **4. High Speed Rail Coordination Update**

A joint letter signed by Acting Executive Director Bouchard and California High Speed Rail (HSR) Executive Director Brian Kelly was included in the August 3 JPB reading file. The letter recapped joint corridor and Blended System planning, as well as future shared use agreements and an update to the 2012 Nine Party Memorandum of Understanding (MOU).

The updated MOU will be completed no later than the fall of 2023. On September 13, Executive Director Bouchard contacted her counterparts at the seven other parties to the updated MOU to kick off the drafting, negotiation, and execution process. Those parties are MTC, the San Francisco County Transportation Authority (SFCTA), the San Mateo County Transportation Authority (SMCTA), the Santa Clara Valley Transportation Authority (VTA), the City of San Jose, the City and County of San Francisco, and the Transbay Joint Powers Authority (TJPA).

Caltrain staff will provide an in-depth update on the new Nine Party MOU and other HSR coordination activities at the November 3 JPB meeting.

Prepared By: Sam Sargent      Caltrain, Director, Strategy and Policy      650-730-6223

**CITIZENS ADVISORY COMMITTEE (CAC)  
PENINSULA CORRIDOR JOINT POWERS BOARD (JPB)  
SAN MATEO COUNTY TRANSIT DISTRICT ADMINISTRATIVE BUILDING  
Bacciocco Auditorium, 2<sup>nd</sup> Floor  
1250 San Carlos Avenue, San Carlos CA 94070**

**DRAFT MINUTES OF SEPTEMBER 21, 2022**

**MEMBERS PRESENT:** A. Brandt, L. Klein, R. Kutler, B. Shaw (Chair), JP. Torres, D. Tuzman (Vice Chair), E. Shapiro

**MEMBERS ABSENT:** R. Jaques (Alternate), P. Leung, M. Pagee (Alternate)

**STAFF PRESENT:** C. Harvey, D. Lieberman, A. Myles-Primakoff, J. Navarrete, D. Santoro

Due to COVID-19, this meeting was conducted as a teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspends certain requirements of the Ralph M. Brown Act.

Chair Brian Shaw called the meeting to order at 5:40 p.m. and led the Pledge of Allegiance.

**APPROVAL OF MINUTES OF AUGUST 17, 2022**

Motion/Second: Klein / Kutler

Ayes: Brandt, Shapiro, Shaw, Torres, Tuzman

Abstain: None

Absent: Leung

**PUBLIC COMMENT**

Jeff Carter, Millbrae, via Zoom Q&A, requested for staff to display the new electric trains at both San Francisco and San Jose stations.

**CHAIRPERSON'S REPORT**

Chair Brian Shaw reported that he spoke with Mr. David Santoro, Acting Chief Operating Officer, and has advised that the Measure RR Audit presentation is tentatively scheduled for February. Chair Shaw then mentioned that there will be a preview of the new electric trains in San Francisco, by invite only, on Saturday and that the Citizen's Advisory Committee (CAC) has been invited to attend.

**COMMITTEE COMMENTS**

Member Adrian Brandt reported on various Redwood City public meetings he attended, as it relates to Caltrain. He then commented on the correspondence packet regarding the gate down time concern from a San Mateo resident. Member Brandt then reiterated the importance of agendaizing the grade crossing presentation to the CAC to get a sense of how staff is handling these matters. Chair Shaw asked the committee to read the letter in the

correspondence regarding gate down time. He then stated that passengers may begin to ignore the gate crossing warnings with excessive gate down times.

Vice Chair David Tuzman also made a comment regarding gate down times. He requested staff to have trains wait before departing when trains on the opposite track have triggered the crossing gates, so that passengers may cross the tracks safely to board their train. He then requested staff to allow non-service animals on Caltrain with a travel carrier. Lastly, he shared his positive experience with the new Clipper Readers at the station and a positive interaction with a conductor. Chair Shaw suggested staff make a video to educate customers on ways they may help the conductor when checking for proper fare.

Member Rosalind Kutler shared her observation at the Bayshore station during construction and stated that it seems to be going well, although there is no bilingual or trilingual signage. She also appreciated the signage that confirms that the elevator is working during construction. Lastly, she shared her observations with the recent drastic changes with fare enforcement and suggested to instead ease back into enforcing fares.

Member Emilia Shapiro thanked staff for sharing the new timetable ahead of time as it gave her the opportunity to share the information. She then shared her concern with the possibility of allowing non-service animals onboard the trains.

Member Jean-Paul Torres commented on the recent fare enforcement changes and suggested that the conductors not assume that passengers without proper fare are necessarily fare evaders and to instead lead with education, as these passengers may not be familiar with the Caltrain system.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, stated that with Redwood City building four tracks, he hopes that multiple stations will also build four tracks. He then reported that there were no new printed timetables available at the Millbrae station. Lastly, he suggested Caltrain be more lenient with parking enforcement on Sundays as passengers may not be aware of Caltrain's parking rules.

**CALTRAIN FLEET MAINTENANCE UPDATE**

David Santoro, Acting Chief Operating Officer, presented the Caltrain Fleet Maintenance Update. The full presentation can be found on [caltrain.com](http://caltrain.com).

Committee Comments:

Member Larry Klein asked how staff determines heat restrictions and how are the customers notified of service changes affected by the heat restrictions. Mr. Santoro responded that although heat restrictions are determined at mile posts, the entire service is impacted as trains may need to travel at reduced speeds. He then stated that passengers are notified of delays through the communications department using Twitter, social media, and website updates.

Member Klein suggested planning ahead for future heat restrictions and notifying passengers of new potential departure and arrival times.

Member Brandt explained how heat restrictions affect the tracks and suggested building tracks that can sustain higher temperatures. Member Brandt then asked what Caltrain's goal is when implementing heat restrictions and Mr. Santoro responded that the goal is to prevent derailments, minimize damage to the rail and to reduce speeds so that the crews can see further in advance. Member Brandt then asked whether the locomotive involved in the San Bruno crash is permanently out of service and Mr. Santoro confirmed. Mr. Brandt then asked what the spare ration is. Mr. Santoro stated with four out of service and two out for life overhaul, Caltrain is at a disadvantage with spares, however as head-end power are replaced and locomotives are repaired Caltrain will be in a much better position and working toward that goal. Member Brandt then asked whether trains are using hotel power at the terminal stations as there were many complaints regarding idling trains. Mr. Chris Harvey, Rail Operations Manager, responded that staff investigated those complaints and has since been resolved and he confirmed that trains are using hotel (480) power as per procedures.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, asked staff what triggers the decision to cancel baby bullets during heat restrictions.

Chair Shaw asked staff to address the public comment. Mr. Santoro responded that the baby bullet is less impactful on operations.

**CALTRAIN RAIL SAFETY EDUCATION & SUICIDE PREVENTION UPDATE**

Dan Lieberman, Public Affairs Specialist, presented the Caltrain Rail Safety Education & Suicide Prevention Update along with San Mateo County representative, Sylvia Tang. The full presentation can be found on [caltrain.com](http://caltrain.com).

Committee Comments:

Member Kutler suggested that going forward, for Caltrain Rail Safety Campaign, to include electrification awareness. Mr. Lieberman confirmed that staff will begin to include electrification awareness.

Member Shapiro thanked staff for the presentation and bringing awareness to those topics.

Member Brandt stated that he was pleased to see that staff is reporting pedestrian fatalities more accurately as intended incidents because to solve the problem it is important to understand it. He explained that suicide is not a safety issue. He then suggested that staff add a column to the fatality log, indeterminate, to account for those deaths that may or may not have been suicides. Mr. Lieberman said that he would take Member Brandt's suggestions back to his team for further consideration.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, thanked staff for the presentation and for their strong efforts on suicide prevention. He also stated that he would not like to see Caltrain criticized for indeterminate fatalities along the right of way.

**STAFF REPORT UPDATE**

David Santoro, Acting Chief Operating Officer reported (The full report can be found on caltrain.com):

**On-time Performance (OTP) –**

- **August:** The August 2022 OTP was 89.1% compared to 94.3% for August 2021.
  - **Vehicle on Tracks** – There were five days, August 1, 8, 10, 20 and 24 with a vehicle on the tracks, which caused train delays
  - **Mechanical Delays** – In August 2022 there were 1615 minutes of delay due to mechanical issues compared to 485 minutes in August 2021.
  - **Trespasser Strike** – There was one trespasser strike on August 4 at the Santa Clara Station resulting in a fatality. There was 1 train terminated and 15 trains delayed.
- **July:** The July 2022 OTP was 91.9% compared to 90.2% for July 2021.
  - **Trespasser Strikes** – There were four trespasser strikes on July 7, 23, 28 and 30, resulting in three fatalities. The strike on the 7<sup>th</sup> was a fatality at San Antonio Station, which caused 2 trains terminated, 3 trains annulled, and 17 additional trains delayed. The strike on the 23<sup>rd</sup> was a fatality at E. Meadows Drive, which caused 1 train terminated and 6 additional trains delayed. The strike on the 28<sup>th</sup> was a fatality at Rengstorff Avenue, which caused 1 train terminated, 2 trains annulled, and 25 additional trains delayed. The strike on the 30<sup>th</sup> was a NON-fatality at Menlo Park, which caused 3 trains delayed.

**Caltrain Fall 2022 Service Change –**

- New Weekday Schedule was effective on Monday, September 12, 2022, in coordination with BART's Fall Service Change effective on the same date.

Committee Comments:

Member Brandt requested an idea be explored to detour vehicles from entering the tracks. He suggested having crossing gates that go across the tracks with their normal position being down until the train comes to avoid vehicles driving onto the tracks.

Public Comments:

None

**JPB CAC Work Plan**

October 19, 2022

- Rengstorff Grade Separation Project
- Clipper Next Gen Validator Project Update

November 16, 2022

- Code of Conduct
- 

December 21, 2022

- 
- 

Suggested Items:

- Go Pass cost per ride factors – requested by Chair, Brian Shaw on 6/19/19
- San Mateo County Climate Action Plan – requested by Member Rosalind Kutler on 10/16/19
- MTC Means-Based Discount Fare program update
- Caltrain connections with other agencies – requested by Member Rosalind Kutler on 12/18/19 and Alternate Member Rob Jaques on 12/15/21
- Update on grade crossing pilot six months after installation – requested by Member, Patrick Flautt on 12/18/19
- Operating Costs – requested by Member Adrian Brandt on 2/13/20
- Rail Corridor Use Policy – requested by Member Anna Dagum on 10/21/20
- Industry Safe Functionality
- Blue Ribbon Task Force
- Clipper Data Availability
- Construction Obstacles
- Wireless Solution Technology – requested by Member Adrian Brandt on 12/8/21
- Redwood City Station Development - requested by Member Adrian Brandt on 12/8/21
- Dual speed check installation/Constant Warning, Downtown Extension, elevated four track station, future Dumbarton Rail extension and the Google campus being planned at the Diridon station, PCEP project wireless overlay system and level boarding and the status of fully vaccinated staff - requested by Member Adrian Brandt on 12/15/21

- Transit Oriented Development & historic station preservation outreach - requested by Member Patricia Leung on 12/15/21
- Equity evaluation on the most recent schedule change and Go Pass qualification requirements - requested by Member Rosalind Kutler on 12/15/21
- Staffing structure, Governance Update, Visual Messaging Display rollout plan, Equity Plan implementation/update and periodic updates from Government Affairs regarding funding sources and how infrastructure bills may impact Caltrain - requested by Member David Tuzman on 12/15/21
- Caltrain Wayfinding improved, specifically with single tracking - requested by Member Jean-Paul Torres on 12/15/21
- Conductor's communication tools and how they may interface with the public. Regional trip planning and availability for riders that do not have access to mobile devices - requested by Alternate Member Melody Pagee on 12/15/21
- Distance-based fares on Caltrain. Deep dive on it from a practical standpoint - requested by Chair, Brian Shaw on 12/15/21
- iPhones for Conductors
- Constant Warning
- Engineering Standards
- Brainstorming sessions for Conductor iPhone applications
- CAC role in Measure RR oversight update
- Measure RR audit report (February 2023)
- Fare Enforcement Update – requested by Chair, Brian Shaw on 7/20/22
- Proof of Payment

**DATE, TIME, AND LOCATION OF NEXT REGULAR MEETING:**

The next meeting will be October 19, 2022, at 5:40 pm, via Zoom (additional location, if any, to be determined).

Adjourned at 7:07 pm.



## Memorandum

**Date:** September 27, 2022  
**To:** Board of Directors  
**From:** Michelle Bouchard, Acting Executive Director  
**Subject:** October 6, 2022, JPB Board Meeting Executive Director's Report

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- **On-time Performance**
  - **Through September 26:** The preliminary September 2022 OTP was 85% compared to 95.6% for September 2021.
    - **Trespasser Strikes** – There were two trespasser strikes on September 2 and 6, resulting in one fatality. The strike on the 2<sup>nd</sup> was a non-fatality at San Antonio Station, which caused 1 train terminated, 1 train annulled, and 12 trains delayed. The strike on the 6<sup>th</sup> was a fatality on the UPRR territory, which caused 1 train terminated and 2 trains delayed.
    - **Vehicle Strike** – There was one vehicle strike on September 8 at Churchill Avenue, which caused 2 trains delayed. \*\*This strike actually occurred on September 9, but we were still operating September 8 revenue service. \*\*
  - **August:** The August 2022 OTP was 89% compared to 94.3% for August 2021.
    - **Trespasser Strike** – There was one trespasser strike on August 4 at the Santa Clara station resulting in a fatality. There was 1 train terminated and 15 trains delayed.
- **Caltrain Fall 2022 Service Change:**
  - New Weekday Schedule effective Monday, September 12, 2022 reduces wait times for passengers connecting with BART in the evenings, while increasing service to the South San Francisco and 22nd Street stations.

- BART and Caltrain evening connections have been improved so riders will only have to wait between nine and 16 minutes at the Millbrae Transit Center. Customers transferring between BART and Caltrain can refer to BART and Caltrain Transfer Times at Millbrae station and on BART and Caltrain websites.
- To accommodate Electrification Project construction work, all trains after 7 p.m. will have longer end to end travel times by an average of 13 minutes. The adjusted timetable maintains the 104-train schedule that Caltrain operates every weekday, the most Caltrain service ever.
- During the peak morning and evening commute, two trains per hour per direction will stop at the newly renovated South San Francisco Station to provide increased service for the downtown area, Oyster Point employees and ferry riders. This will double the peak hour service to a station that has seen the highest ridership growth during the pandemic.
- During the southbound morning and northbound evening commute, additional limited trains will stop at the 22nd Street Station to better connect this station to Silicon Valley employment centers
- There are no changes to midday and weekend schedules.
- For more information, visit: [www.caltrain.com/Sept2022](http://www.caltrain.com/Sept2022)
- Caltrain is offering a promotion of 20% off of monthly pass prices, valid now through June 2023.
- For shuttle service, visit [www.caltrain.com/shuttles](http://www.caltrain.com/shuttles).
- More details on BART service can be found at [www.bart.gov](http://www.bart.gov).
  
- **Rail Safety Month & Week**

September was Rail Safety Awareness month. Caltrain participates Operation Life Saver Efforts year-round. To celebrate Rail Safety week, on Tuesday September 20, 2022, in partnership with Transit Police, Caltrain staff conducted a Rail Safety Blitz on board several trains during the morning commute hours, as well as at Caltrain grade crossings from Palo Alto to Burlingame. Staff interacted with approximately 200 customers, who were provided rail safety brochures and flashing safety lights. Transit Police conducted 30 stops giving out one citation, 20 written warnings and nine verbal warnings. In addition to the enforcement, each individual was given a rail safety brochure for education.
  
- **Caltrain First Electric Train Celebration**

To commemorate Caltrain's First Electric Train set, a celebration was held on Saturday, September 24, 2022 from 1pm to 4pm with elected officials, project funders, as well as state and federal policy makers. Guests were also able tour the Electric Train set. Future events that will be held for the public to commemorate Caltrain's first Electric Train sets are tentatively scheduled for early 2023.

- **CAC Meeting** – The Citizens Advisory Committee met on Wednesday, September 21, via teleconference. David Santoro, Acting Chief Operating Officer provided a Fleet Maintenance Update. Dan Lieberman, Public Affairs Specialist provided a presentation on Rail Safety Education & Suicide Prevention. David Santoro also provided the Staff Report. The next CAC meeting is scheduled for Wednesday, October 19, via teleconference.
- **BATAC Meeting** – The Bicycle & Active Transportation Advisory Committee was cancelled on Thursday, September 15. The next BATAC meeting is scheduled for Thursday, November 17, via teleconference.
- **Special Event Service**

**Services Performed:**

Following is a summary of special event services provided.

- **San Francisco Giants** – The SF Giants hosted thirteen games in September.

In August, average ridership per game, boarding and alighting at San Francisco station, was 4,757. Total ridership including event and non-event riders for August was 66,591.

Caltrain will provide one post-game express train for evening games on weekdays and weekends. The train departs San Francisco 15 minutes after the last out or when full, making its first stop Millbrae followed by local stops to San Jose Diridon. Fans wishing to reach stations between San Francisco and Millbrae should take a regularly scheduled train. Staff will continuously monitor the service throughout the season and make adjustments to accommodate the crowds as needed.

- **SF 49ers Pre-Season** – The 49ers hosted one pre-season home game at Levi's Stadium on Friday, August 12. Total ridership was 585, an increase of 57% compared to the 2021 average preseason ridership (373).
- **The Weeknd** – On Saturday, August 27 at 6:30 p.m. the Weeknd performed at Levi's Stadium. Total ridership, including event and non-event riders was 363.
- **Labor Day** – On Monday, September 5, Caltrain operated a Weekend Schedule in observation of the Labor Day Holiday.
- **Concerts at Oracle Park** - The Stadium Tour: Motley Crue, Def Leppard, Poison, & Joan Jett and The Blackhearts played on Wednesday, September 7 and Lady Gaga

played on Thursday, September 8. One southbound Local train after the concert was provided on each day.

- **Stanford Football Season** – The Stanford Cardinal hosted two home regular season games in September. Due to the expected ridership, Caltrain stopped regular weekend service at Stanford Station for the game against USC on September 10. Due to lack of infrastructure, safety and ADA compliance, attendees are encouraged to use Palo Alto station.
- **SF 49ers Regular Season** – The 49ers hosted one home game at Levi’s Stadium on Sunday, September 18. Caltrain operated regular weekend service.
- **San Jose Earthquakes vs. LA Galaxy** – The Stanford Stadium hosted this game on Saturday, September 24. Caltrain operated regular weekend service at Stanford Station. Due to lack of infrastructure, safety and ADA compliance, attendees were encouraged to use Palo Alto station.
- **San Jose Sharks Pre-Season** – The SJ Sharks hosted two pre-season games on Sunday September 25 and Tuesday, September 27.

**Services Scheduled:**

- **San Francisco Giants** – The SF Giants will host two regular season games in October.
- **SF 49ers Regular Season** – The 49ers will host two home regular season games at Levi’s Stadium on Monday, October 3 and Sunday, October 23. Caltrain will operate a regular schedule.
- **Stanford Football Season** – The Stanford Cardinal will host two home games on Saturday, October 8 and Saturday, October 22. Caltrain will stop regular weekend service at Stanford Station for the homecoming game against Arizona State. Due to lack of infrastructure, safety and ADA compliance, attendees are encouraged to use Palo Alto station.
- **San Jose Sharks Regular Season** – The SJ Sharks will host six games in October. Train 143 on weekdays or train 277 on weekends, may be delayed and will depart no later than 10:30 pm for certain games.
- **Golden State Warriors** – The Warriors will host four pre-season and four regular season games in October. Staff will continuously monitor service with Chase Center.

- **San Francisco Fleet Week** – Large crowds are anticipated on Saturday, October 8 and Sunday, October 9, for the Fleet Week airshows. Caltrain service is still to be determined.

- **Capital Projects**

The Capital Projects information is current as of August 31, 2022 and is subject to change prior to October 6, 2022 (Board Meeting).

- **South San Francisco Station Improvements:** This project replaces the existing side platforms with a new centerboard platform, construction of a new connecting pedestrian underpass to the two new plazas in downtown South San Francisco to the west and the shuttle area to east.

Contractor completed field punch list work and continues with administrative punch list submittals (including warranties and O&M manuals). Designer submitted the project as-builts for review.

Agency staff to prepare lessons learned session and will revise ADA slopes at ramps and landing design criteria to require industry recommended construction tolerances for future projects.

- **Burlingame Broadway Grade Separation Project:** This project will grade separate the railroad alignment at Broadway, between Carolan and California Avenues, in the City of Burlingame and remove the current at-grade crossing. As part of this project, the Broadway Station will become elevated and the hold-out rule at this station will be eliminated, improving operational efficiency.

CPM was selected to perform Project Delivery Method assessment. A one-day workshop to conduct qualitative and quantitative analysis will be scheduled soon. Focus meetings were held to discuss and clarify Caltrain's plan review comments on the 35% Progress set. Mark Thomas is preparing to submit Amendment No. 2 for additional services. Assistance is being provided to the City to gather information to apply for the Rail Crossing Elimination grant program.

Coordination with Real Estate regarding surveys, right of way, and property acquisitions including acquisition of SMCTA and CCSF property within the project limits valued at approximately \$11 million will continue. Continue assisting City with their application for the Rail Crossing Elimination grant program. Prepare presentation materials for City Council meeting on October 3rd to discuss outcome of 7/13/22 public outreach regarding aesthetics and landscaping options.

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

Bids were received on 8/26/2022. Continued coordination between UPRR and 3rd party fiber optic companies.

Execute settlement agreement with UPRR. Budget analysis and risk review are in progress. Proposed budget amendment will be presented to Board with request for approval of contract award. Obtain Board approval and award contract.

- **Rengstorff Avenue Grade Separation:** JPB in partnership with the City of Mountain View propose to grade separate the existing at-grade Caltrain tracks from the roadway crossing at Rengstorff Avenue in the City of Mountain View. This project will help improve public safety for pedestrians, cyclists, vehicles, and trains while improving the overall traffic flow and travel reliability.

The project entails constructing a new fully depressed intersection, major grading work, new paving, and bicycle lanes with special barriers, retaining walls, new elevated railroad tracks and pedestrian bridges, utility relocation, drainage and pump station facilities, and landscaping.

The 35% design is currently under review by the County. The Cooperative Agreement to advance final design is in development with VTA and the City of Mountain View. Preparing Cooperative Agreement for JPB Board consideration in October 2022. VTA Board approved \$42 million for final design and right of way. Quarterly coordination meeting held with VTA and cities to review project status and funding opportunities.

Next steps are issuing an RFP for selecting a design consultant and evaluating various delivery methods and obtain approval. Meet with VTA and the City of Mountain View to evaluate Rail Crossing Elimination and Local Partnership Program funding opportunities for the project.

- **Ticket Vending Machine (TVM) Upgrade:** This project will upgrade the existing TVM Server and retrofit and refurbish existing TVM machines to include functions planned for the Clipper program. The new machines will be able to dispense new Clipper cards (excluding discount Clipper cards that require verification of eligibility)

and allow customers to add value to existing Clipper cards. In addition, the scope was increased to include upgrades to the credit card reader and database.

Phase 4: There are material and equipment delivery delays. Vendor has been waiting on certain parts and material for the upgrades which are expected to arrive in October 2022.

Phase 5: Federal funding arrived and activated from the FY22 Capital Budget.

- **Clipper Next Gen Validators Site Preparation:** This project will prepare the stations with electrical power for the installation of the Clipper Next Gen Validators to be installed by MTC/Cubic.

Contractor continued to prepare the stations for new Clipper validator by providing electrical power at each new validator locations on the platforms. A little over half the stations have been completed and ready for the validator installations. Continue weekly construction meetings with the contractor.

MTC's contractor Cubic started validator installations in Gilroy and will be moving north. MTC completed the installations from Gilroy to Capitol.

- **Mary and Evelyn Avenue Traffic Signal Preemption Project:** This project will perform upgrades to train approach warning systems at Mary Avenue and Evelyn Avenue crossings in Sunnyvale. The project will improve vehicle safety at the at-grade crossings by increasing traffic signal advance warning times for approaching trains in order to clear vehicles at the crossings.

Continued to close out the project by closing out work directives and purchase orders.

- **Churchill Avenue Grade Crossing Improvements:** This project will improve safety, pedestrian, and bicycle access to the Churchill Avenue crossing in the City of Palo Alto. The project scope includes widening sidewalks, associated relocation of pedestrian gates, and installing new vehicle pavement markings and markers. This project is coordinated with the City of Palo Alto's own design for the crossing.

The City of Palo Alto is still waiting on the approval of the GO88-B form from the CPUC. Approval of the GO88-B form is required to advertise the Invitation For Bid (IFB).

Advertise and issue the IFB package when the city of Palo Alto receives approval from the CPUC.

- **Broadband Wireless Communications:** This project will provide wireless communication systems to enhance railroad operations and maintenance capabilities and provide Wi-Fi capability for passengers. This project is partially funded through a Transit and Intercity Rail Capital Program (TIRCP) grant as well as through a FY2023 capital budget allocation.

JPB team continued negotiations for a best and final offer and answered many questions and clarifications from the vendor. The project status presentation was included in the August Board and was presented at the August CAC meeting. The team also worked with Legal to develop the Terms and Conditions for the Agreement.

Finish the negotiations for a best and final offer and work with Legal on the agreement for the contract. Prepare the Staff Report and Resolution for the Board award in November.

- **Bayshore Station Bridge Painting:** This project will perform rehabilitation of the coatings of the existing steel pedestrian overpass bridge at the Bayshore Station in Brisbane. The bridge's paint coatings are in need of rehabilitation due to surface rust. This work combined with a complete repainting of the bridge will bring the structure to a state of good repair.

The Project continued to work with the Construction Management team to prepare and conduct weekly meetings with the Contractor Top Line Engineers. The Project continued to work with the Construction Management team to process and review Contractor submittals during the administrative process. The Project also continued to work with the Engineering to identify corrective action plan for material section loss and implement repair prior to painting operations via change order using allowance bid item included for this work. The Project continued work with Rail Operations, Rail Customer Experience, and Government and Community Affairs team to identify platform closures and path of travel during painting operations. The Project continued to work with PCEP team to identify OCS schedule to better align with the Bayshore Painting operations.

Field work scheduled to begin on September 19, 2022.

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

The Project continues to work with the County of Santa Clara and Caltrain staff to prepare documents for the JPB October Board for the Reimbursement Agreement with the County to provide design and construction support. The Project continues to work with City of Mountain View, VTA, and Caltrain staff to prepare documents for the JPB October Board for an Amendment to the Cooperative Agreement for Final Design and CMGC pre-construction phase. The Project continues to work with Caltrain Engineering to prepare an evaluation for construction methods between Top Down and Box Jacking. The Project also continues to meet with funding partners, sponsors, Caltrain staff (Technical Working Group) and Project Controls to provide weekly updates.

- **Watkins Avenue Grade Crossing Improvements:** This project includes the design and construction of four quadrant (“quad”) gates at the Watkins Avenue Grade crossing located in Atherton, California. This project is related to the executed Memorandum of Understanding (MOU) regarding the ‘Town of Atherton Station Closure’ between the Town and Caltrain.

Advertised and issued the Invitation For Bid. Held pre-bid conference with three bidders in attendance. Answered bidder's questions submitted for the IFB.

Current schedule forecast reflects a construction period from January 2023 to December 2023, which complies with executed MOU terms. The Town of Atherton has submitted to the Federal Railroad Administration a Notice of Intent to expand the existing Fair Oaks Lane Quiet Zone to include Watkins Avenue.

- **South Linden Avenue and Scott Street Grade Separation:** The South Linden Avenue and Scott Street Grade Separation Project is proposed to improve safety and decrease expected future traffic delays due to growth in vehicle traffic, greater frequency of Caltrain service, and the eventual addition of high-speed rail. South Linden Avenue is in South San Francisco; Scott Street is in San Bruno. Although located in different cities, the two grade separations are proposed to be undertaken as a combined effort. Since the two crossing locations are located only 1,850 feet apart, the grade separation of one crossing could affect the other.

The MOU for the PE-EC phase has been fully executed. The draft RFP for Preliminary Engineering design consultant has been finalized.

Next steps include seeking approval from the Management Committee to advertise for Preliminary Engineering services, fully execute the MOU, transfer funds to project budget, publish legal advertisement, and issue the RFP.

- **San Mateo Grade Crossing Improvements:** This project will install four quadrant (“quad”) gates at the grade crossings at 4<sup>th</sup> and 5<sup>th</sup> Avenues in San Mateo.

The City of San Mateo completed their 100% design, and the city of San Mateo submitted the GO88-B form to the CPUC for approval. JPB and the city of San Mateo submitted their request for funding authorization for construction to Caltrans for approval. Project team continued the development of the IFB package with Contracts and Procurement. Sent the draft IFB package to Caltrans and received comments.

JPB will incorporate the IFB package comments from Caltrans into the IFB that will be issued.

- **MP-36 Locomotive Mid-Life Overhaul Project:** This project involves performing mid-life overhaul of six MP-36-3C Locomotives. The mid-life overhaul includes complete disassembly of the main diesel engine, overhauling by reconditioning re-usable main frame components and re-assembly with new engine components and replacement of Separate Head-End Power (SEP-HEP) unit and all electrical components of the SEP-HEP compartment. All areas of the locomotive car body, trucks, wheels, and electrical components shall be reconditioned to like-new condition or replaced with new material. The project work is occurring off-site at the contractor’s facility location. The 6 locomotives to be overhauled are Locomotive #'s 923, 924, 925, 926, 927 & 928. In order to maintain daily service, only 1 to 2 of these locomotives are released at a time for overhaul work that is expected to take approximately 8 months per locomotive. Due to this restriction, the overall completion of this work is expected to take approximately 4 years.

The first vehicle #927 was shipped to the vendor’s (Alstom) facility at Mare Island (Vallejo) in July 2020 for overhaul and was returned to Caltrain in December 2021. The 927 is now in full service. Vehicles #924 and #925 are at Mare Island and undergoing rehabilitation. Vehicles # 923, 926 and 928 are scheduled for rehabilitation beginning in June 2022, November 2022, and April 2023, respectively.

Note: This is the initial reporting and data will be updated in the next report.





## Caltrain Modernization Program Peninsula Corridor Electrification Project (PCEP)



# Executive Monthly Progress Report

August 31, 2022

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**TABLE OF CONTENTS**

1.0 Executive Summary .....1-1

    1.1 Introduction .....1-1

    1.2 Program Cost and Budget .....1-1

    1.3 Program Progress and Schedule .....1-1

    1.4 Change Management Board (CMB) .....1-1

    1.5 This Month’s Accomplishments .....1-1

    1.6 Upcoming work .....1-2

    1.7 Critical Items .....1-3

2.0 Safety .....2-1

3.0 IMS Program Schedule .....3-1

    3.1 Introduction .....3-1

    3.2 Critical Path .....3-1

    3.3 Schedule Issues .....3-1

    3.4 Contract Milestones .....3-1

4.0 Cost and Budget .....4-1

    4.1 Introduction .....4-1

    4.2 Program Budget and Cost .....4-1

    4.3 Program Shared Risk Pool and Contingency .....4-2

    4.4 Electrification Design Builder Contract Incentives .....4-3

    4.5 Program Cash Flow and Funding .....4-4

    4.6 Issues .....4-4

5.0 Change Management .....5-1

    5.1 Introduction .....5-1

    5.2 Change Orders .....5-1

    5.3 Issues .....5-2

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## **1.0 EXECUTIVE SUMMARY**

### **1.1 Introduction**

The Peninsula Corridor Electrification Project (PCEP) will upgrade 51 miles of diesel service to electrified service from San Francisco to San Jose (Tamien Station). The PCEP scope of work includes design and construction of an overhead contact system, traction power facilities, modification of the existing signaling and grade crossing protection system to make it compatible with the electrified railroad, substation improvements at Pacific Gas and Electric (PG&E) substations, and modifications at existing tunnels and Caltrain's maintenance facility. It also includes the design, manufacturing, assembly, testing, and delivery of the Electric Multiple Units (EMUs).

Caltrain re-baselined the program budget and schedule in December of 2021. Caltrain completed a thorough assessment of all aspects of the program including cost, schedule, risks and organization. Caltrain is committed to deliver PCEP and achieve revenue service in September of 2024.

### **1.2 Program Cost and Budget**

On December 6, 2021, the JPB adopted a new PCEP program budget of \$2,442,690,697. As of August 2022, the project is on budget:

- The current project total cost at completion (EAC) is the same as Board adopted budget of \$2.44 billion.
- As of August 2022, a total of \$2.81M has been drawn down from the Shared Risk Pool of \$50 million.
- As of August 2022, a total of \$1.17M has been drawn from the project contingency of \$40 million.
- As of August 2022, no new awards have been made from the Project incentive pool of \$18.5 million.

### **1.3 Program Progress and Schedule**

As of August 31, 2022, the overall project completion is 76.16%. The current program schedule is still on track with PCEP's substantial completion date of April 2024 and Revenue Service by September 2024.

### **1.4 Change Management Board (CMB)**

In August 2022, the following no-cost change orders were brought to CMB for information only:

- Revision to Special Provision 01700 Contract Closeout.
- Revision to permissible overhead and profit markup for Subcontractors performing out-of-scope work.
- Revision to Intermediate Milestone No. 1.

### **1.5 This Month's Accomplishments**

The project team has completed the following notable activities for the month of August 2022:

- Executed transmission operating load agreement (TOLA) with PG&E.
- Held Executive Partnering session with BBII, Rail Operations and TASI.

- Developed Segment 4 energized rail isolation and protection procedure for Rail Operations and TASI's review and comments.
- Energized TPS 2 line 1 on August 27, 2022.
- Continued safety special task force working group including TASI, Rail Operations and PCEP to address communications, process and procedure improvements.
- Completed in-depth 25kV OCS awareness training for all Caltrain staff, third party contractors and trained the trainers.
- Continued to interview experienced, qualified resources to fill key management positions for PCEP delivery. This month, the management team interviewed lead schedulers and a close out manager.
- Submitted regression test plan for previous 2SC cutover location application logic update to the FRA and received approval.
- Started installation and pretesting activities for Segment 2 SSF cutover.
- Finalized last major cutover plan for Segment 2 at Menlo Park, Redwood City, and Palo Alto.
- Continued providing PCEP progress updates to funding partners, leadership, elected officials, citizens, and business community.
- Completed EMU clearance testing.
- Received two more EMUs on site.
- Continue Rail Activation effort on path to energization for Segment 4 and CEMOF.
- Commenced Emergency Preparedness Plan (EPREP) and Standard Operating Procedures (SOPs) updates for electrified operations with TASI and Rail Operations.

## 1.6 Upcoming work

For the next six months, the PCEP team has set additional goals as described below:

- Finalize Segment 4 energized rail isolation and protection procedure and commence isolation and protection field training.
- Complete readiness review of Segment 4 with all stakeholders.
- Continue 25kV in-depth OCS awareness training for all TASI staff and tenant railroad trainers prior to full Segment 4 energization.
- Continue to hold CMB and PCEP partnering sessions and finalize procedures for the implementation of the Configuration Management Board from the Funding Partners Oversight Protocol.
- Continue to hold Executive and Project Team Partnering sessions.
- Hold track access and RWIC workshops with BBII, Rail Operations and TASI.
- Finalize Program Management Plan (PMP) based on FTA/PMOC comments.
- Energize TPS 2 line 2 on September 17, 2022 and commence OCS testing under power following completion of OCS awareness training.
- Energize Segment 4 and commence System Integration Testing and EMU Trainset 3 commissioning.
- Continue pursuing federal and local grants to close the funding gap.
- Hold Monthly CMB meeting for program status and change order approval.
- Complete 2SC application logic update for previous 2SC cutover locations.

- Complete Segment 2 cutover at SSF.
- Commence cutover planning effort for last major Segment 2 cutover at Ralston and Mayfield.
- Continue and complete Emergency Preparedness Plan (EPREP) and Standard Operating Procedure (SOPs) updates for electrified operations with TASI and Rail Operations.
- Complete Segment 4 sectionalization testing and be ready for EMU Testing under Power.

The PCEP Project is currently on budget and on time for achieving Revenue Service in September of 2024.

**1.7 Critical Items**

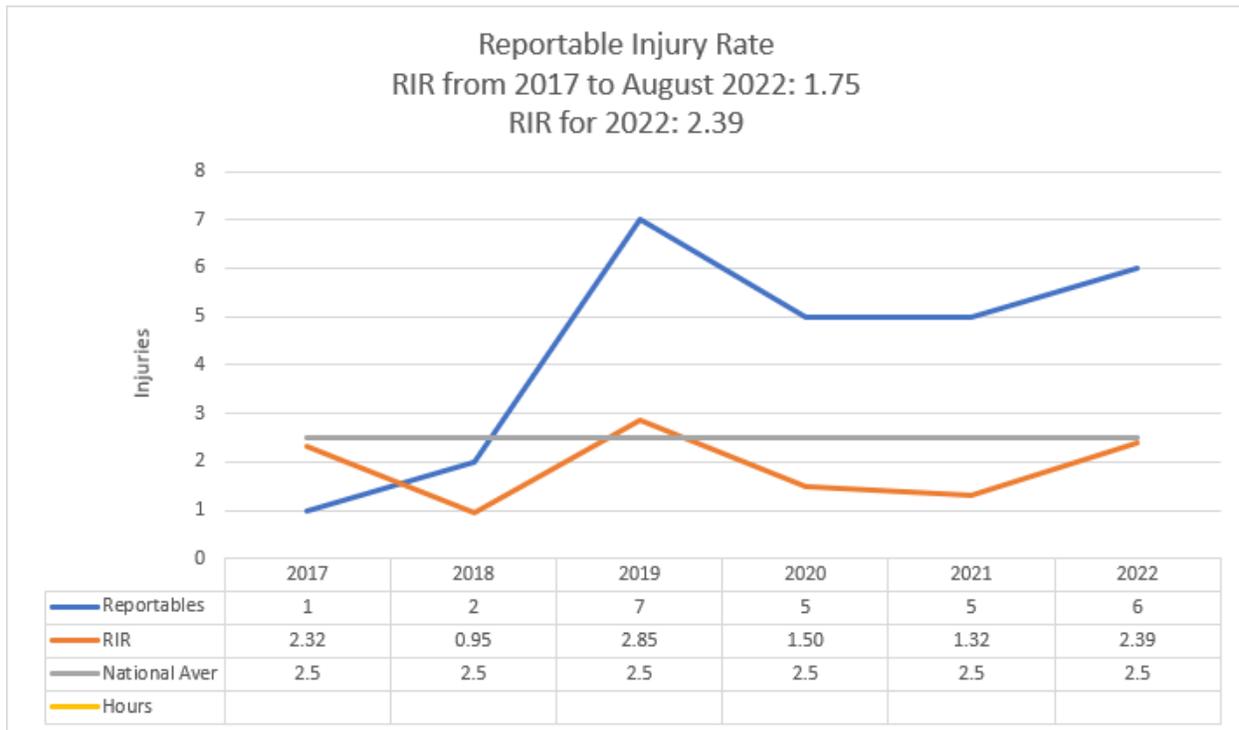
As of August 2022, the top critical items and related actions are highlighted below.

**Table 1-1. Critical Issues and Actions**

Critical Issues	Actions
Overhead Contact System (OCS) installation delay due to low productivity  Note: The project OCS work was on hold from March 10, 2022, to March 28, 2022 during the safety stand down.	<ul style="list-style-type: none"> <li>• Additional BBII OCS crew training for regulation and variance in the OCS design / installation due to re-design &amp; accommodations to resolve foundation Differing Site Conditions (DSC) issues – Done.</li> <li>• Hiring additional BBII OCS staff members to prevent schedule slippage and help in future installation planning – Done.</li> <li>• Hold OCS construction scheduling recovery workshop for remaining OCS installation and testing – Done.</li> <li>• Increase OCS crews and OCS wiring equipment to increase productivity.</li> </ul>
Timely completion of Segment 2 Signal/2SC cutover	<ul style="list-style-type: none"> <li>• Perform comprehensive cutover planning; develop and track dashboard for each cutover, including design submittal, duct bank completion, flagger needs.</li> <li>• Work closely with Rail Operations to maximize track access, including weekend bus bridge.</li> <li>• Advance notification to the public on train schedule service changes for weekend shutdown.</li> <li>• Last major cutover is planned for December 5, 2022 through December 19, 2022.</li> </ul>
Funding of \$410 million program gap	<ul style="list-style-type: none"> <li>• Special task force is in place to identify federal and state grant opportunities to pursue.</li> <li>• Targeted advocacy is ongoing.</li> <li>• Prepare earmarks grant scope and application.</li> </ul>
Lack of field railway worker in charge (RWIC) for increased work crews	<ul style="list-style-type: none"> <li>• Design-builder brought in more watchmen for off-track work.</li> <li>• TASI to expedite RWIC hiring and training.</li> <li>• Explore third party field resource procurement path.</li> <li>• Assess operational impact for expanding work limits with track and time.</li> </ul>

**2.0 SAFETY**

There were two reportable injuries for the 70,011 hours worked for the month of August. The Reportable Injury Rate (RIR) for 2022 through August is 2.39, which is below the national average of 2.50. Overall, since the project’s inception, the RIR is at 1.75.



**Figure 2-1. Project Reportable Injury Rate (RIR) by Year**

**2.1.1 Completed Work**

Safety staff continues to coordinate with contractors to identify opportunities to improve safety performance. Organizational-wide safety briefings are being performed to ensure staff understand the application of post incident mitigation measures including rules and procedural changes designed to enhance safety. Project Safety continues to reinforce jobsite safety practices throughout the Caltrain alignment, investigate incidents, and identify mitigation measures to prevent re-occurrences. Safety project coordination meetings continue to be conducted monthly to promote a clear understanding of project safety requirements.

**2.1.2 Upcoming Work**

The Fire/Life Safety Committee continues to work with the San Jose and Santa Clara Fire Departments on Emergency Preparedness in preparation for the energization of Segment 4. The safety team is coordinating with Operations and the EMU team to develop an emergency responder safety familiarization EMU presentation. Once completed, the presentation will be shared with emergency responder jurisdictions

through the project Fire/Life Safety Committee. In addition, the project safety team has initiated discussions with Segment 3 fire department jurisdictions to schedule project safety awareness training. Training sessions were conducted on September 8, 2022 for Training Officers of the Santa Clara County Fire Department. In addition, a full-scale emergency exercise that will include an electrification incident response component is scheduled for November 2022.

Tenant railroads operating on Caltrain Right-of-Way are being trained in early September. PCEP will train key management personnel and then provide the training material for their use in training remaining personnel.

Ninety-eight third party contractors have already been trained in the OCS Safety Awareness program with additional classes to be scheduled as needed.

### 3.0 IMS PROGRAM SCHEDULE

#### 3.1 Introduction

The Integrated Master Schedule (IMS) Program Summary Schedule depicted in **Figure 3-1** shows the schedule status of the major PCEP projects. The forecasted dates for the IMS were based on the contractor project schedule updates submitted as of September 1, 2022. The Revenue Service Date (RSD) remains September 26, 2024, with schedule contingency.

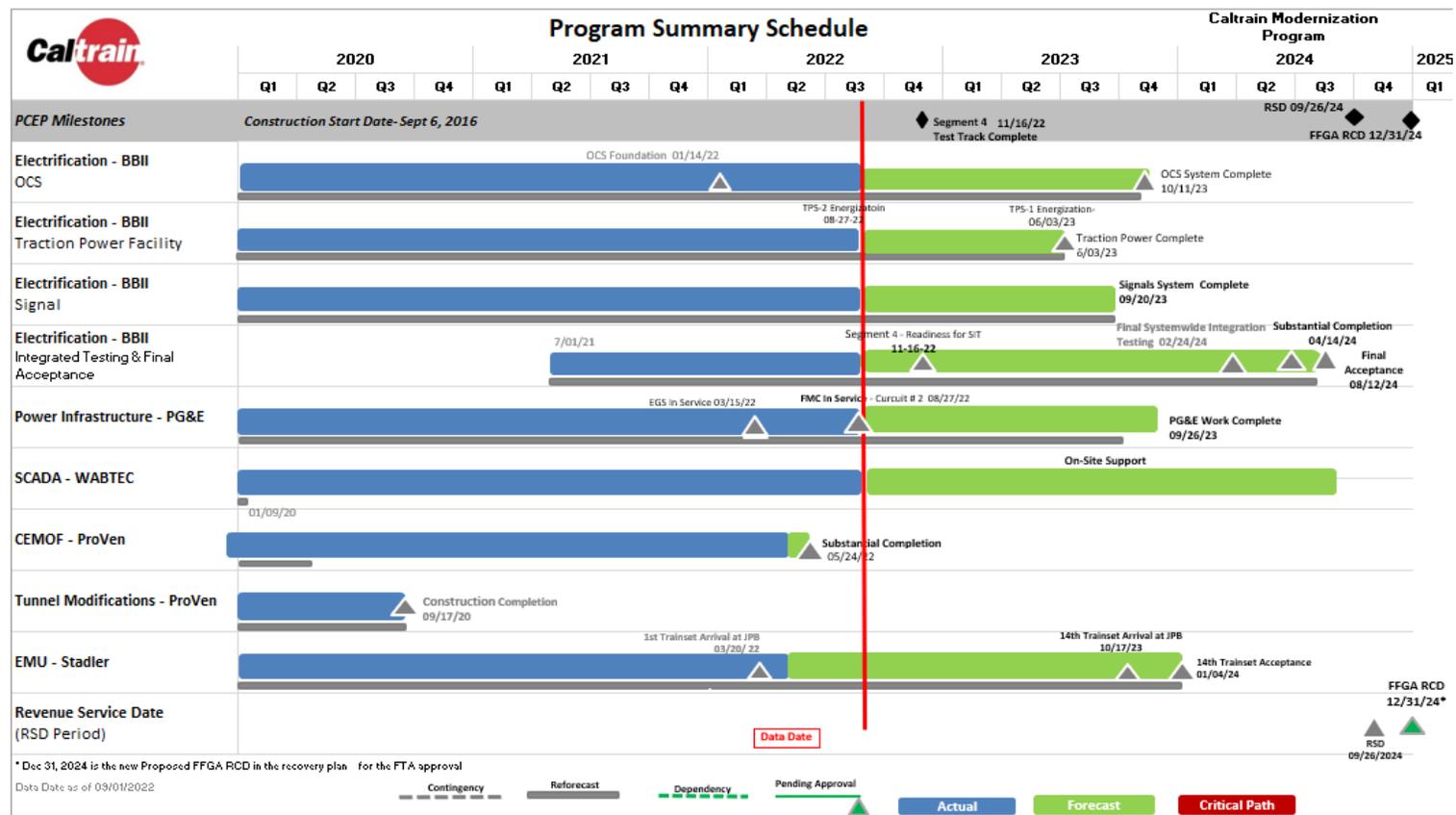


Figure 3-1. Master Program Summary Schedule

### 3.2 Program Project Status

**PG&E** – PG&E completed bringing 115 kV power to the site and assisting in energizing Traction Power Substation #2 on August 27, 2022.

**SCADA** – Although Wabtec (formerly ARINC) has completed most of their contracted SCADA activities, they were just awarded a new change order for future points change and perform availability test upon electrified revenue service which is reflected in the Summary Schedule.

**BBII** – BBII is experiencing delays in completing both the OCS Construction and Signal Installation. These delays have resulted in their Scheduled Final Acceptance milestone slipping 12 days. They have committed to bring additional crews, OCS equipment which will be received in September 2022. Lack of RWIC is also a factor of the on-going schedule delay for cancelled planned work.

**CEMOF** – ProVen work on the CEMOF facility has been completed and is in Close-Out Phase.

**Tunnel Modifications** – ProVen work is completed, and project closed out in process of releasing final retention payment.

**EMU** – Stadler delivered two (2) more EMU trainsets to the JPM site on August 12, 2022. Caltrain has received a total of four (4) trainsets.

### 3.3 Critical Path

The current critical path for PCEP starts with installation of the Portal, Head Span and Long reach Beams as well as the continuing installation of the OCS Poles and Balance Weight Assemblies. The path continues to run through the OCS system in Segment 1 and Segment 2 followed by Testing and Start-up and then Final Acceptance. The criticality of the path has slipped 4 days from the Reforecast Schedule in June 2022 and now show a negative 12-day total float. The Design-Build Contractor, Balfour Beatty, has committed to bringing in additional resources and equipment to reverse this schedule slippage.

The current near critical path is Milestone #1 (Segment 3 and Segment 4) and the remaining Signal and Crossing cutovers for Segment 2, Segment 3 and Segment 1, followed by testing and Start-up and then Final Acceptance.

**PCEP Lookahead Timeline**  
 August 2022 Update

Segment / Task	Date
<b>Systemwide</b>	
Traction Power Substation #2 Energization	8/27/2022A
Complete OCS Pole Installation	12-Sep-22
Complete Traction Power Facilities	09-Oct-22
Complete Ductbanks	14-Nov-22
Paralling Station Facilities Completion Milestone	26-Apr-23
Complete Milestone #1 (Segments 3 and 4)	22-May-23
Traction Power Substation #1 Energization	03-Jun-23
Complete OCS Energization - Segment 1, 2 & 3	03-Jun-23
Complete Signal Cutovers	20-Sep-23
Complete OCS (Contact & Messenger Wiring)	11-Oct-23
Start Systemwide Integrated Testing	15-Jan-24
Complete Systemwide Integrated Testing	24-Feb-24
BBII Substantial Completion	14-Apr-24
Revenue Service	26-Sep-24
FFGA RCD	31-Dec-24
<b>Segment 4</b>	
Start Integrated Testing Segment 4	07-Oct-22
Complete Integrated Testing Segment 4	17-Nov-22
Complete Segment 4	17-Nov-22
<b>Segment 3</b>	
Start Segment 3 Cutover	08-Dec-22
Complete Segment 3 Cutover	16-Apr-23
Start Integrated Testing Segment 3	16-Apr-23
Complete Integrated Testing Segment 3	22-May-23
<b>Segment 2</b>	
Start Segment 2 Cutover	8/1/2021A
Complete Segment 2 Cutover	08-Dec-22
Start Integrated Testing Segment 2	12-Oct-23
Complete Integrated Testing Segment 2	16-Dec-23
<b>Segment 1</b>	
Start Segment 1 Cutover	02-Aug-23
Complete Segment 1 Cutover	20-Sep-23
Start Integrated Testing Segment 1	17-Oct-23
Complete Integrated Testing Segment 1	15-Jan-24

Figure 3-2. PCEP Lookahead Timeline

### 3.4 Schedule Issues

Issues that may impact critical path or major milestones are identified in the table below as of August 2022.

**Table 3-1. Schedule Issues and Actions**

Issues	Actions
OCS installation delay due to low productivity and the project OCS work was on hold from March 10, 2022 to March 28, 2022 during the safety stand down.	<ul style="list-style-type: none"> <li>• Additional BBII OCS crew training for regulation and variance in the OCS design / installation due to re-design &amp; accommodations to resolve foundation DSC issues.</li> <li>• Hiring additional BBII OCS staff members to prevent schedule slippage and help in future installation planning.</li> </ul>
Lack of field railway worker in charge (RWIC) for increased work crews.	<ul style="list-style-type: none"> <li>• Design-builder brought in more watchmen for off-track work.</li> <li>• TASI to expedite RWIC hiring and training.</li> <li>• Explore third party field resource procurement path.</li> <li>• Assess operational impact for expanding work limits with track and time.</li> </ul>
2SC application logic defects found will require new software release and regression test and may impact Segment 2 cutover completion.	<ul style="list-style-type: none"> <li>• Assign technical task force for defect fixes.</li> <li>• Review with Rail Operations and FRA for approval.</li> <li>• Roll out new application logic and perform regression test for the crossings that were cutover previously.</li> <li>• Implement new allocation logic to the remaining crossings.</li> </ul>

### 3.5 Contract Milestones

**Table 3-2. Electrification Design-Build Contract Milestones**

Milestone	Reforecast Dates	Current Forecast	Milestone Variance
Completion of Milestone #1- Segments 3 and 4	April 30, 2023	May 22, 2023	-22
Substantial Completion	April 1, 2024	April 14, 2024	-13
Final Acceptance	July 30, 2024	August 12, 2024	-13

The permanent power was energized by PG&E on August 27, 2022, and Traction Power Substation #2 was energized. OCS field integrated testing with power will commence in mid to late October 2022. Segment 4 will be certified for temporary use for EMU burn-in by December 2022. BBII is preparing mitigation plans for schedule milestone variance recovery.

#### 4.0 COST AND BUDGET

##### 4.1 Introduction

This section presents current program cost and budget. On December 6, 2021, the JPB adopted a new Program budget of \$2.44 billion. Table 4-1 depicts a summary level of program budget, costs, and estimate at completion based on the latest update of the Electrification and EMU projects as of August 31, 2022.

##### 4.2 Program Budget and Cost

**Table 4-1. Budget Summary by Project**

Description of Work	Current Budget (A) <sup>1</sup>	Cost This Month (B) <sup>2</sup>	Cost To Date (C) <sup>3</sup>	Estimate To Complete (D)	Estimate At Completion (E) = (C) + (D)	Variance at Completion (F) = (A) – (E)
Electrification	\$1,749,139,438	\$18,119,184	\$1,409,638,912	\$339,500,526	\$1,749,139,438	\$0
EMU	\$693,551,258	\$11,627,137	\$476,451,219	\$217,100,040	\$693,551,258	\$0
<b>PCEP TOTAL</b>	<b>\$2,442,690,697</b>	<b>\$29,746,321</b>	<b>\$1,886,090,130</b>	<b>\$556,600,566</b>	<b>\$2,442,690,697</b>	<b>\$0</b>

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

Table 4-2 depicts program budget, costs, and estimate at completion summarized by major elements of work. This budget table provides additional detail for the program and is broken down by major contracts for Electrification and EMU, minor contracts, real estate, utilities, project management oversight and other indirect support costs.

**Table 4-2. Budget Summary by Major Elements**

Description of Work	Re-Baseline Budget	Current Budget	Cost This Month	Cost To Date	Estimate To Complete	Estimate At Completion
Electrification	\$1,097,149,881	\$1,097,149,881	\$16,630,743	\$834,064,434	\$263,085,447	\$1,097,149,881
EMU Procurement	\$556,072,601	\$556,204,966	\$9,574,507	\$394,991,868	\$161,213,098	\$556,204,966
Minor Construction Contracts (Tunnel, CEMOF, SCADA, Non-BBI OCS)	\$67,055,072	\$68,091,194	-\$20,912	\$64,410,692	\$3,680,502	\$68,091,194
Real Estate Acquisition & Support	\$34,914,177	\$34,914,177	\$13,245	\$23,794,189	\$11,119,988	\$34,914,177
PG&E, Utilities	\$132,088,995	\$132,088,995	\$995,960	\$200,316,271	-\$68,227,277	\$132,088,995
Management Oversight & Support	\$312,699,697	\$312,699,697	\$2,278,514	\$246,374,900	\$66,324,796	\$312,699,697
TASI Support	\$114,488,767	\$114,488,767	\$1,468,675	\$84,277,472	\$30,211,295	\$114,488,767
Finance Charges	\$9,898,638	\$9,898,638	\$113,382	\$8,975,136	\$923,502	\$9,898,638
Insurance	\$6,581,851	\$6,581,851	\$315,598	\$4,897,449	\$1,684,402	\$6,581,851
Other Required Projects & Services	\$9,084,176	\$9,084,176	\$50,548	\$2,899,228	\$6,184,948	\$9,084,176
Environmental Mitigation	\$14,438,866	\$14,438,866	\$1,696	\$1,207,099	\$13,231,767	\$14,438,866
Caltrain Capital Overhead (ICAP)	\$48,217,887	\$48,217,887	-\$1,675,633	\$19,881,392	\$28,336,495	\$48,217,887
Contingency	\$40,000,089	\$38,831,602	\$0	\$0	\$38,831,602	\$38,831,602
<b>Total</b>	<b>\$2,442,690,697</b>	<b>\$2,442,690,697</b>	<b>\$29,746,321</b>	<b>\$1,886,090,130</b>	<b>\$556,600,566</b>	<b>\$2,442,690,697</b>

### 4.3 Program Shared Risk Pool and Contingency

Caltrain and Balfour Beatty Infrastructure, Inc. (BBII) continue implementing new mechanisms to ensure a collaborative approach to Project delivery. The management team meets every week to review the issues log focusing on risk mitigation and issues resolution.

As part of global settlement, a shared risk pool of \$50 million was established to manage risks and mitigation proactively and collaboratively with the design-build contractor. Table 4-3 shows the current shared risk drawdown for the current month and to-date as well as the remaining balance of the shared Risk Pool by Risk Category. Any shared risk items that are above \$250,000 require Change Management Board (CMB) approval.

**Table 4-3. Shared Risk Pool Status as of August 2022**

Risk ID	Risk Description	Risk Amount	Current Month	Executed to Date	Remaining Balance
1	Permanent Power Availability	\$268,572	\$0	\$114,495	\$154,077
2	Different Site Condition for OCS Foundation	\$3,500,000	\$0	\$1,012,272	\$2,487,728
3	Different Site Condition for Duct bank	\$2,800,000	\$77,691	\$98,657	\$2,701,343
4	Condition of existing Fiber backbone infrastructure	\$3,150,000	\$90,386	\$132,561	\$3,017,439
5	Availability of TASI Resource	\$5,777,820	\$0	\$0	\$5,777,820
6	Signal Cutover access and work window	\$5,607,150	\$0	\$0	\$5,607,150
7	Condition of existing signal system	\$538,572	\$29,125	\$29,125	\$509,447
8	EMI Nonconformance by EMU Vendor	\$750,000	\$0	\$144,500	\$605,500
9	Reed Street Cutover	\$90,000	\$0	\$0	\$90,000
10	Availability of low voltage power for cutover testing	\$1,120,000	\$0	\$0	\$1,120,000
11	Third party Permits	\$150,000	\$0	\$0	\$150,000
12	SCADA integration for the entire alignment	\$159,524	\$0	\$0	\$159,524
13	Tunnel OCS Compatibility	\$167,500	\$0	\$0	\$167,500
14	Supply chain issue due to COVID 19	\$300,000	\$0	\$28,923	\$271,077
15	End to end Systems integration commissioning	\$2,100,000	\$0	\$0	\$2,100,000
16	Existing Caltrain Operating systems interface and integration	\$1,400,000	\$0	\$0	\$1,400,000
17	Third party Approval	\$150,000	\$0	\$0	\$150,000
18	Impact from Caltrain other capital or third-party projects	\$2,166,683	\$0	\$159,342	\$2,007,340
19	Track access delay for BBII Construction	\$1,800,000	\$14,605	\$14,605	\$1,785,395
20	Additional light Maintenance and Protection Needs	\$280,000	\$0	\$0	\$280,000
21	Crossing Protection	\$220,000	\$41,916	\$102,334	\$117,666
22	Power facilities	\$500,000	\$0	\$0	\$500,000
23	NCR's	\$0	\$0	\$0	\$0
24	Potholing	\$1,700,000	\$0	\$71,012	\$1,628,988
25	Pre-Revenue Service Operational Testing	\$250,000	\$0	\$0	\$250,000
26	TRO Contingency	\$3,000,000	\$0	\$0	\$3,000,000
27	Contingency	\$12,000,000	\$0	\$900,000	\$11,100,000
NA	Unidentified	\$54,179	\$0	\$0	\$54,179
	<b>BBII Risk Pool Total</b>	<b>\$50,000,000</b>	<b>\$253,723</b>	<b>\$2,807,827</b>	<b>\$47,192,173</b>

In addition to the established Risk Pool with BBII, the Re-Baseline Budget includes a program contingency of \$40 million to cover non-BBII potential changes and unknown costs. Table 4-4 provides a detailed status of approved transfers from contingency due to executed Contract Change Orders and approved Budget Transfers.

**Table 4-4. Program Contingency Drawdown Balance**

Change Order	Description	Current Budget Contingency	EAC Contingency
<b>Project Contingency</b>		Previously Reported Balance	<b>\$39,867,724</b>
ARINC-061-CCO-005	Traction Power Facility SCADA Database Changes	(\$1,036,122)	\$0
	<b>PROJECT CONTINGENCY REMAINING BALANCE</b>	<b>\$38,831,602</b>	<b>\$38,831,602</b>

Note: EAC Contingency reflects forecast contingency.

**4.4 Electrification Design Builder Contract Incentives**

The Global Settlement with BBII also includes incentives based on Milestone completions and remaining contract incentives. Table 4-6 provides a status of Design-Build Contractor incentives Budgeted, Awarded, and remaining Balance.

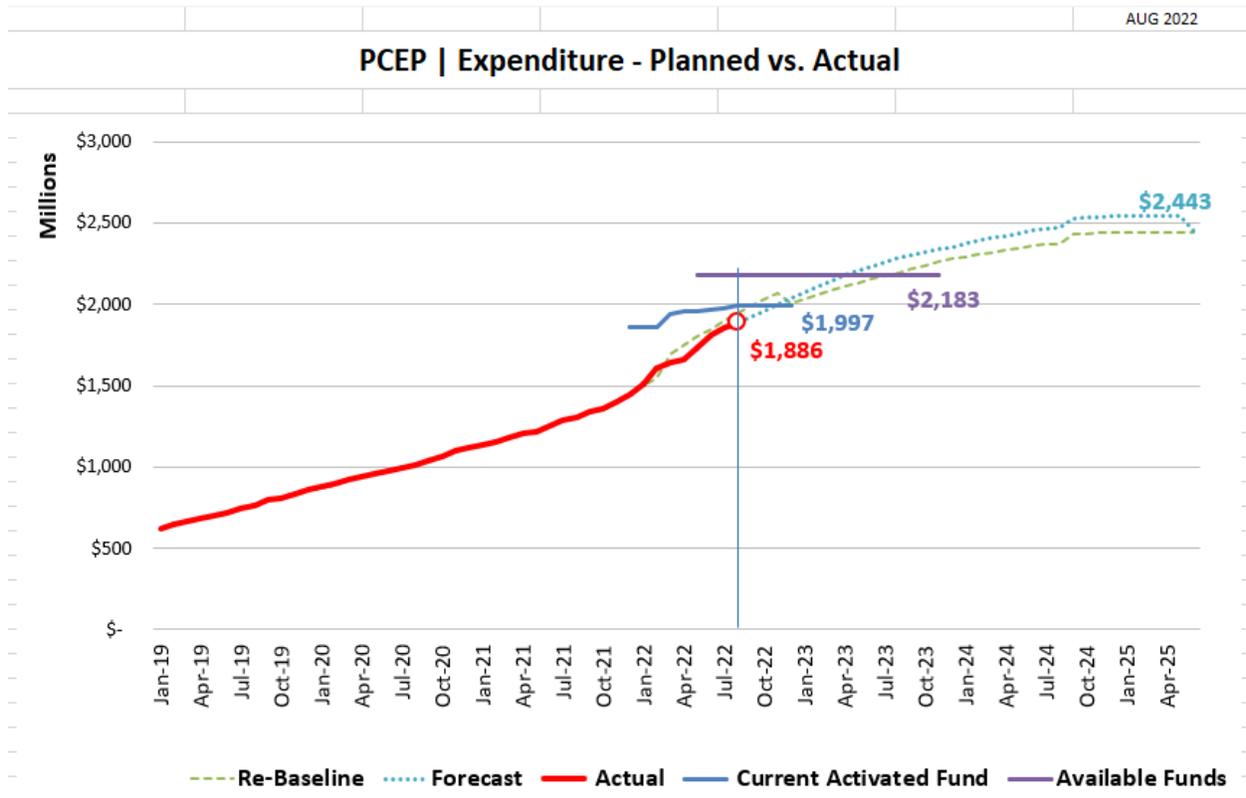
**Table 4-5. BBII Incentives**

Incentives	Budgeted	Awarded	Balance
<b>Contract Incentive:</b>			
Quality	\$1,250,000	\$1,000,000	\$250,000
Safety	\$2,500,000	\$875,000	\$1,625,000
Community Outreach	\$2,500,000	\$1,750,000	\$750,000
DBE	\$900,000	\$0	\$900,000
<b>Total Contract Incentive</b>	<b>\$7,150,000</b>	<b>\$3,625,000</b>	<b>\$3,525,000</b>
<b>Milestone Incentive:</b>			
Early Signal and Crossing Cutover	\$4,000,000	\$0	\$4,000,000
Early Project Substantial Completion (NTE)	\$8,000,000	\$0	\$8,000,000
Early Revenue Service	\$3,000,000	\$0	\$3,000,000
<b>Total Milestone Incentive</b>	<b>\$15,000,000</b>		<b>\$15,000,000</b>

**4.5 Program Cash Flow and Funding**

The remaining program expenditures are cash flowed in Figure 4-1 to illustrate by April 2023 additional funding will be needed to complete the program.

Figure 4.1 Expenditure – Funding Cash Flow



4.6 Issues

Table 4-6. Cost and Funding Issues Identified, and Actions Taken for August 2022

Issues	Actions
Additional funding setup for \$410M Funding Gap.	<ul style="list-style-type: none"> <li>Actively pursuing additional State and Federal funding sources.</li> <li>Dedicated task force has been established at the executive level.</li> <li>Prepare earmarks grant scope and application for April submission.</li> </ul>

## 5.0 CHANGE MANAGEMENT

### 5.1 Introduction

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

### 5.2 Change Orders/Shared Risk Pool

#### 5.2.1 Executed Shared Risk

The following Shared Risk items were executed in August 2022:

- TAD Nov 2021 for \$14,605 was executed on August 17, 2022.
- Protection of OTE at Gated Crossings (February 2022 through June 2022) for \$43,953 was executed on August 23, 2022.
- Signal Layout and Bonding for Pine Cone for \$27,920 was executed on August 23, 2022.
- Fiber Strike at CT 23.92 on February 23, 2022 for \$79,025 was executed on August 23, 2022.
- Systemwide Fiber Splice Enclosure Check for \$54,970 was executed on August 29, 2022.
- Investigate and Repair Fiber Optics Cable at MP 25.21 for \$35,831 was executed on August 29, 2022.

#### 5.2.2 Approved Change Orders

- Stadler Change Order 039 for “Multiple No Cost / No Schedule Impacts Group 9” to modify Inductive Emissions Limits per RFC-079 and Payment Schedule per RFC-079.

#### 5.2.3 Upcoming Change Orders/Shared Risk Items

- Thirteen (13) shared risk items, totaling \$304,923 are being routed for approval signatures.
- Revision to Special Provision 01700 Contract Closeout.
- Revision to permissible overhead and profit markup for Subcontractors performing out-of-scope work.
- Revision to Intermediate Milestone No. 1.

**5.3 Issues**

**Table 5-1. Change Management Issues Identified and Actions Taken for August 2022**

Issues	Actions
Segment 4 Maintenance Option in the existing BBII Contract was never exercised. Maintenance of OCS/TPS for Segment 4 will be needed post Segment 4 substantial completion once Caltrain is using it for EMU testing under 25kV.	<ul style="list-style-type: none"> <li>• Define EMU testing and burn in work schedule.</li> <li>• BBII will provide isolation and protection once Segment 4 is powered up.</li> <li>• BBII will provide maintenance lite during EMU testing and burn in.</li> <li>• Prepare Request for Proposal for OCS/TPS Maintenance Service for public procurement.</li> <li>• Develop evaluation criteria for Maintenance Service proposals.</li> <li>• Recommend for award and obtain JPB board approval.</li> </ul>

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