



**BOARD OF DIRECTORS 2023**

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MONIQUE ZMUDA

MICHELLE BOUCHARD  
EXECUTIVE DIRECTOR

# AGENDA

## PENINSULA CORRIDOR JOINT POWERS BOARD

Board of Directors Meeting

December 07, 2023, 9:00 am

Bacciocco Auditorium, 2nd Floor  
1250 San Carlos Ave., San Carlos, CA

Members of the public may participate remotely or in-person, provided that they satisfy the safety protocols listed below.

Members of the public may participate remotely via Zoom at <https://us06web.zoom.us/j/87581188408?pwd=OFNUYTVFdExlORRkR2tQOENXQUhhUT09> or by entering Webinar ID: **875 8118 8408**, Passcode: **033088** 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>

Members of the public also may participate in person at: San Mateo County Transit District, Bacciocco Auditorium - Second Floor, 1250 San Carlos Ave., San Carlos, CA, or any other noticed location provided they comply with the following safety protocols:

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

Visitors who have been exposed to the COVID-19 virus, who have received a positive COVID-19 test results, or who are experiencing any of the following COVID-19 related symptoms should refrain from participating in person:

- Cough
- Shortness of Breath
- Fatigue
- Nausea or vomiting
- Fever or Chills
- Sore Throat
- Muscle or body aches
- Loss of taste or smell
- Headache
- Diarrhea
- Congestion or runny nose

REVISED/AMENDED as of 12-06-23, approx. 2:00 pm re:  
Agenda Items 7 (pgs 112-126) and 8 (pgs 135-138)

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.

**December 07, 2023 - Thursday**

**9:00 am**

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*All items to which [Government Code section 84308](#) applies have been marked with an asterisk. A double asterisk indicates that one or more Directors of the JPB serve on the governing board of a public agency with which the JPB proposes to contract. Under Government code section 1091(a)(9), this relationship is considered to be a noninterest but it must be disclosed.*

1. Call to Order / Pledge of Allegiance
2. Roll Call
3. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances
4. 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.
5. Report of the Executive Director Informational
6. Consent Calendar  
Members of the Board may request that an item under the Consent Calendar be considered separately.
  - 6.a. Meeting Minutes of November 2, 2023 Motion

**Approved by the Finance Committee**

- 6.b. Accept Statement of Revenues and Expenses for the Period Motion  
Ending October 31, 2023

REVISED/AMENDED as of 12-06-23, approx. 2:00 pm re:  
Agenda Items 7 (pgs 112-126) and 8 (pgs 135-138)

- |      |  |            |
|------|--|------------|
| 6.c. | Approval of the 2024 JPB Finance Committee Meeting Calendar  | Motion     |
| 6.d. | Renew Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050* | Resolution |
| 6.e. | Award of Contract for On-Call Alternate Project Delivery Negotiation Support Services*   | Resolution |
| 6.f. | Increase Contract Capacity for (3) On-Call Environmental Planning, Permitting and Support Services Contracts 19-J-P-072A, B and C*                                 | Resolution |

**Approved by the Technology, Operations, Planning, and Safety (TOPS) Committee**

- |      |   |            |
|------|---|------------|
| 6.g. | Approval of the 2024 JPB Technology, Operations, Planning, and Safety (TOPS) Committee Meeting Calendar   | Motion     |
| 6.h. | Award of Contract for Final Design Services for the Rengstorff Avenue Grade Separation Project*   | Resolution |
| 6.i. | Amend Budget for Broadband Wireless Communication System Project*   | Resolution |
| 6.j. | Authorize Execution of the Amended Memorandum of Understanding to Receive Funding for the Construction Manager General Contractor (CMGC) Pre-Construction Phase for the Broadway Grade Separation* ** | Resolution |
| 6.k. | Award of Contract for San Mateo Replacement Parking Track Project*  | Resolution |

**Approved by the Advocacy and Major Projects (AMP) Committee**

- |      |   |            |
|------|---|------------|
| 6.l. | Approval of the 2024 JPB Advocacy and Major Projects (AMP) Committee Meeting Calendar             | Motion     |
| 6.m. | Authorize the Second Amendment to the Contract with JBR Partners for On-Call Ambassador Services* | Resolution |
| 7.   | State and Federal Legislative Update and Approval of 2024 Legislative Program                     | Motion     |

**REVISED/AMENDED as of 12-06-23, approx. 2:00 pm re:  
Agenda Items 7 (pgs 112-126) and 8 (pgs 135-138)**

- |   |               |
|---|---------------|
| 8. Authorize Use of the Construction Manager General Contractor (CMGC) Delivery Method Pursuant to Public Utilities Code Section 103395 for the 4th and King Yard Preparation Track and Systems Package (4KY Package B)                                 | Resolution    |
| 9. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report  | Informational |
| 10. Final Fall 2024 Electrified Service Plan  | Informational |
| 11. Update on SamTrans' Search for a New Headquarters Building and Caltrain Analysis of its Options   | 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 |
| 13. Correspondence  |               |
| 14. Board Member Requests   |               |
| 15. Date/Time of Next Regular Meeting: Thursday, January 4, 2024 at 9:00 am<br>The meeting will be accessible via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA. |               |
| 16. Adjourn   |               |

REVISED/AMENDED as of 12-06-23, approx. 2:00 pm re:  
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## 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 TOPS and AMP Committee: Two Wednesdays before the Board meeting, 1:30 pm and 3:30 pm respectively. 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**

Members of the Public may attend this meeting in person or remotely via Zoom. \*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 are encouraged to participate remotely or in person. Public comments may be submitted by comment card in person and given to the JPB Secretary. Prior to the meeting's call to order, public comment may be sent to [publiccomment@caltrain.com](mailto:publiccomment@caltrain.com) 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 in person or through Zoom or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Each commenter will be automatically notified when they are unmuted to speak for two minutes or less. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

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

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



# Executive Director's Monthly Report: November 2023

Executive Director Michelle Bouchard

*Report prepared for December Board meeting; data current through October 2023.*









## Who We Are and What We Do

**Caltrain Mission:** Caltrain is a customer-focused rail system offering safe, reliable, accessible, and sustainable transportation service that enhances quality of life for all.

**Caltrain Vision:** To be a vital link in the statewide rail network by improving connectivity to other transit systems, contributing to the region's economic vitality, and partnering with local communities to ensure that diverse constituencies receive a world-class travel experience.



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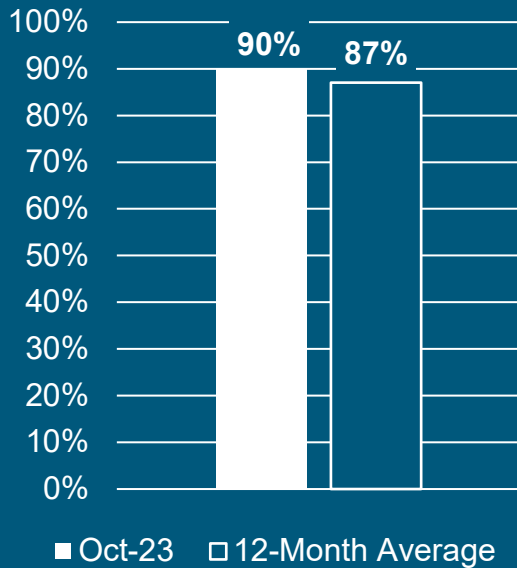




# Performance at a Glance

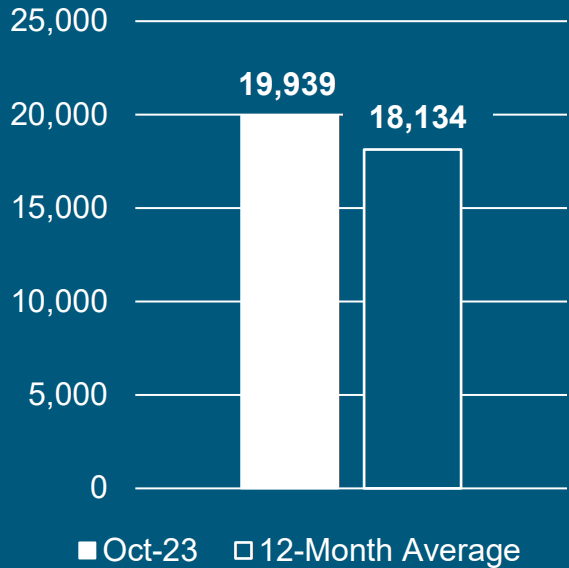
## On-Time Performance

Percentage of trains arriving within six minutes of the scheduled time



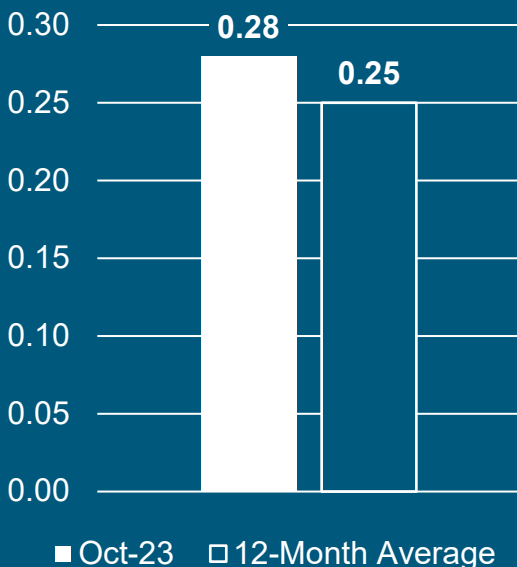
## Average Daily Ridership

Average estimated weekday ridership



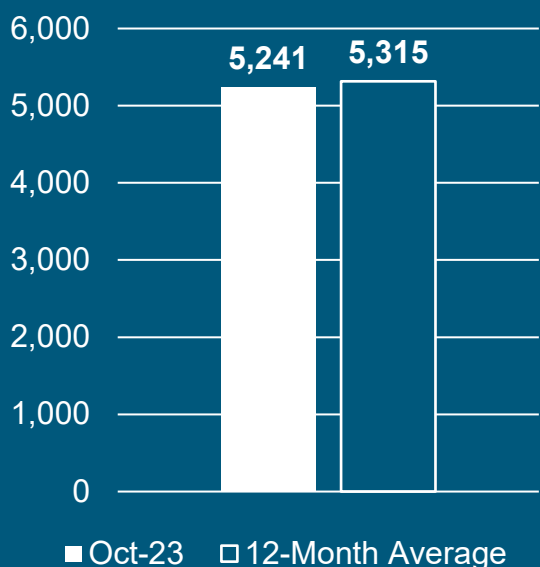
## Farebox Recovery Ratio

Ratio of fare revenue to operating costs



## Mean Distance Between Failures

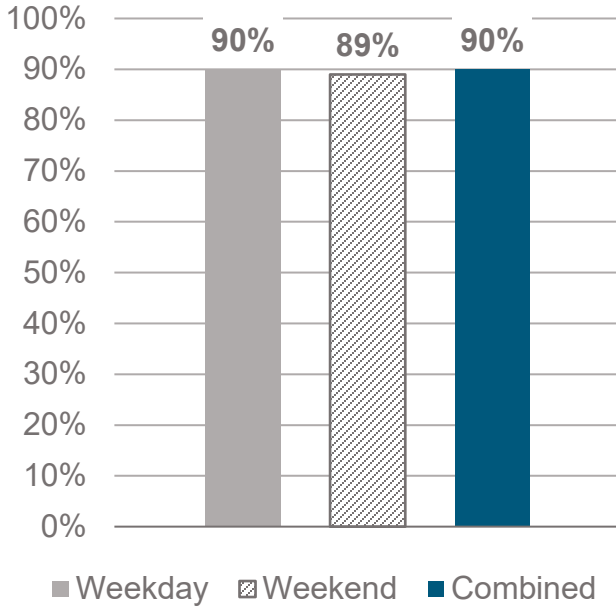
Average miles travelled by locomotives before maintenance/repair is required





# On-Time Performance

## Performance This Month (Oct-23)

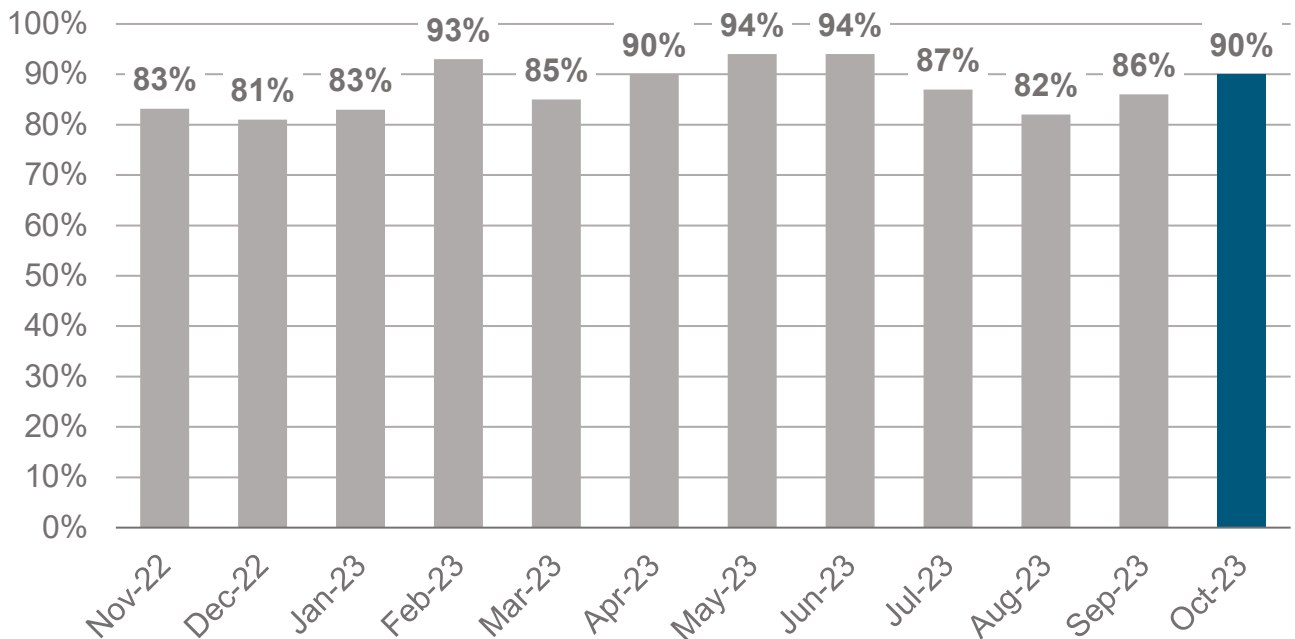


Trains are considered on-time if they arrive within six minutes of the scheduled arrival time at end-line locations (i.e. San Francisco, San Jose Diridon, Tamien, and Gilroy).

The on-time performance (OTP) goal for Caltrain is 95 percent. Combined OTP for the month of October was 90%.

Note that weekend OTP includes holidays.

## Monthly On-Time Performance in the Past Year





# Delays and Cancellations

Aug-23

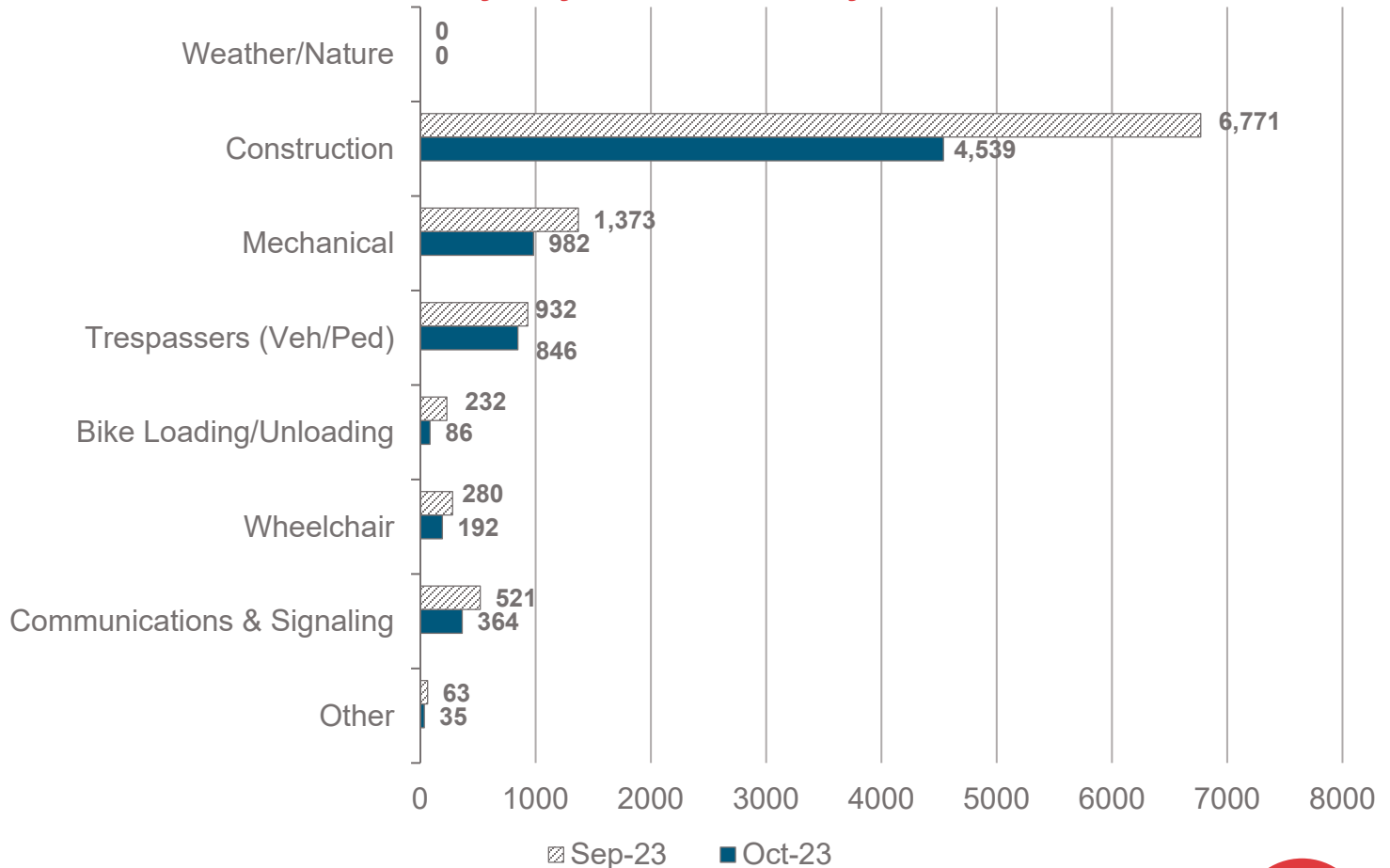
Sep-23

Oct-23

<b>Number of Late Trains</b>	438	334	266
<b>Average Minutes Late for Late Trains</b>	19	15	17
<b>Number of Cancelled Trains</b>	30	10	12

Trains are considered late if they arrive at their end-line destination six minutes or more after the scheduled time. Average Minutes Late represents the average difference in actual arrival time from the scheduled arrival time for late trains. Cancelled Trains includes trains forced to terminate mid-run, as well as those that are annulled before they begin to operate.

## Reasons for Train Delays, by Minutes of Delay



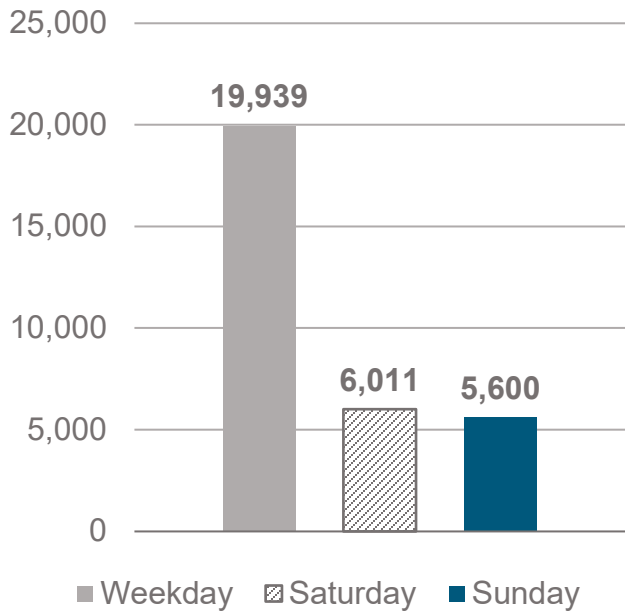
Note: "Other" includes special events and track defects.





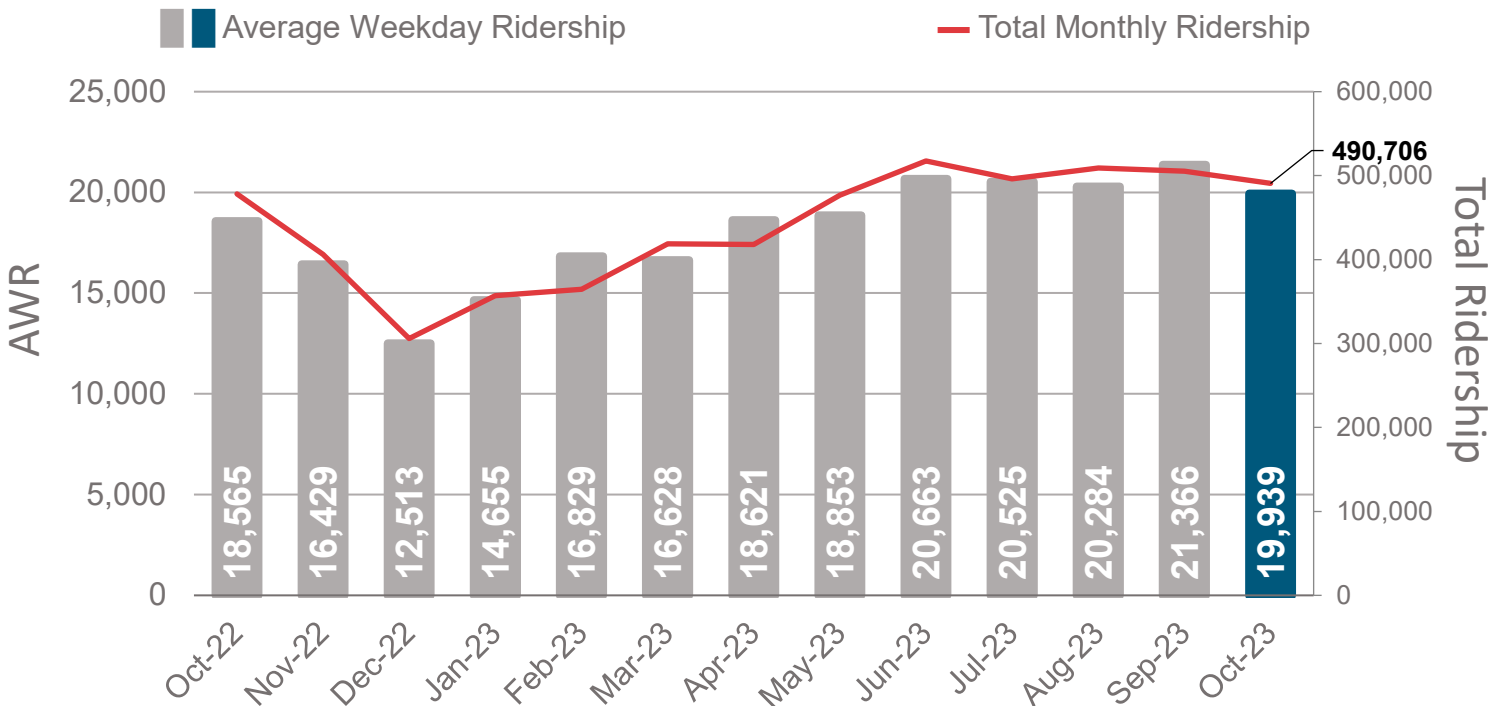
# Ridership and Revenue

## Average Daily Ridership (Oct-23)



Average weekday ridership (AWR) increased by approximately 7 percent compared to the same month in the prior year as riders continue to return to the Caltrain system for increased work and leisure travel.

## Ridership in the Past Year



April 2020 through October 2023: Due to pandemic-induced changes in travel patterns, ridership estimates were calculated using a combination of Clipper tap data and limited conductor counts.

November 2023, on: Caltrain implemented a ridership estimation model that is based entirely on fare media sales data.





# Ridership and Revenue

## Special Service Ridership Report

### 49ers

- Three regular home games in October.
- Total additional ridership was 2,546.
- Year-to-date additional ridership is 5,238, a 17% decrease compared to 2022 (6,320) and a 52% decrease compared to 2019 (10,928)
- Special trains:
  - No special trains provided.
- *Please note, a bus bridge was in effect for the 10/8 game.*

### Giants

- One regular season home game in October.
- Total additional ridership boarding and alighting at San Francisco station for October was 4,628.
- Special trains:
  - Two post-game special trains.
  - One pre-game special train.
- Season total additional ridership was 288,428, a 6% decrease compared to 2022 (308,118) and a 6% decrease compared to 2019 (307,378).

### Sharks

- Four regular season home games in October.
- Total additional ridership boarding at San Jose Diridon station was 498.
- Year-to-date additional ridership is 668, a 114% increase compared to 2022 (312) and a 52% decrease compared to 2019 (1,381).
- Special trains:
  - No special trains provided.
- *Please note, a bus bridge was in effect for the 10/14 game.*

### Stanford Football

- Two home games in October.
- Total additional ridership boarding at Palo Alto station was 885.
- Average ridership per game was 443, a 29% increase compared to 2022 average ridership (342) and a 20% decrease compared to the 2019 average ridership (555).
- Special trains:
  - No special trains provided.
- *Please note, a bus bridge was in effect for the 10/21 game.*

### Warriors

- Three pre-season and one regular home season game in October.
- Total additional post-game ridership boarding at San Francisco station was 629, a 31% decrease compared to 2022 (917) and an 80% decrease compared to 2019 (3,162).
- Special Trains:
  - No special trains provided.
- *Please note, a bus bridge was in effect for the 10/7 game.*





# Ridership and Revenue

## Special Service Ridership Report

### Other San Francisco Events

- Fleet Week/ Air Show (10/7-10/8).
- Total additional ridership boarding and alighting at San Francisco station was 851, a 78% decrease compared to 2022 (3,787) and an 84% decrease compared to 2019 (5,429).
- Special trains:
  - No special trains provided.
- *Please note, a bus bridge was in effect for the 10/14 game.*
- SF Portola Music Festival Day 2
  - Total additional ridership was 137
- Special trains:
  - No special trains provided.

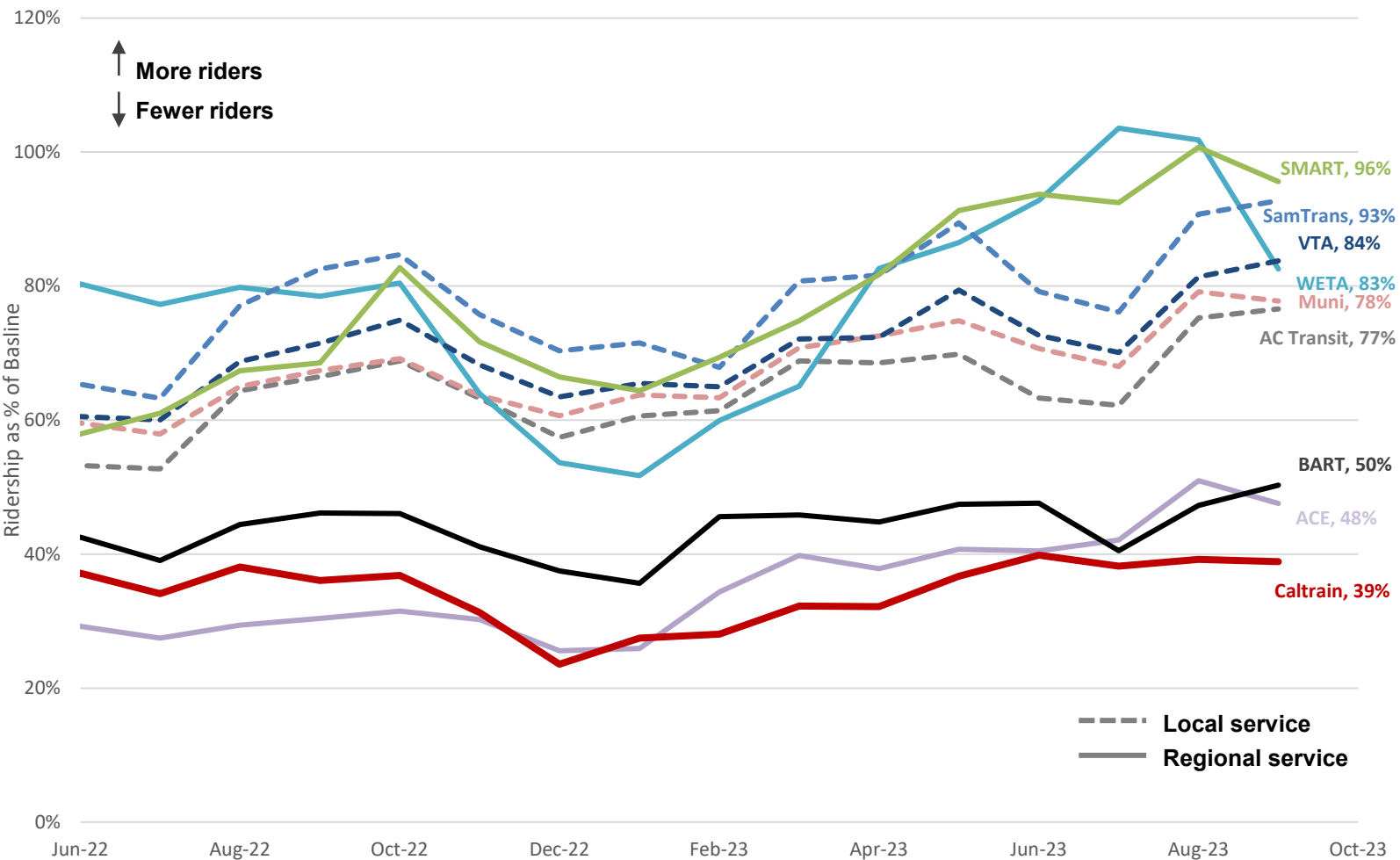




# Public Transit Ridership Recovery in the Bay Area

The below chart represents total monthly ridership as a percentage of baseline (defined as total monthly ridership reported in February 2020).

## Total Monthly Ridership as a Share of Pre-Pandemic Levels



### Sources:

- Caltrain ridership estimates based on conductor counts & Clipper data
- Ridership data for all other agencies retrieved from the National Transit Database
- July 2023 ridership for BART, VTA, and WETA taken directly from respective websites since numbers not yet available from NTD

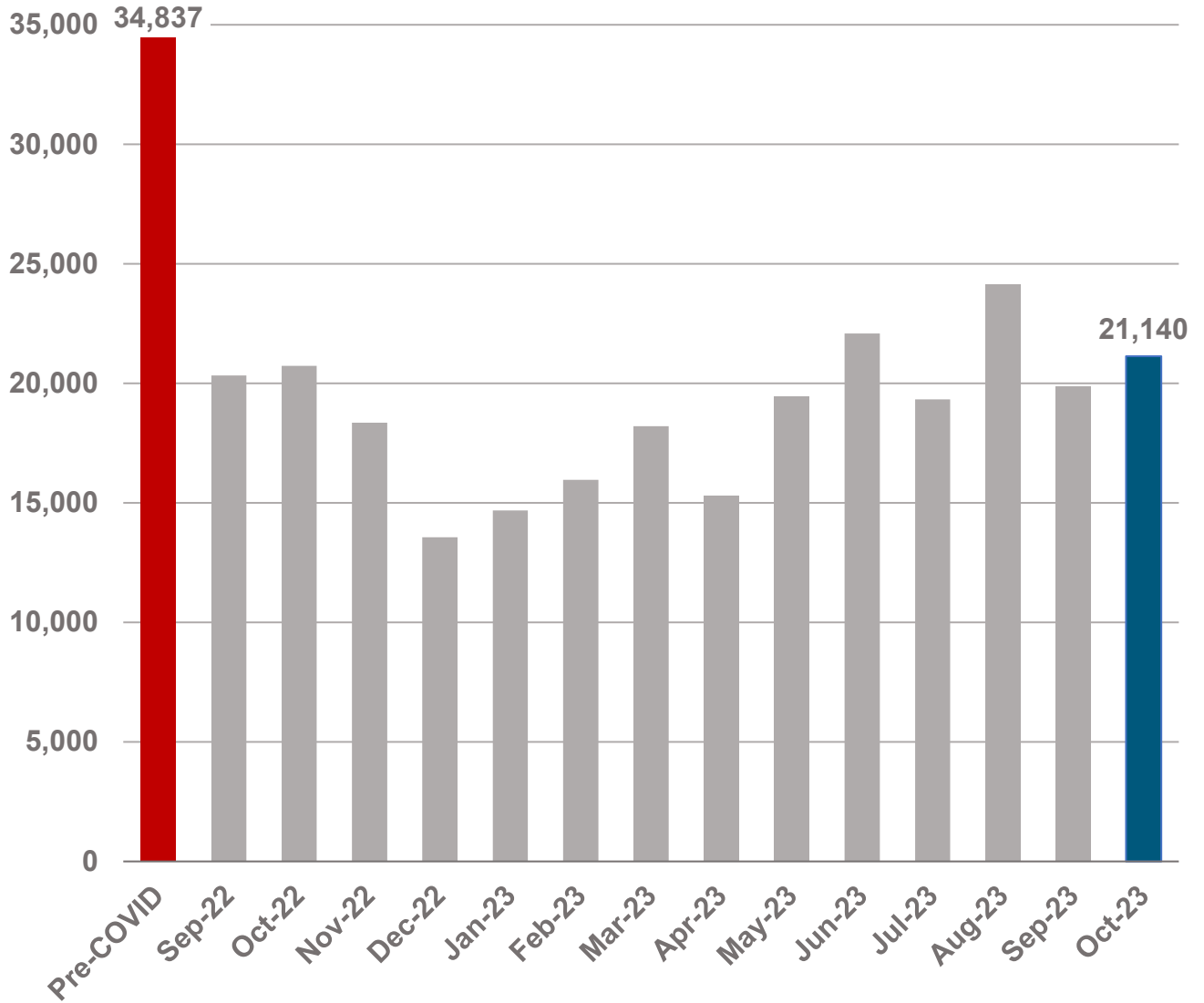
## Total Monthly Ridership Estimates (in thousands)

Transit Operator	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23
Muni	11,099	11,386	10,483	9,988	10,500	10,430	11,659	11,951	12,320	11,637	11,192	12,690	12,808
BART	4,501	4,492	4,010	3,656	3,479	4,449	4,470	4,370	4,628	4,645	3,952	4,160	4,907
AC Transit	3,055	3,164	2,907	2,638	2,786	2,822	3,164	3,150	3,209	2,909	2,858	3,458	3,521
VTA	2,043	2,142	1,952	1,814	1,872	1,857	2,061	2,069	2,270	2,077	2,003	2,326	2,395
SamTrans	783	803	718	667	678	643	765	774	848	751	722	860	879
Caltrain	469	478	406	306	357	365	419	418	477	517	496	509	505
WETA	182	186	148	124	120	139	151	191	200	215	240	236	191
SMART	49	59	51	48	46	50	54	59	65	67	66	72	69
ACE	35	36	35	29	30	40	46	43	47	47	48	59	55



# Ridership and Revenue

## Monthly BART Transfers at Millbrae in the Past Year



BART Transfers at Millbrae represents the total number of BART-to-Caltrain and Caltrain-to-BART transfers, as measured by Clipper Card data.

Pre-COVID data is provided for comparison purposes and represents average monthly transfers during the one-year period from March 2019 to February 2020.

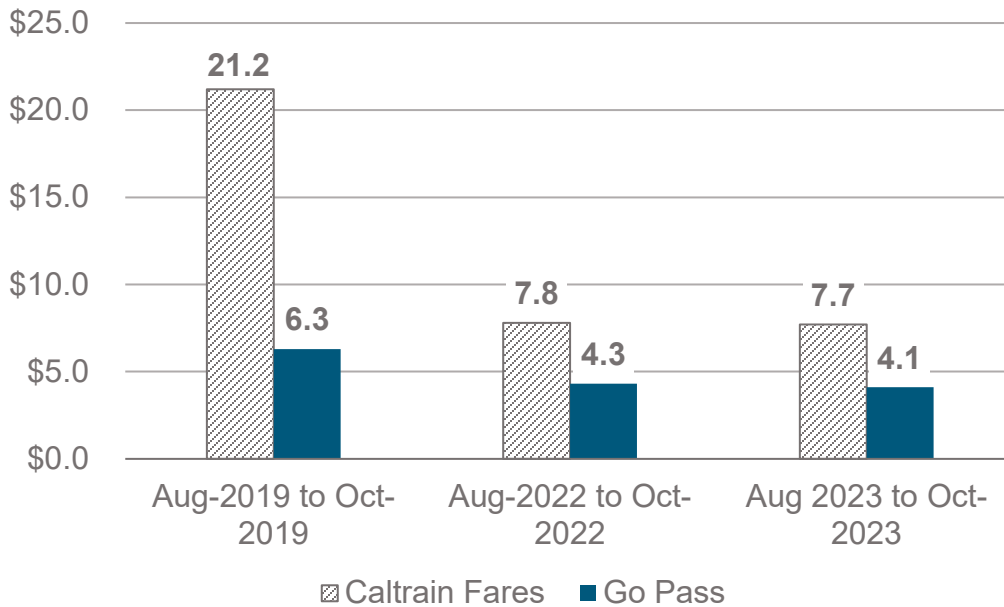






# Ridership and Revenue

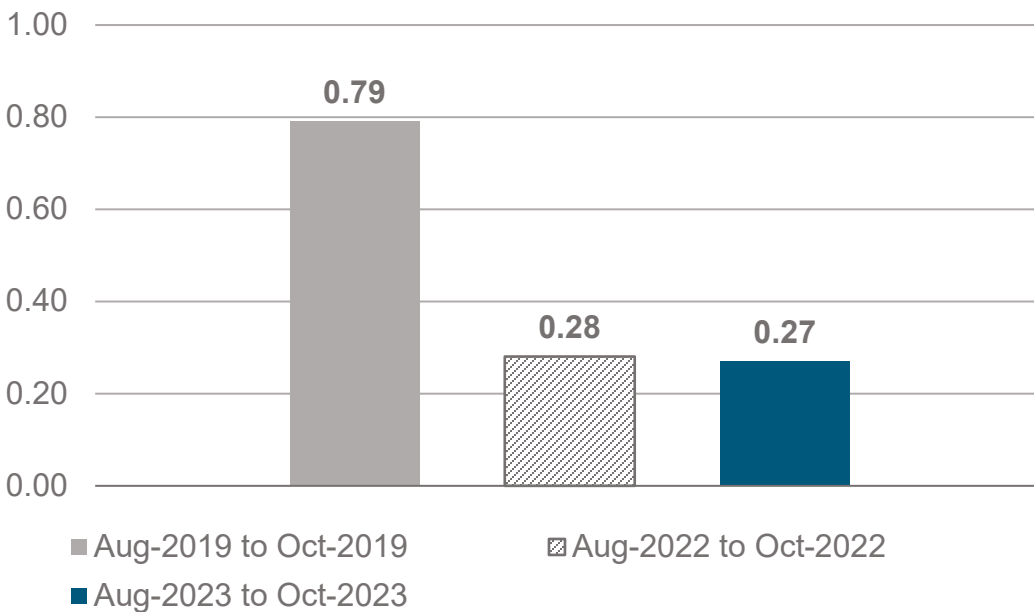
## Total Fare Revenues (\$M) - Past 3 Months Comparison



Fare revenue comes in the form of one-way tickets, daily or monthly passes (“Caltrain Fares”), and the Go Pass program.

Fare revenue is generally more stable than ridership due to many riders paying for monthly passes, which provide consistent revenue regardless of usage.

## Farebox Recovery Ratio (3-Month Rolling Average)



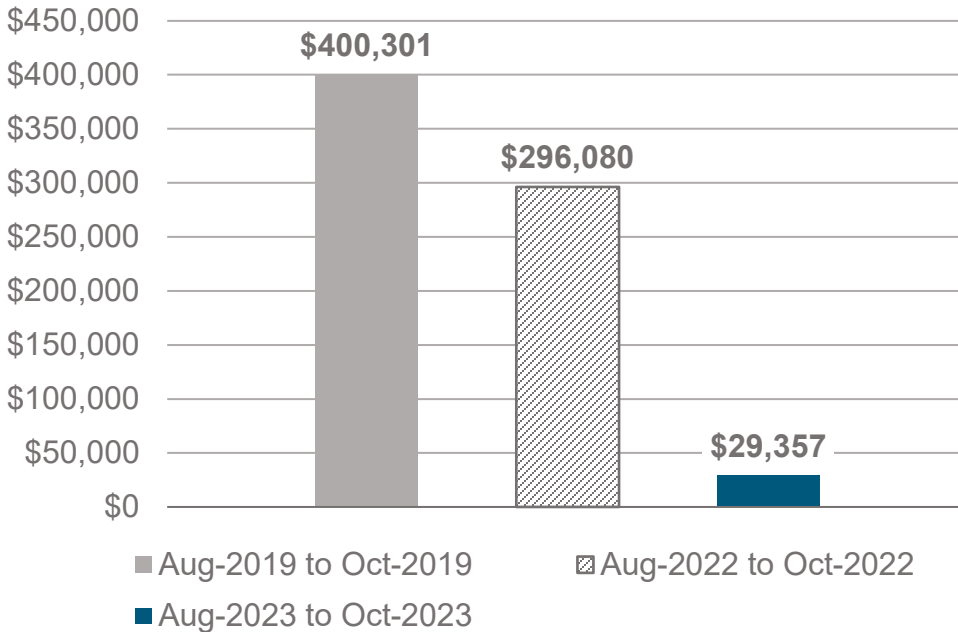
Farebox Recovery Ratio represents how much of the cost of providing service is covered by customer fares. A higher ratio indicates that a greater share of costs are covered by riders.





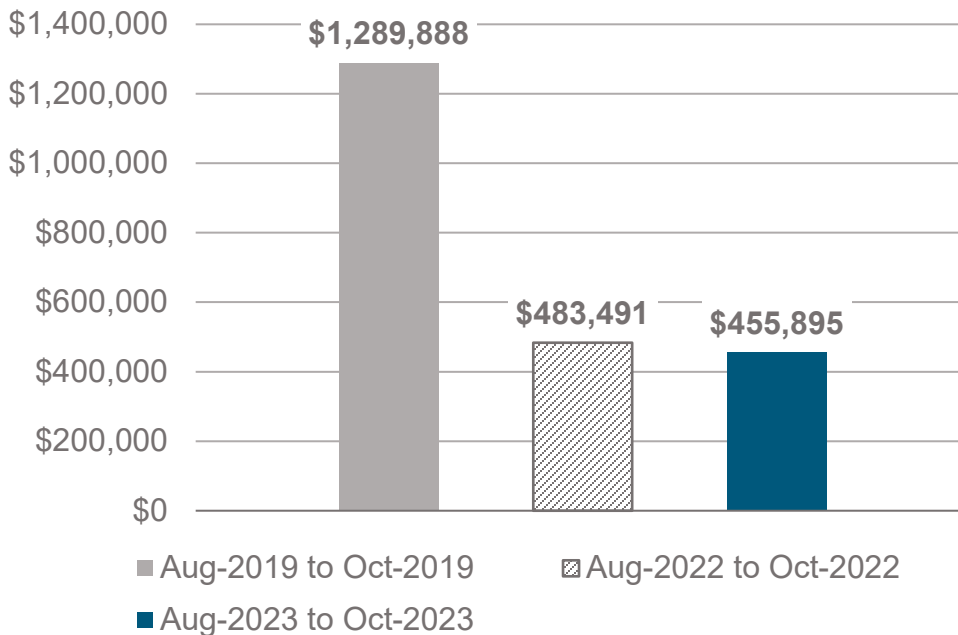
# Ridership and Revenue

## Advertising Revenue (3-Month Rolling Average)



Advertising Revenue declined substantially for transit agencies throughout the country with the onset of the COVID-19 pandemic.

## Parking Revenue (3-Month Rolling Average)



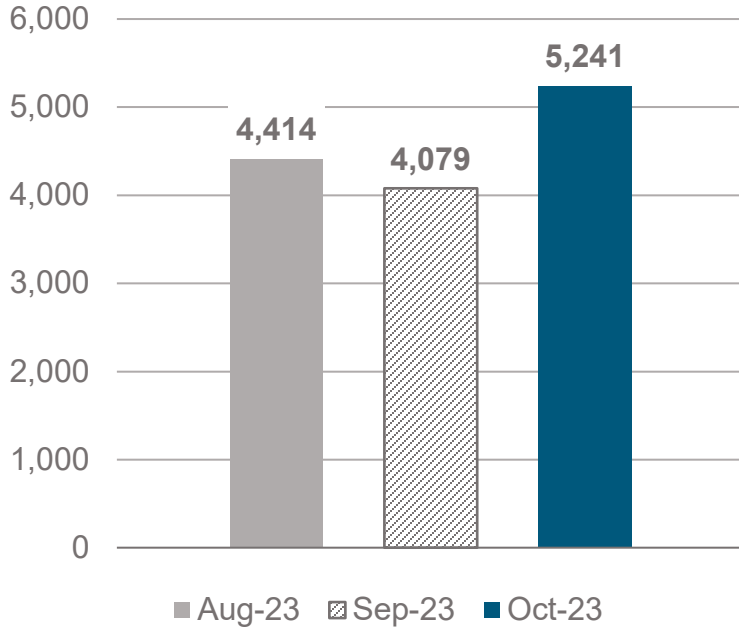
Parking Revenue is generated by purchases of daily and monthly parking permits for parking at Caltrain-owned lots.





# Maintenance Performance

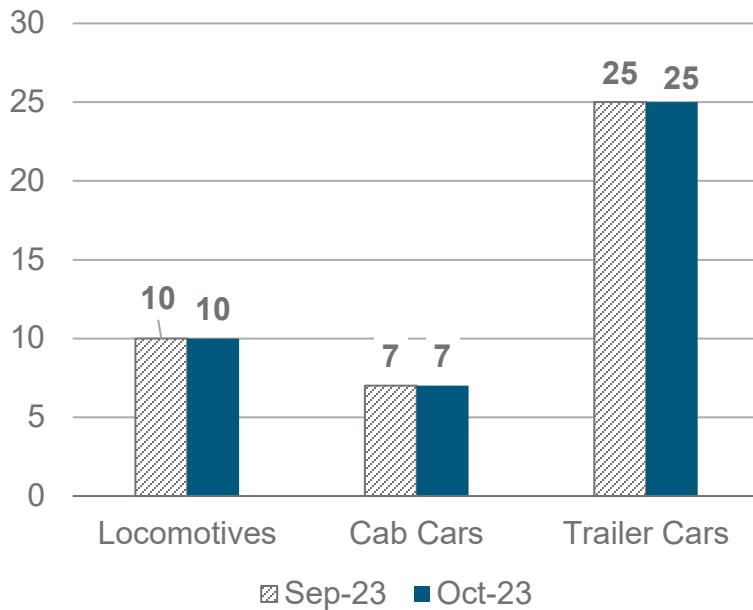
## Mean Distance Between Failure (Locomotives)



Mean Distance Between Failure (MDBF) is a measure of fleet reliability that represents the average distance traveled by train cars before maintenance or repair is required. A higher value indicates an improvement in reliability. Data is measured in miles.

The graph to the left represents MDBF for all passenger locomotives in Caltrain’s fleet.

## Equipment in Maintenance/Repair



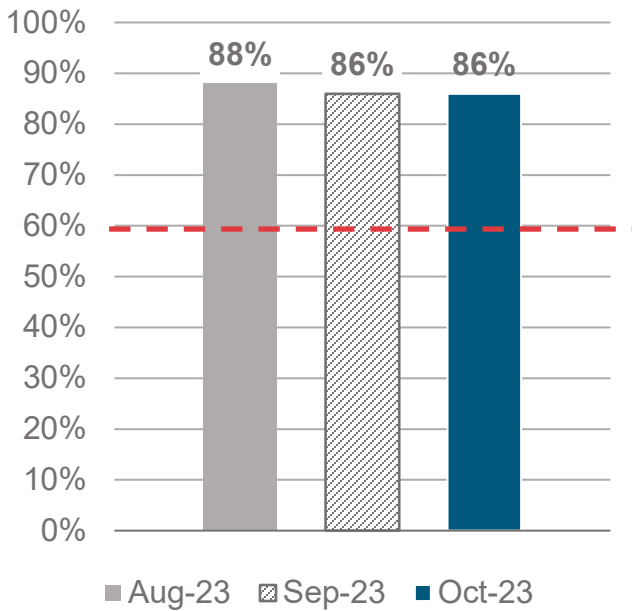
Equipment in Maintenance/Repair represents the number of locomotives and cars that are out of service on an average day each month due to routine and preventative maintenance or other repairs.





# Maintenance Performance

## Equipment Availability (Locomotives)

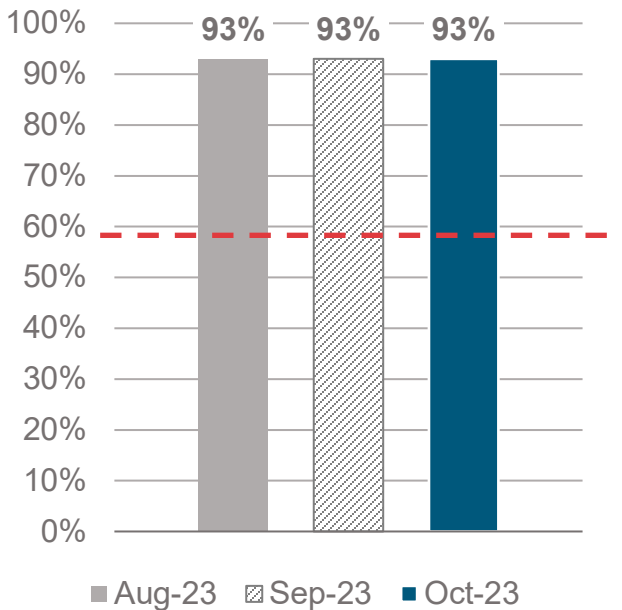


Equipment Availability is the number of cars or locomotives available for service on an average day each month as a percentage of the daily equipment required to run base service.

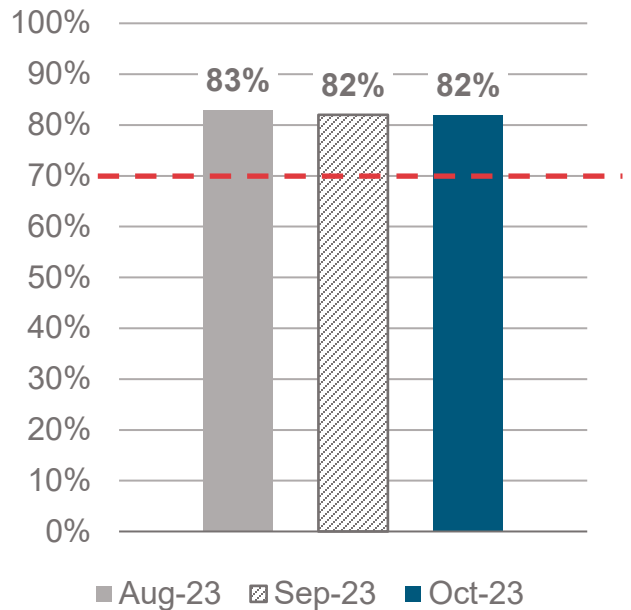
Caltrain currently owns 29 passenger locomotives, with 18 required daily; 36 cab cars, with 21 required daily; and 98 trailer cars, with 69 required daily.

The high average age of Caltrain’s current fleet, with around two-thirds being at the end of its useful life, significantly affects availability.

## Equipment Availability (Cab Cars)



## Equipment Availability (Trailer Cars)



Note: The dotted red line ( - - - ) on each graph represents the target line (i.e., the percentage of each equipment type required to run base service on an average weekday).





## Service and Program Updates

### **Holiday Train Making Stops Along the Peninsula on December 2-3**

On Saturday, December 2, and Sunday, December 3, the Holiday Train will visit nine Caltrain stations in San Francisco, San Mateo and Santa Clara counties. Caltrain is proud to once again partner with the U.S. Marine Corps Reserve Toys for Tots program and The Salvation Army on this annual toy drive.

At each of the train's 20-minute station stops, people can join in singing with onboard carolers and the Salvation Army Christmas Brass Ensemble.

Prior to the arrival of the train, families can enjoy free entertainment at each of the Holiday Train station stops. Holiday Train ambassadors will be onsite to help direct people to the donation bins and will have special giveaways for those in attendance.

### **Caltrain Temporarily Suspends Train Service Between San Jose Diridon and Tamien to Expedite Electrification Project**

Caltrain will be suspending some of its train service between San Jose Diridon and Tamien stations from Monday, November 27, to Sunday, December 3, to accommodate Caltrain electrification construction.

From November 27 to December 1, the last southbound train 146 will terminate at San Jose Diridon. On Saturday and Sunday, December 2 & 3, the first northbound train 221 will depart from San Jose Diridon, and on Saturday, December 2, the last southbound train 284 will terminate at San Jose Diridon.

Free VTA bus service will replace service for those trains between San Jose and Tamien stations. Bus stations schedules and bus stop locations will be available on the Caltrain website.





# Communications and Marketing Update

## Caltrain Communications and Marketing Campaigns for October 2023

- Press Release: "Caltrain Seeks Representatives for Bicycle & Active Transportation Advisory Committee"
- Press Release: "Take Caltrain to See the Warriors at Chase Center"
- Press Release: "Caltrain Suspends Train Service Between Millbrae and Menlo Park this Weekend to Expedite Electrification Project"
- Press Release: "Caltrain Unveils Electrified Service Vision for 2024"
- Press Release: "Caltrain Suspends Train Service Between San Francisco and Millbrae on Weekends to Expedite Electrification Project"
- New 4th Train for South County (Gilroy, Morgan Hill)
- New Fall Fare Promotions, 50% Off Parking
- Clipper Mobile (ongoing)
- 20% Off Caltrain Monthly Pass (ongoing)
- Clipper Start (ongoing)

## Digital Communications Report

The month of October refocused on weekend closures occurring between San Francisco and Millbrae, as well as between Millbrae and Menlo Park. There were three weekends of closures in October. It was announced at the end of the month that, for the remainder of the year, Caltrain will have regular weekend service. Some additional weekend closures are planned for early 2024 as we complete testing for Caltrain Electrification.

As social platforms evolve, the communication team, along with operations, is actively working to establish a stronger connection with riders with the assistance of a third-party source. New forms of communication are expected to be implemented by early 2024.

On October 17th, approximately 160 years ago today, the first steam train operated freight and passenger service from San Francisco to Mayfield, now known as Palo Alto. Weekly, the digital team is highlighting historical elements such as photos and facts to share with riders on social platforms, leading up to the 160th anniversary in January.





# Communications and Marketing Update

## October Digital Marketing Highlights

- New Group Fare Promotions
- Fleet Week – First weekend of October (Weekend Closure)
- Clean Air Day
- CEO / GM Ride Along Summary Posts
- Caltrain Unveils Electrified Service Vision for 2024 during Board Meeting
- Caltrain attended the APTA Expo
- 160<sup>th</sup> Anniversary – To be celebrated in January
- Tamien Station TOD Groundbreaking Celebration. This event celebrated the start of construction of a new mixed-income housing community directly adjacent to the Tamien Caltrain and VTA Light Rail Stations
- Warriors back at Chase Center
- Halloween Content
- La Ofrenda Festival – Gilroy
- Monterey-Salinas Transit Bus Service returned to Gilroy from Salinas, a restored service that was cut due to the pandemic
- No more weekend closures in 2023





# Capital Projects Update

## Project: Ticket Vending Machine (TVM) Upgrade

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
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.	●	●	●	●
<b>Project Phase: 6 - Construction/Implementation</b>				
<b>Project Costs (in thousands of dollars)</b>				<b>Estimated Completion</b>
	Current Budget	Committed to Date	Expended + Accruals	
Totals	3,892	3,399	3,356	12/30/23
Percentages	100.00%	87.3%	86.2%	
<b>Project Highlights – Recent and Upcoming Work</b>				
<p>23 out of 27 TVMs have been upgraded for this last phase of the TVM Upgrade project. An issue with the new printers was discovered where the printer will go off-line for unknown reasons. The old printers were kept in place until the problem is resolved.</p> <p>Resolve the printer issue and complete the final phase of the TVM upgrades</p>				

**Note:** The Capital Projects information is current as of October 31, 2023, and is subject to change prior to the December 2023 Board meeting.

**Statuses:** ● – Green ● – Yellow ● – Red







# Capital Projects Update

## Project: Guadalupe River Bridge Replacement

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
JPB will 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 project is located just north of Willow Street and east of State Route (SR) 87 between the Tamien and San Jose Diridon stations.	●	●	●	●
<b>Project Phase: 6 – Construction/Implementation</b>				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	63,699	26,607	24,520	02/16/25
Percentages	100.00%	41.8%	38.5%	
<b>Project Highlights – Recent and Upcoming Work</b>				
<p>Construction activities in the month of October 2023 include the surfacing and lining of the recently installed MT2 track, installation of permanent sheet piles around piers 3 and 4, the installation of rip rap erosion control, the removal of the river diversion system, construction of an OCS guy anchor, and the installation of conduits and vaults for use by JPB signals, third-party fiber optics, and the Broadband project. The PCEP contractor commenced grounding and bonding work for the reinstallation of the OCS.</p> <p>In November 2023, the JPB anticipates rough grading outside the river channel, the completion of conduits and vaults, and the completion of multiple MT2 punch list items. The PCEP contractor is anticipated to begin installing OCS poles.</p> <p>The "Funding" status light will remain yellow until FY25 funding appropriated by the Board in May 2024 is activated. Safety: On 10/26/23, a 40-foot tree fell across the tracks during a tree felling operation due to inadequate controls. There were no injuries or impacts to operations. However, handrails on both sides of the Guadalupe River Bridge were damaged. Investigation, reporting, and lessons learned are in progress.</p>				

**Note:** The Capital Projects information is current as of October 31, 2023, and is subject to change prior to the December 2023 Board meeting.

**Statuses:** ● – Green   ● – Yellow   ● – Red





# Capital Projects Update

## Project: MP-36 Locomotive Mid-Life Overhaul Project

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
<p>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 &amp; 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.</p>				

### Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	14,833	12,724	8,047	10/30/24
Percentages	100%	85.8%	54.3%	

### Project Highlights – Recent and Upcoming Work

Unit 925 was delivered to CEMOF, commissioning Tests completed and is now in revenue service. Conditional acceptance expected. Unit 926 was painted and began static testing. Authorize Conditional Acceptance of 925. Authorize Release for Shipment of unit 926 from Alstom. Ship unit 928 to overhaul.

**Safety:** While lifting locomotive 925 - 2 jacks failed which caused some damage to the lifting pad, ladders, and paint. The lifting pad was repaired, subsequent lift found no further damage.

**Funding:** A budget shortfall was discovered last year. Due to the low contingency in the contract the funding was not adequate to cover all the change orders. The expenditures were approximately \$300K for 3 locomotives in change orders. The expectation is a \$600K in change orders and funding request was made. The requested fund was not approved by the Board.

**Note:** The Capital Projects information is current as of October 31, 2023, and is subject to change prior to the December 2023 Board meeting.

**Statuses:** – Green – Yellow – Red





# Capital Projects Update

## Project: Broadband Wireless Communications

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
The project will design a broadband wireless communications system along the Caltrain corridor for the wayside train maintenance diagnostics and passenger Wi-Fi service. The project will investigate leveraging the existing infrastructure such as the Overhead Contact System (OCS) poles and JPB fiber network to communicate with passing trains. Wayside antennas may be mounted on the OCS poles at a constant interval to communicate with moving trains that will be equipped with radios and antennas.	●	●	●	●
<b>Project Phase: 6 – Construction/Implementation</b>				
<b>Project Costs (in thousands of dollars)</b>				<b>Estimated Completion</b>
	Current Budget	Committed to Date	Expended + Accruals	
Totals	30,441	12,985	9,947	
Percentages	100.00%	42.7%	32.7%	9/30/24
<b>Project Highlights – Recent and Upcoming Work</b>				
<p>Held weekly meetings with the contractor Nomad Digital. The Stadler Change Order for the installation of the Wi-Fi equipment in the EMU was signed and executed. The Final Design was approved. The Site-Specific Work Plan (SSWP) for Segment 4 was approved and the contractor began work by trenching and installing conduits for the wayside radios. The Soil Management Plan was approved by the Water Board. The Management Committee approved the revised project budget and funding plan. The Team worked on the Staff Report and Resolution for the December Board to increase the project budget.</p> <p>Complete the construction in Segment 4. Receive Board approval for revised project budget.</p> <p>The current activated funds are insufficient to cover the entire construction phase. The "Funding" status light will remain yellow until the remaining funds are activated.</p>				

**Note:** The Capital Projects information is current as of October 31, 2023, and is subject to change prior to the December 2023 Board meeting.

**Statuses:** ● – Green    ● – Yellow    ● – Red





# Capital Projects Update

## Project: Bayshore Station Bridge Painting

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
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 need 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.	●	●	●	●

### Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	6,870	5,973	5,367	01/31/24
Percentages	100.00%	86.9%	78.1%	

### Project Highlights – Recent and Upcoming Work

Continued to work with the Construction Management team and Contractor Top Line Engineers in conducting pre-substantial inspections at the both the East and West Towers. Towers have been opened as of August 7th, 2023 to the public and the project is approaching the substantial completion phase. Continued to work with the team in completing final punch list items: replace window trims and panels at East and West Towers.

Continue to work with the Construction Management team and Contractor Top Line Engineers in conducting pre-substantial inspections at the both the East and West Towers. Continue to work with the Team in proceeding with final inspections and acceptance for the month of November 2023. Continue to work with Construction Management team in all the administrative work to close out the contract and project.

**Note:** The Capital Projects information is current as of October 31, 2023, and is subject to change prior to the December 2023 Board meeting.

**Statuses:** ● – Green    ● – Yellow    ● – Red





# Capital Projects Update

## Project: Watkins Ave Grade Crossing Safety Improvements

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
<p>The scope intended for this Project would include safety improvements at Watkins Ave include the following:</p> <ol style="list-style-type: none"> <li>1. Installation of quad or exit gates</li> <li>2. Installation of new pedestrian gates</li> <li>3. Pavement markers and markings</li> <li>4. Sidewalk improvements including guard railing and fencing</li> <li>5. Installation of new sidewalk lighting</li> <li>6. Contribute to the Atherton station site improvements done by the Town of Atherton.</li> </ol>	●	●	●	●
<b>Project Phase: 6 – Construction/Implementation</b>				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	4,161	2,740	2,150	01/31/2024
Percentages	100.00%	65.8%	51.7%	
<b>Project Highlights – Recent and Upcoming Work</b>				
<p>Held weekly construction meeting with the Contractor Granite Rock. The contractor installed the new light poles and was tested. A punch list was generated and given to the contractor. TASI is still waiting on the exit gate mechanism from the manufacturer.</p> <p>Obtain substantial completion for the contractor. TASI to install the exit gates and test it.</p>				

**Note:** The Capital Projects information is current as of October 31, 2023, and is subject to change prior to the December 2023 Board meeting.

**Statuses:** ● – Green    ● – Yellow    ● – Red





# Capital Projects Update

## Project: San Mateo Grade Crossing Improvements

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
This project will design and implement safety improvements including quad gates or exit gates at the 4th and 5th Ave grade crossings in San Mateo. This project will make the two grade crossings safer for the train, motorist and pedestrians.	●	●	●	●

### Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	5,471	2,840	577	09/08/2024
Percentages	100.00%	51.9%	10.5%	

### Project Highlights – Recent and Upcoming Work

Stacy and Witbeck, Inc completed all requirements of the administrative planning period under the LNTP. NTP was issued for Construction start on October 27th. Resident Engineer, Office Engineer and field inspector continue to support project through the construction management support contract with TRC. PM and Government and Community affairs staff continue to coordinate community outreach efforts between City of San Mateo and JPB. Ongoing monthly progress meetings being held with TASI for signal construction scope.

Stacy and Witbeck construction work will be on pause from November 20th through January 1st due to City of San Mateo's downtown district Holiday Construction Moratorium. Will continue to meet with contractor to work through administrative items during Holiday Moratorium. Continuing to meet with TASI to coordinate construction needs.

**Note:** The Capital Projects information is current as of October 31, 2023, and is subject to change prior to the December 2023 Board meeting.

**Statuses:** ● – Green    ● – Yellow    ● – Red





# Capital Projects Update

## Project: Churchill Avenue Grade Crossing

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
The scope includes the widening of the sidewalk to accommodate heavy bike and pedestrian traffic from local schools; relocate the pedestrian crossing gates due to the widened sidewalk; install new pavement marking and markers for vehicular traffic at the Churchill Avenue grade crossing in Palo Alto. Implement a total of 17 seconds of advance signal preemption time.	●	●	●	●

### Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	2,520	1,182	647	06/07/2024
Percentages	100.00%	46.9%	25.7%	

### Project Highlights – Recent and Upcoming Work

Stacy and Witbeck, Inc (JPB Construction contractor) has completed all requirements of the administrative planning period under the LNTP. NTP was issued for Construction start on October 27th. Resident Engineer, Office Engineer and field inspector continue to support project through the construction management support contract with TRC. PM and Government and Community affairs staff continue to coordinate community outreach efforts between City of Palo Alto and JPB. Ongoing monthly progress meetings being held with TASI for signal construction scope. PM worked with Caltrans to request funding extension from December 2023 to December of 2024, which Caltrans has informally approved.

Stacy and Witbeck, Inc. work is currently on hold awaiting completion of City of Palo Alto work that is a predecessor to JPB work. Work is not likely to resume until March or April 2024, awaiting updates from the City of Palo Alto. Continuing to work with Caltrans on requested documentation. Execute funding extension with Caltrans prior to end of December 2023.

**Note:** The Capital Projects information is current as of October 31, 2023, and is subject to change prior to the December 2023 Board meeting.

**Statuses:** ● – Green    ● – Yellow    ● – Red



# Acknowledgements

This report is made possible by contributions from the following groups and individuals.

## **Caltrain Planning**

Dahlia Chazan, Deputy Chief  
Ted Burgwyn, Director, Rail Network and Operations Planning

## **Communications Division**

Robert Casumbal, Director, Marketing & Research  
Jeremy Lipps, Digital Communications Manager  
Julian Jest, Manager, Market Research & Development

## **Finance Administration**

Bruce Thompson, Manager, Fare Program Operations  
Dapri Hong, Budget Analyst III

## **Rail Administration / Rail Operations & Maintenance**

John Hogan, Chief Operating Officer  
Patrice Givens, Administrative Analyst II  
Graham Rogers, Business Operations Project Manager  
Sam Sargent, Director, Strategy & Policy  
Henry Flores, Deputy Director, Rail Vehicle Maintenance  
Vivek Nawani, Intern

## **Rail Development**

Rob Barnard, Deputy Chief  
Andy Robbins, Director Capital Program Delivery  
Jonathan Tillman, Director Capital Programs Management  
Robert Cheung, Project Controls Deputy Director  
Sowmya Karipe, Project Controls Specialist

## **Additional Support**

Caltrain Staff Coordinating Council  
Don Esse, Senior Operations Financial Analyst  
Margie Alexander, TASI  
Sarah Doggett, MTC





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

**DRAFT Minutes of November 2, 2023**

**Members Present:** Pat Burt, Rico E. Medina, Shamann Walton, Monique Zmuda, Devora “Dev” Davis (Vice Chair), Jeff Gee (Chair)

**Members via  
Teleconference:** Cindy Chavez, Ray Mueller

**Members Absent:** Steve Heminger

**Staff Present:** T. Bartholomew, M. Bouchard, C. Fromson, J. Harrison, T. Huckaby, K. McCoy (Balfour Beatty Infrastructure, Inc.), S. Sargent, D. Seamans, B. Shaw, P. Shrestha, M. Tseng

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

Chair Gee called the meeting to order at 9:00 am and Director Walton led the Pledge of Allegiance.

**2. Roll Call**

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

**3. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances**

James Harrison, General Counsel, reported that Director Mueller was participating remotely due to AB (Assembly Bill) 2449 under a Just Cause exemption. Chair Gee also noted that Executive Director, Michelle Bouchard, was participating remotely.

**4. Closed Session: Threat to Public Services or Facilities Pursuant to Government Code Section 54957(a). Consultation with: JPB, Director of Information Technology (IT)**

**5. General Counsel Report – Report Out from Above Closed Session**

James Harrison, General Counsel, stated that there was nothing to report.

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

Aleta Dupree commented on looking forward to ridership increasing, promoting Clipper, and hope to continue to wrap up electrification.

**7. Report of the Executive Director**

Michelle Bouchard, Executive Director, provided updates which included the following:

- Continued support for electrification activity and other events throughout the region
- Caltrain passenger train car showcased at the APTA Expo in Orlando, Florida, which was the only one on the showroom floor and thanked partners at Stadler; they received nationwide coverage of the PCEP (Peninsula Corridor Electrification Project) program

- Completed planned partial weekend shutdowns with normal weekend service to end of the year and will start weekend shutdowns again at the beginning of the year
- Families can take advantage of the family fare promotion that started in September
- TOD (Transit Oriented Development) project at Tamien station will bring 555 new housing units near public transit
- Supported MST (Monterey-Salinas Transit) bus line ribbon cutting in Gilroy, which is a critical service connecting Salinas to Gilroy
- Last week, MTC (Metropolitan Transportation Commission) received information item on how to allocate \$1.1 billion from the state for capital and operating needs, with an additional \$300 million in discretionary funding; MTC staff recommended a projected \$25 million for Caltrain
- SamTrans (San Mateo County Transit District) is pursuing options for a new headquarters (HQ) building in San Mateo County within a ¾-mile walk of a rail transit station; staff met to discuss the HQ plan, co-location options, and a Caltrain consultant to assist in exploring and analyzing its options; will report back as work progresses

#### Public comments

Aleta Dupree shared her prior experience using the bus bridge as working fine, was interested in what commuter rail goes to Salinas, opined getting funding from MTC as essential, and there should be a civil rights and equity component to the new headquarters.

Adina Levin, Friends of Caltrain and Seamless Bay Area, commented on joint advocates' letters on state funding, looking at the legislative framework and advocating to ensure enough operating funding to continue, improve, and transform regional transit service.

Jeff Carter commented on having the new train at the Orlando conference and appreciated the SamTrans bus bridge service during the October Fleet Week and Blue Angels events.

## **8. Consent Calendar**

**8.a. Meeting Minutes of October 5, 2023**

**8.b. Approval of the 2024 JPB Caltrain Board Meeting Calendar**

**8.c. Appointment of the Citizens Advisory Committee Representatives**

**8.d. Accept Statement of Revenues and Expenses for the Period Ending September 30, 2023**

**8.e. Renew Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050\***

**8.f. Approve Project Labor Agreement Policy**

**8.g. Award of Contract for Insurance Brokerage Services\***

**8.h. Authorize Use of Construction Manager General Contractor (CMGC) Project Delivery Method Pursuant to Public Utilities Code Section 103395 for the Middle Avenue Pedestrian and Bicycle Undercrossing Project**

Item 8.f. Approve Project Labor Agreement Policy was pulled from the Consent Calendar by Director Chavez.

Director Zmuda commented on item 8.g. Award of Contract for Insurance Brokerage Services noting that the same contractor has been used for a long time and there were no other bids. She reported that the original recommendation was for a five-year contract and two one-year extensions, and the Finance Committee requested that staff reevaluate the market prior to exercising the two-year option.

Motion/Second with the exception of 8.f.: Medina/Walton  
Ayes: Burt, Chavez, Medina, Mueller, Walton, Zmuda, Davis, Gee  
Noes: None  
Absent: Heminger

Mr. Harrison noted there were no Consent calendar items with asterisks and nothing to disclose.

Director Chavez's comments on item 8.f. Approve Project Labor Agreement Policy included the following:

- Interested in moving the PLA threshold from \$10 million to \$2 million as Santa Clara County, VTA (Santa Clara County Valley Transit Authority), and Santa Clara Valley Water District have \$2 million PLA thresholds for their significant projects (such as VTA's rail projects, the County's hospital and jail projects, and Valley Water's dam projects)
- Santa Clara County supports maintaining continuity with the same predictable threshold for developers and contractors, including Caltrain
- Understood concerns were raised at the Finance Committee about the potential burden on staff to implement the policy; appears the administrative process can be low demand once the initial documents are created
- \$2 million is a proven policy threshold by VTA, the only regional transit agency staff brought forward with a specific dollar threshold, meets goals for continuity, and is the least arbitrary amount to start with
- Concerned that the \$10 million threshold will only capture a small number of projects which most need a PLA policy; meanwhile higher-dollar projects already have other mechanisms to help ensure that jobs are safe and have good providers
- Noted that if Caltrain finds the demand is too high on staff, the Board has the ability to change the policy at any time

Sam Sargent, Director of Strategy and Policy, provided the presentation that included the following:

- Engagement with peers showed a threshold range from \$10 million to \$1 million; some thresholds were attached to projects, such as AC Transit (Alameda-Contra Costa Transit District) and others to sales tax measures, such as LA Metro (Los Angeles Metro Rail)
- Section 3 of the draft PLA policy does have a provision for modifying the threshold, but would not do that until completion of the Capital Investment Plan (CIP)

#### Public comments

David Bini, Executive Director for the Building Trades Council in the South Bay, supported the recommendation with two modifications: supported the \$2 million threshold and noted the PLA provides staff the ability to bring projects to the Board for exclusion; the Building Trades Council works closely with each project's general contractor to manage the PLA functions and ensures all subcontractors follow the PLA; PLAs set the conditions for projects to be more reliably delivered on time and on budget; ensures every contractor will work on a level playing field and reasonable and equitable working conditions for everyone.

Rudy Gonzalez, representing 27 unions in San Francisco, supported the recommendations with these amendments: supported consistency amongst the contracting community with a \$2 million threshold and it would capture the majority of the work.

Bart Pantoja, representing the San Mateo County Building Trades Council, supported conformity with project labor agreements, prevailing wages, and noted compliance is the main issue.

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

- Decreasing the threshold to \$2 million is comparable to regional transportation agencies
- An average threshold amount would be effective for local contractors in the workforce and allow for opportunities for better partnerships
- Concerns that a \$2 million dollar threshold is too low due to the various projects, governance changes, and the Capital Improvement Plan (CIP)
- PLA Section 3 drafted to keep threshold in place until modified by the Board but no earlier than completion of the CIP

Director Davis moved to adopt the staff recommendation, seconded by Director Zmuda. The Board continued discussions where Director Chavez emphasized the importance of making policy decisions while completing various bodies of work, rather than focusing on a large project labor agreement and mentioned that the Board could modify the program based on the Joint Policy Board's feedback, but the staff gave themselves the option to exclude projects they deemed unnecessary or inappropriate.

Director Chavez moved to approve the PLA with a \$2 million threshold that will remain in place until modified by the Board, seconded by Director Walton.

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

- Section 3 stipulated keeping the \$10 million threshold in place until modified by the Board, but no earlier than the completion of the CIP and the Board has the ability to exclude certain projects from the policy
- Clarified the number of projects that would fall under different thresholds and the reason for \$2 million versus \$10 million and possibility of other thresholds in between
- PLAs are typically for large multi-craft, complex projects and not for single-craft projects
- Develop a template with General Counsel and labor partners to ensure that there is no significant burden on staff and the contracting community

Motion/Second Medina/Walton to approve the lower threshold to \$2 million

Ayes: Chavez, Medina, Mueller, Walton, Gee

Noes: Burt, Zmuda, Davis

Absent: Heminger

#### **9. American Indian (Native American) Heritage Month**

Tasha Bartholomew, Media Relations Manager, provided highlights on the resolution which included the following:

- Tribute to and reflection on the many contributions Native Americans have made to our country over the centuries
- Maintain diverse and vibrant cultures, traditions, and deeply rooted sense of community

Motion/Second: Davis/Chavez

Ayes: Burt, Chavez, Medina, Mueller, Walton, Zmuda, Davis, Gee

Noes: None

Absent: Heminger

#### **10. Approve Three-Year Contract Extension with Outfront Media for Advertising Services**

Taylor Huckaby, Deputy Chief of Communications, provided the presentation which included the following:

- Contract for station ads and screen wraps
- Ad revenue is highly localized, independent of economic factors
- Had two large advertisers (Google and Alaska Airlines) advertise in 2022 but since there has been a significant downturn in revenue as the economy has faltered
- Research revealed that other agencies either deferred or waved their Minimum Annual Guarantee (MAG) during the pandemic, including Walmart, LA Metro, MARTA (Metropolitan Atlanta Rapid Transit Authority), and VTA, due to similar revenue declines

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

- Need the three-year extension to get enough ridership data for better future contract negotiation position and revenue split

- A 3-year contract extension would provide 18 months of post-electrification ridership data starting in September 2024
- Review advertising at all stations in three years, need to think about the stations' entry points with great advertising, and creating a better experience
- Concerns with staleness with having the same vendor for 13 years

Motion/Second: Davis/Medina

Ayes: Burt, Chavez, Medina, Mueller, Walton, Zmuda, Davis, Gee

Noes: None

Absent: Heminger

*Director Chavez left the meeting at 11:22 am*

#### **11. Update Regarding Implementation of JPB Governance MOU**

James Harrison, General Counsel, provided the presentation that included the following:

- VTA and CCSF (City and County of San Francisco) paid \$15.2M to SamTrans
- Develop an inventory of capital assets and real property owned and in the process of reviewing compilation for completeness and accuracy
- Security and safety were key issues identified and oversight during the governance process; FRA (Federal Railroad Administration) requires that a safety officer report directly to the executive officer of the agency

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

- Clarification for Safety Officer reporting to Safety Director and Rail Safety employees report to SamTrans Safety Director
- Timelines in the MOU for approval of the RPOA (Real Property Ownership Agreement), shared services agreement, and the JPA (Joint Powers Agreements), but failure to meet those timelines does not affect the validity of the MOU

*Director Walton left the meeting at 11:36 am*

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

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

- Substantial completion by the end of the year not met due to continued overhead catenary system issues
- Developed a comprehensive list of open items; met with BBI (Balfour Beatty Infrastructure, Inc.) and they will provide a schedule to finalize completion
- Found and implemented a solution for impedance bond cable theft corridor wide

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

- Weekend shutdowns completed for the remainder of the year
- Additional shutdowns planned for early 2024

Keith McCoy, Project Director for Balfour Beatty Infrastructure, Inc, provided a presentation, which included the following:

- Focus areas have remained the same: OCS (overhead catenary system) progress – 87 percent on regulation and one of big challenges is getting regulation completed.
- Short circuit testing shifted to February
- Traction power is tied directly to OCS, and if OCS is behind, traction power will be behind

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

- Few additional staff hired for project closeout
- Tentatively there will be three more weekend shutdowns
- Found software glitches and they have been addressed

#### Public comments

Aleta Dupree commented on the importance of project and the finish line is in sight.

Adrian Brandt commented on disappointment with the project's delay, pleased with solution for impedance bond thefts, inquired why removing Balfour Beatty wire train as it is essential in getting work done expeditiously, and reiterated increased gate downed times with dual speed check grade crossing activation system.

Doug DeLong, resident of Mountain View, thanked Mr. McCoy for the additional visibility on the parallel and switching stations, commented on the impedance bonds solution working, noticed a wire over the right of way at the Stanford stadium stop, and a problem with the trees and the wiring at the Park Station.

Paul Wendt commented on impedance bonds theft being solved and curious about how the train car got to Orlando.

Chair Gee noted that Stadler funded the train transport and exhibit at the APTA (American Public Transportation Association) expo in Orlando and asked Mr. McCoy to address the concern about the wire train. Mr. McCoy responded that the wire train is not in use anymore because all wires are up and installed.

### **13. Reports**

#### **13.a. Report of the Citizens Advisory Committee**

Brian Shaw, CAC Chair, provided the report that included the following:

- Accelerate working with BART on the fare study and implementation
- A fare coordination and integration study released in 2021 showed that distance-based fares are capable of increasing ridership
- Four percent of fare evaders caught are being cited, which shows there is a problem
- Proposal to amend CAC bylaws to change agenda order and bringing to next month's meeting for approval
- Received annual Brown Act training and adopt a Code of Conduct in order to implement reasonable rules regarding the conduct of the public during meetings
- Learned that remote participation under AB2449 is prohibited unless there is an in-person quorum. Members may not participate remotely for a period of more than three consecutive months or 20 percent, which is two meetings every year
- Received safety quarterly update; report shows most incursions occurs after dark and the need for better lighting
- Two items dropped off the CAC work plan – Go Pass cost-per-ride information and Clipper Data Availability - will review and get back on the workplan

#### **13.b. Report of the Chair**

Chair Gee provided an update on the following report:

- Secretary of Labor, Stewart Knox, was here yesterday visiting San Francisco
- Extended invite to visit Redwood City on Sunday for the Día de los Muertos event

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

Chair Burt provided an update on the following report:

- Had a thorough report on safety by Mike Meader, Chief Safety Officer
- Update on corridor strategy and looking at the next phase of which model the Board will adopt the after the first of the year
- In-person workshop in Mountain View on November 30th and open to public
- Second deep dive on corridor crossing study and hoping to provide the Board with input on which model to pursue

#### **13.d. Report of the Transbay Joint Powers Authority (TJPA)**

Chair Gee provided an update on the following:

- The Board authorized and approved the release of the first package for the Civil and Tunnel Progressive Design build in October and approved the RFQ (Request for Quote) for contractors
- Upcoming items to be asking for the RM3 (Regional Measure 3) funds for TJPA DTX (downtown extension) and Right of Way (ROW) acquisition

### **14. Correspondence - Posted online**



**15. Board Member Requests** – There were none.

**16. Date/Time of Next Regular Meeting: Thursday, December 7, 2023 at 9:00 am**

**17. Adjourn** – Meeting adjourned at 12:11 pm

DRAFT

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Joint Powers Board  
Through: Michelle Bouchard, Executive Director  
From: Kate Jordan Steiner, Chief Financial Officer  
Subject: **Accept Statement of Revenues and Expenses for the Period Ending  
October 31, 2023**



Finance Committee  
Recommendation



Technology, Operations,  
Planning, and Safety  
Committee Recommendation



Advocacy and Major  
Projects Committee  
Recommendation

**Purpose and Recommended Action**

Staff proposes that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) accept and enter into the record the Statement of Revenues and Expenses for the Period Ending October 31, 2023.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through October 31, 2023. 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.

**Discussion**

**Annual Forecast:** The annual forecast is currently the same as the budget and will be reviewed in a few months.

**Year-to-Date Revenues:** As of October year-to-date actual, the Grand Total Revenue (page 1, line 17) is \$2.4 million higher than the adopted budget. This is primarily driven by the increase in Measure RR (page 1, line 11) which is partially offset by the decrease in Other Income (page 1, line 5).

**Year-to-Date Expenses:** As of October year-to-date actual, the Grand Total Expense (page 2, line 51) is \$5.0 million lower than the adopted budget. This is primarily driven by the decreases in Rail Operator Service (page 2, line 22), Wages and Benefits (page 2, line 36), Professional Services (page 2, line 39), and Fuel and Lubricants (Page 2, line 25) which is partially offset by the increase in Claims, Payments, and Reserves (page 2, line 28).

**Budget Impact**

There is no budget impact for October 2023.

Prepared By:	Li Saunders	Accountant II	650.622.7848
	Danny Susantin	Grants & Capital Accounting, Manager	650.622.8073

**PENINSULA CORRIDOR JOINT POWERS BOARD**

Item #6.b.  
12/7/2023

**STATEMENT OF REVENUE AND EXPENSE**

**Fiscal Year 2024  
OCTOBER 2023**

% OF YEAR ELAPSED 33.3%

	JULY TO OCTOBER				ANNUAL			
	CURRENT	ADOPTED	\$	%	APPROVED		\$	
	ACTUAL	BUDGET	VARIANCE	VARIANCE	BUDGET	FORECAST	VARIANCE	
<b>REVENUE</b>								
OPERATIONS:								
1 Caltrain Fares	10,309,292	10,347,683	(38,391)	(0.4%)	29,936,000	29,936,000	-	1
2 Go Pass	5,446,286	5,588,000	(141,714)	(2.5%)	16,764,000	16,764,000	-	2
3 Parking Revenue	640,935	635,004	5,931	0.9%	1,905,015	1,905,015	-	3
4 Rental Income	552,457	342,164	210,293	61.5%	1,026,489	1,026,489	-	4
5 Other Income	1,532,621	2,180,420	(647,799)	(29.7%)	6,541,260	6,541,260	-	5
6								6
7 TOTAL OPERATING REVENUE	18,481,591	19,093,271	(611,680)	(3.2%)	56,172,764	56,172,764	-	7
8								8
9 CONTRIBUTIONS:								9
10 Operating Grants	4,289,875	4,266,980	22,895	0.5%	12,800,936	12,800,936	-	10
11 Measure RR	42,932,334	39,901,000	3,031,334	7.6%	118,400,000	118,400,000	-	11
12 Member Agency (VTA - Gilroy)	156,667	156,667	(0)	(0.0%)	470,000	470,000	-	12
13 LCTOP/SRA	2,302,901	2,302,832	69	0.0%	6,908,503	6,908,503	-	13
14								14
15 TOTAL CONTRIBUTED REVENUE	49,681,777	46,627,479	3,054,298	6.6%	138,579,439	138,579,439	-	15
16								16
17 GRAND TOTAL REVENUE	<b>68,163,367</b>	<b>65,720,750</b>	<b>2,442,618</b>	<b>3.7%</b>	<b>194,752,203</b>	<b>194,752,203</b>	<b>-</b>	17
18								18

**PENINSULA CORRIDOR JOINT POWERS BOARD**

Item #6.b.  
12/7/2023

**STATEMENT OF REVENUE AND EXPENSE**

**Fiscal Year 2024  
OCTOBER 2023**

33.3%

	33.3%							
	JULY TO OCTOBER				ANNUAL			
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE	
19 <b>EXPENSE</b>								
20								
21 <b>DIRECT EXPENSE:</b>								
22 Rail Operator Service	32,339,551	35,280,900	(2,941,349)	(8.3%)	104,889,704	104,889,704	-	22
23 Security Services	2,899,503	2,762,011	137,492	5.0%	8,286,045	8,286,045	-	23
24 Shuttle Services	22,768	26,668	(3,900)	(14.6%)	80,000	80,000	-	24
25 Fuel and Lubricants*	4,321,933	5,070,436	(748,503)	(14.8%)	15,211,316	15,211,316	-	25
26 Timetables and Tickets	5,874	31,664	(25,790)	(81.5%)	95,000	95,000	-	26
27 Insurance	3,539,955	3,409,900	130,055	3.8%	10,229,703	10,229,703	-	27
28 Claims, Payments, and Reserves	2,297,280	440,000	1,857,280	422.1%	1,320,000	1,320,000	-	28
29 Facilities and Equipment Maintenance	2,437,526	2,720,388	(282,862)	(10.4%)	8,171,766	8,171,766	-	29
30 Utilities	792,270	902,968	(110,698)	(12.3%)	2,708,900	2,708,900	-	30
31 Maint & Services-Bldg & Other	312,819	594,868	(282,049)	(47.4%)	1,784,600	1,784,600	-	31
32								
33 <b>TOTAL DIRECT EXPENSE</b>	<b>48,969,478</b>	<b>51,239,803</b>	<b>(2,270,325)</b>	<b>(4.4%)</b>	<b>152,777,034</b>	<b>152,777,034</b>	<b>-</b>	33
34								
35 <b>ADMINISTRATIVE EXPENSE</b>								
36 Wages and Benefits	5,673,982	6,793,915	(1,119,933)	(16.5%)	18,345,854	18,345,854	-	36
37 Managing Agency Admin OH Cost	1,099,791	1,188,488	(88,697)	(7.5%)	3,565,453	3,565,453	-	37
38 Board of Directors	2,347	20,958	(18,612)	(88.8%)	62,875	62,875	-	38
39 Professional Services	2,316,045	3,393,894	(1,077,849)	(31.8%)	9,608,162	9,608,162	-	39
40 Communications and Marketing	99,004	147,576	(48,572)	(32.9%)	442,730	442,730	-	40
41 Other Office Expenses and Services	1,262,306	1,420,588	(158,282)	(11.1%)	4,224,422	4,224,422	-	41
42								
43 <b>TOTAL ADMINISTRATIVE EXPENSE</b>	<b>10,453,474</b>	<b>12,965,419</b>	<b>(2,511,945)</b>	<b>(19.4%)</b>	<b>36,249,496</b>	<b>36,249,496</b>	<b>-</b>	43
44								
45 <b>TOTAL OPERATING EXPENSE</b>	<b>59,422,953</b>	<b>64,205,223</b>	<b>(4,782,270)</b>	<b>(7.4%)</b>	<b>189,026,530</b>	<b>189,026,530</b>	<b>-</b>	45
46								
47 Governance	120,788	75,000	45,788	61.1%	225,000	225,000	-	47
48								
49 Debt Service Expense	895,406	1,157,040	(261,634)	(22.6%)	3,471,125	3,471,125	-	49
50								
51 <b>GRAND TOTAL EXPENSE</b>	<b>60,439,147</b>	<b>65,437,263</b>	<b>(4,998,116)</b>	<b>(7.6%)</b>	<b>192,722,655</b>	<b>192,722,655</b>	<b>-</b>	51
52								
53 Projected Contribution to Reserve					2,029,548	2,029,548	-	53
54								
55 <b>NET SURPLUS / (DEFICIT)</b>	<b>7,724,221</b>	<b>283,487</b>	<b>7,440,734</b>	<b>2624.7%</b>	<b>-</b>	<b>-</b>	<b>-</b>	55
56								
57 Reserve, Beginning Balance	26,878,850				26,878,850			57
58 Projected Contribution to Reserve	-				2,029,548			58
59 Reserve, Ending Balance	<u>26,878,850</u>				<u>28,908,398</u>			59
60								
61 * Fuel and Lubricants costs were decreased by a realized gain of \$553,938 from the fuel hedge program.								61
62								



BOARD OF DIRECTORS 2023

JEFF GEE, CHAIR  
DEVORA "DEV" DAVIS, VICE  
CHAIR  
PAT BURT  
CINDY CHAVEZ  
STEVE HEMINGER  
RICO E. MEDINA  
RAYMOND MUELLER  
SHAMANN WALTON  
MONIQUE ZMUDA

**PENINSULA CORRIDOR JOINT POWERS BOARD**

**INVESTMENT PORTFOLIO**

**AS OF OCTOBER 31, 2023**

MICHELLE BOUCHARD  
EXECUTIVE DIRECTOR

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted) *	Liquid Cash	3.670%	372,051	372,051
County Pool (Unrestricted)	Liquid Cash	3.131%	575,346	575,346
Other (Unrestricted)	Liquid Cash	4.780%	29,504,478	29,504,478
Other (Restricted) **	Liquid Cash	4.971%	31,717,413	31,717,413
			\$ 62,169,288	\$ 62,169,288

Interest Earnings for October 2023 \$ 204,959.14  
Cumulative Earnings FY2024 770,618.76

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

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

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD									
	Previous Years					FY2024				
REVENUE	FY2019	FY2020	FY2021	FY2022	FY2023	Jul-23	Aug-23	Sep-23	Oct-23	FY2024 Total YTD
<b>OPERATIONS:</b>										
401400 (TVM)	18,431,265	11,165,620	2,458,837	6,836,440	6,838,317	701,507	580,909	427,973	542,427	2,252,815
401410 (Clipper)	54,621,910	37,970,696	2,924,987	7,764,755	15,493,238	1,584,242	1,688,849	1,283,054	1,964,018	6,520,163
401420 (Central)	64,908	20,799	309,748	39,911	58,267	1,068	-	7,861	8,407	17,336
401430 (Mobile App)	4,716,955	5,689,776	830,051	2,808,795	3,501,791	289,934	353,887	285,899	332,212	1,261,933
401500 (Gilroy)	1,903,941	1,542,171	178,759	449,281	706,203	58,850	58,850	75,084	64,261	257,046
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	16,728,021	1,362,537	1,337,709	1,370,632	1,375,408	5,446,286
total Farebox Revenue	102,668,114	76,094,433	32,439,915	33,236,357	43,325,839	3,998,139	4,020,204	3,450,502	4,286,733	15,755,578
Less: Go-Pass										
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	16,728,021	1,362,537	1,337,709	1,370,632	1,375,408	5,446,286
Revenues without Go-Pass	79,738,978	56,389,061	6,702,382	17,899,182	26,597,817	2,635,602	2,682,496	2,079,870	2,911,325	10,309,292
<b>Tickets Sold</b>						Jul-23	Aug-23	Sep-23	Oct-23	Total
TVM	2,354,393	1,465,876	315,378	755,674	802,158	78,363	74,658	69,149	55,296	277,466
Clipper	3,521,066	2,620,816	339,753	1,227,757	1,975,206	194,041	214,425	199,252	207,797	815,515
Central	9,167	5,044	-	4,032	6,440	100	231	484	717	1,532
Mobile	543,920	661,515	111,394	381,441	428,741	40,439	41,483	39,565	37,168	158,655
# of tickets sold (without go-pass)	6,428,546	4,753,251	766,525	2,368,904	3,212,545	312,943	330,797	308,450	300,978	1,253,168
<b>AVG Revenue Per Ticket</b>						Jul-23	Aug-23	Sep-23	Oct-23	Total
TVM	\$ 7.83	\$ 9.05	\$ 7.80	\$ 9.05	\$ 8.52	\$ 8.95	\$ 7.78	\$ 6.19	\$ 9.81	\$ 8.12
Clipper	\$ 15.51	\$ 6.32	\$ 8.61	\$ 6.32	\$ 7.84	\$ 8.16	\$ 7.88	\$ 6.44	\$ 9.45	\$ 8.00
Central	\$ 7.08	\$ 9.90	\$ -	\$ 9.90	\$ 9.05	\$ 10.68	\$ -	\$ 16.24	\$ 11.72	\$ 11.32
Mobile	\$ 8.67	\$ 7.36	\$ 7.45	\$ 7.36	\$ 8.17	\$ 7.17	\$ 8.53	\$ 7.23	\$ 8.94	\$ 7.95
Total	\$ 12.40	\$ 11.86	\$ 8.74	\$ 7.56	\$ 8.28	\$ 8.42	\$ 8.11	\$ 6.74	\$ 9.67	\$ 8.23

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD							Annual Budget	
	July to October						FY2024		
REVENUE	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	FY2024	% of Budget	
401400 (TVM)	7,549,316	6,076,030	607,580	2,236,332	2,655,785	2,252,815			
401410 (Clipper)	18,964,418	19,307,768	867,716	1,923,136	5,620,490	6,520,163			
401420 (Central)	28,429	26,293	-	25,470	27,064	17,336			
401430 (Mobile App)	1,323,288	2,754,085	206,807	808,450	1,365,893	1,261,933			
401500 (Gilroy)	663,805	661,193	59,792	99,340	247,279	257,046			
401700 (Go-Pass)	6,844,934	7,790,284	10,203,649	4,732,871	5,727,277	5,446,286			
total Farebox Revenue	35,374,191	36,615,652	11,945,545	9,825,599	15,643,789	15,755,578	46,700,000	33%	
Less: Go-Pass									
401700 (Go-Pass)	6,844,934	7,790,284	10,203,649	4,732,871	5,727,277	5,446,286	16,764,000	34%	
Revenues without Go-Pass	28,529,257	28,825,368	1,741,896	5,092,728	9,916,511	10,309,292	29,936,000	33%	
<b>Tickets Sold</b>									
TVM	953,507	790,103	95,880	254,129	330,067	277,466			
Clipper	1,234,087	1,317,354	90,548	347,022	696,873	815,515			
Central	3,161	2,839	-	2,607	2,113	1,532			
Mobile	146,063	323,524	29,650	117,071	167,249	158,655			
# of tickets sold (without go-pass)	2,336,818	2,433,820	216,078	720,829	1,196,302	1,253,168			
<b>AVG Revenue Per Ticket</b>									
TVM	\$ 7.92	\$ 7.69	\$ 6.34	\$ 8.80	\$ 8.05	\$ 8.12			
Clipper	\$ 15.37	\$ 14.66	\$ 9.58	\$ 5.54	\$ 8.07	\$ 8.00			
Central	\$ 8.99	\$ 9.26	\$ -	\$ 9.77	\$ 12.81	\$ 11.32			
Mobile	\$ 9.06	\$ 8.51	\$ 6.97	\$ 6.91	\$ 8.17	\$ 7.95			
Total	\$ 12.21	\$ 11.84	\$ 8.06	\$ 7.07	\$ 8.29	\$ 8.23			





## JPB Finance Committee Meeting Calendar – 2024

### Mondays, Two Weeks Prior to JPB Board Meeting – 2:30 PM

Monday, January 22

Tuesday, February 26

Monday, March 25

Monday, April 22

Monday, May 20\*

Monday, June 24

Monday, July 22

Monday, August 26

Monday, September 23

Monday, October 28

Monday, November 18\*

Monday December 16\*

Board Committee Members: Directors Monique Zmuda (Chair), Dev Davis (Vice Chair), Ray Mueller  
Primary Staff Liaison: Chief Financial Officer, Kate Jordan Steiner

\*Regular meetings are scheduled for two Mondays prior to the Board meeting at 2:30 pm unless otherwise noted.

Meetings will be conducted in a hybrid format (virtually via Zoom) and in-person at 1250 San Carlos Avenue, Bacciocco Auditorium, 2nd Floor, San Carlos, CA, unless otherwise stated. Individual members of the public may participate in-person if they comply with the District's current workplace safety policies, unless stated otherwise, unless scheduled or stated otherwise at <https://www.caltrain.com/about-caltrain/meetings>.

Dates may be subject to change.

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: Robert Barnard, Deputy Chief, Caltrain Design & Construction  
Subject: **Renew Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050**

Finance Committee Recommendation

Technology, Operations, Planning, and Safety Committee Recommendation

Advocacy and Major Projects Committee Recommendation

**Purpose and Recommended Action**

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

1. Renew findings previously adopted by the Board pursuant to California Public Contract Code section 22050(c)(2) (Resolution No. 2023-19) on March 29, 2023, and renewed at its subsequent meetings on May 4, 2023 (Resolution 2023-23), June 1, 2023 (Resolution 2023-38), August 3, 2023 (Resolution 2023-46), September 7, 2023 (Resolution 2023-56), October 5, 2023 (Resolution 2023-62) and November 2, 2023 (Resolution 2023-68) that an emergency exists at the north channel embankment of the San Francisquito Creek Bridge due to erosion and scouring caused by winter storms, and that immediate action is necessary to respond to the emergency; and
2. Continue to authorize emergency repairs of the north channel embankment of the San Francisquito Creek Bridge;
3. Continue to delegate authority to approve all plans and/or designs with regard to the emergency repairs to the Executive Director, or designee; and
4. Continue to authorize the Executive Director, or designee, to take all other actions required to respond to said emergency.

**Discussion**

**Background Regarding Previous Findings Authorizing Emergency Repairs:** The JPB owns and maintains the San Francisquito Creek Bridge, which is located in Menlo Park and Palo Alto between Control Points Alma (MP 29.98) and Mayfield (MP 33.50). In early January 2023, after a week of heavy rain, Caltrain Engineering staff inspected the Bridge and discovered that storms had eroded the soil on the creek bank supporting the northern abutment of the Bridge. Further investigation showed that additional erosion resulting from future storms could undermine the abutment, bridge, and tracks.

The JPB has the authority to undertake emergency repairs pursuant to California Public Contract Code section 22050, which requires that the Board, by a four-fifths vote, make findings based on substantial evidence that the emergency will not permit delay resulting from a competitive solicitation of bids, and that action is necessary to respond to the emergency. Public Contract Code section 1102 defines an emergency as “sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.” The Board made these findings at its March 29, 2023, meeting (Resolution 2023-19) and renewed these findings at its subsequent meetings on May 4, 2023 (Resolution 2023-23), June 1, 2023 (Resolution 2023-38), August 3, 2023 (Resolution 2023-46), September 7, 2023 (Resolution 2023-56), October 5, 2023 (Resolution 2023-62) and November 2, 2023 (Resolution 2023-68). Section 22050(c) requires the Board to review the emergency action at its next regularly scheduled meeting and at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action.

November 18, 2023, Emergency Declaration: On November 16, 2023, a team of three registered California professional engineers, including a fluvial geomorphologist experienced with the San Francisquito Creek, completed a technical memorandum titled "Overview of Temporary Emergency Stabilization Measures," which stated that, in regard to the creek bank supporting the north abutment of Caltrain’s rail bridge, "the existing bank is likely to erode and would not be stable during/after a large storm event."

On November 18, 2023, the Executive Director issued an emergency declaration, which concluded:

- a. The current situation necessitated immediate action because anticipated winter storms threaten the integrity of the bridge, creating the potential for a catastrophic failure of the bridge and the subsequent risks to public safety, infrastructure, and the environment; and
- b. The current dry condition of the creek bed created a narrow window during which the JPB could implement emergency stabilization repairs to ensure the integrity of the bridge without risking the safety of workers or endangering aquatic life; and
- c. Given the prediction of severe winter storms and the risk of flash flooding and high creek flows at the San Francisquito Creek, attempting any work during the rainy season would present a substantial risk to the safety of workers, threaten endangered species, and increase the risk of a failed stabilization effort and a catastrophic failure of the bridge; and
- d. The current situation requires that Caltrain take action within a time period less than the normal time needed to process regulatory applications under standard procedures.

Based on these findings, the Executive Director declared an emergency situation for the San Francisquito Creek Bridge and directed that all necessary and appropriate actions be taken to address the emergency, including the mobilization of resources and implementation of temporary creek bank stabilization measures.

#### Actions Taken

To date, JPB staff has:

2. Increased frequency of visual inspections of the Bridge and conducted immediate inspections during and/or after storms.
3. Retained on-call bench consultants (WSP, AECOM, Jacobs, and TRC), to assist the JPB in obtaining the required environmental permits, designing the bank stabilization, estimating the cost of the proposed work, and providing construction management services, respectively.
4. Engaged the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife and submitted all necessary applications for regulatory permits and approvals.
5. Met regularly with the City of Menlo Park, the City of Palo Alto, the San Francisquito Creek Joint Powers Authority, and Stanford University to coordinate the scope of the project and jointly review iterative design updates.
6. Jointly developed 15%, 35%, 65%, and 100% designs for the bank stabilization with input from the City of Menlo Park, City of Palo Alto, and regulatory agencies.
7. Jointly prepared and executed a trilateral project agreement by and between the JPB, the City of Menlo Park, and the City of Palo Alto to memorialize cost sharing arrangements and other responsibilities.
8. Obtained iterative and independent cost estimates from consultants and Walsh Construction to establish clear cost expectations and determine a fair and reasonable not-to-exceed construction budget.
9. Updated the overall project cost to \$6.5 million based on recent construction cost estimates and actual costs incurred for design, permitting, and other professional services.
10. Updated the overall project funding plan to align with the cost sharing agreement between JPB, the City of Menlo Park, and City of Palo Alto.
11. Identified the necessary funding sources from other project underruns and contingency for the JPB share of costs and obtained approval from Caltrain's Management Committee to apply those funds.
12. Awarded a construction contract to Walsh Construction to implement the bank stabilization because Walsh has a crew onsite that specializes in emergency work and because of Walsh's experience on JPB in-water construction projects, such as the Guadalupe River Bridge Replacement Project.
13. Obtained timely construction permits from the City of Menlo Park, City of Palo Alto, Regional Water Quality Control Board, and California Department of Fish and Wildlife.

### Current Status

As of the date of this staff report:

1. An executed trilateral project agreement is in place between the JPB, the City of Menlo Park, and the City of Palo Alto.
2. JPB has 100% final construction drawings and specifications for the permanent bank stabilization design, which has been reviewed by all relevant stakeholders.
3. JPB has a construction contractor, Walsh Construction, under contract to implement the bank stabilization. The contract is based on a time-and-materials approach to compensation and therefore allows flexibility to adapt to changes in scope and schedule.
4. Walsh Construction stands ready to begin construction immediately upon receipt of all necessary permits.
5. JPB staff has obtained the following permits:
  - a. California Department of Fish and Wildlife Streambed Alteration Agreement
  - b. Regional Water Quality Control Board Section 401 Water Quality Certification Permit
  - c. City of Palo Alto Encroachment Permit
  - d. City of Menlo Park Encroachment Permit
  - e. City of Palo Alto Noise Exception Permit
  - f. City of Menlo Park Heritage Tree Permit

JPB staff submitted a timely application for a Section 404 permit to the U.S. Army Corps of Engineers. As part of their ongoing review, the U.S. Army Corps of Engineers has determined it is necessary to seek the review of relevant historic preservation issues and approval from the State Historic Preservation Officer prior to issuing the permit. Due to the time needed for this process to be completed, JPB staff did not receive the essential Section 404 permit in time to construct the project during the 2023 dry season ending October 15, 2023.

14. In accordance with the Executive Director's November 18, 2023, emergency declaration, JPB staff and Walsh Construction have mobilized to the San Francisquito Creek Bridge site and commenced implementation of emergency, temporary bank stabilization measures to protect the San Francisquito Creek Bridge from 2023-2024 winter storms which could otherwise threaten the integrity of the bridge. Staff anticipate completing the work on November 22, 2023.
15. JPB staff have reached out to the permitting agencies to notify them of the emergency declaration and to describe the temporary bank stabilization project and to seek all relevant permits.

### Ongoing and Future Activities

In the months ahead:

1. JPB staff will continue to coordinate closely with the U.S. Army Corps of Engineers to facilitate the issuance of the Section 404 permit for construction of the permanent bank stabilization during the 2024 dry season.
2. JPB staff will continue to monitor conditions around the foundations of the Caltrain rail bridge.

3. JPB staff will update the project cost estimate, schedule, funding plan, and contracts to align with the new realities for the project.
4. During the 2024 dry season, JPB staff and Walsh Construction will remove the temporary bank stabilization measures and replace them with the permanent bank stabilization measures designed under the joint project between JPB, the City of Menlo Park, and the City of Palo Alto.
5. JPB staff will report regularly to the Board regarding the status of the project.

**Budget Impact**

The San Francisquito Creek Emergency Bank Stabilization Project has an approved budget of \$6,471,067 funded by Capital Contingency Funds, the San Mateo County Transportation Authority (SMCTA), the Cities of Palo Alto and Menlo Park, and project savings from recently completed projects.

Prepared By:	Robert Barnard	Deputy Chief, Design and Construction	650.508.7783
	Mike Boomsma	Project Manager	808.208.2355

**Resolution No. 2023-**

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

\* \* \*

**Renewing Findings of an Emergency Regarding the North Channel  
Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to  
Public Contract Code §22050**

**Whereas**, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) previously authorized repair pursuant to California Public Contract Code section 22050 by a four-fifths vote of the Board on March 29, 2023 (Resolution 2023-19), making findings that: there was an emergency to repair the north channel embankment of the San Francisquito Creek Bridge due to erosion that threatened the integrity of the structure supporting the JPB's tracks; that the emergency did not permit a delay that would have resulted from a formal solicitation for bids; and that action is necessary to respond to the emergency; and

**Whereas**, Resolution 2023-19 also authorized emergency repairs of the north channel embankment of the San Francisquito Creek Bridge without adopting plans and specifications or giving notice to potential bidders; and

**Whereas**, California Public Contract Code Section 1102 defines an emergency as "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services"; and

**Whereas**, California Public Contract Code section 22050 authorizes the JPB to repair and take other immediate actions required to address an emergency, and requires that findings based on substantial evidence must be made that the emergency will not permit delay resulting from a

competitive solicitation of bids, and that the action is necessary to respond to the emergency, by a four-fifths vote of the Board; and

**Whereas**, Resolution 2023-19 delegated to the Executive Director, or designee the authority: to approve all plans and/or designs; to execute a contract with Walsh Construction II, LLC, to undertake emergency repairs of the north channel embankment at the San Francisquito Creek Bridge at a price that staff has determined is fair and reasonable; and to take all other actions required to respond to said emergency, provided that the Executive Director reports such actions to the Board at each monthly Board meeting until the emergency situation is resolved, with a final report to be made at the first Board meeting after the emergency is resolved; and

**Whereas**, pursuant to Public Contract Code section 22050(c), the Board must review the emergency action at its next regularly scheduled meeting and affirm by the passage of a four-fifths vote at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action; and

**Whereas**, the Board most recently renewed its findings via Resolution 2023-68 at its November 2, 2023, Board meeting; and

**Whereas**, following months of heavy rain in January 2023, assessments of the condition of the north embankment supporting the San Francisquito Creek Bridge Main Track 1 (MT-1) and Main Track (MT-2) by the Peninsula Corridor Joint Powers Board (JPB) revealed significant erosion on the slope of the embankment, threatening the integrity of the north approaching track structure; and

**Whereas**, the JPB consulted with the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board, and the California Department of Fish and Wildlife concerning



environmental permits for restoration activities to preserve the integrity of MT-1 and MT-2 tracks in light of the significant erosion of the northern embankment; and

**Whereas**, there is a continued and ongoing emergency to repair the north channel embankment of the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks, and because meteorologists predict a wet winter including storms that could result in additional erosion; and

**Whereas**, action is necessary to respond to this continued and ongoing emergency to prevent or mitigate loss or damage to life, health, property, or essential public services; and

**Whereas**, the time required to obtain competitive bids would have unduly delayed the JPB's ability to make emergency repairs to these essential facilities, and substantial evidence supports the conclusions that the need for emergency actions cannot be delayed, and that the JPB has and must continue to act as expeditiously as possible to repair necessary facilities; and

**Whereas**, JPB staff have awarded a contract to Walsh Construction, which is also working on the Guadalupe River Bridge project, to undertake emergency repair work; and

**Whereas**, iterative comparison of independent cost estimates from consultants and Walsh Construction has provided clear cost expectations to assure fair and reasonable pricing.

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

1. Renews findings from November 2, 2023, that an emergency, as defined by Section 1102 of the California Public Contract Code, exists at the north channel embankment at the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks; and

2. Renews findings, based on the substantial evidence presented by staff, that the emergency did not permit a delay that would have resulted from a formal solicitation for bids because the time required to obtain competitive bids would have unduly delayed the JPB's ability to make emergency repairs to these essential facilities, that action is necessary to respond to the ongoing emergency to prevent or mitigate loss or damage to life, health, property or essential public services, that the need for emergency actions cannot be delayed, and that the JPB has and must continue to act as expeditiously as possible to repair necessary facilities; and
3. Continues to authorize emergency repairs of the north channel embankment at the San Francisquito Creek Bridge without adopting plans and specifications or giving notice to potential bidders; and
4. Continues to delegate to the Executive Director, or designee, the authority: to approve all plans and/or designs; to amend the contract with Walsh Construction, to undertake emergency repairs of the north channel embankment at the San Francisquito Creek Bridge at a price that staff has determined is fair and reasonable; and to take all other actions required to respond to said emergency, provided that the Executive Director reports such actions to the Board at each monthly Board meeting until the emergency situation is resolved, with a final report to be made at the first Board meeting after the emergency is resolved.

**Be It Further Resolved** that the Board of Directors has reviewed the emergency action taken on March 29, 2023, on May 4, 2023, on June 1, 2023, on August 3, 2023, on September 7, 2023, on October 5, 2023, and on November 2, 2023, to remediate emergency conditions at the embankment of the San Francisquito Bridge, and will continue to conduct such a review at every

subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action by a four-fifths vote pursuant to Public Contract Code section 22050(c).

Regularly passed and adopted this 7<sup>th</sup> day of December, 2023 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary  
(00499790)

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: Kate Jordan Steiner, Chief Financial Officer  
Subject: **Award of Contract for On-Call Alternate Project Delivery Negotiation Support Services**



Finance Committee  
Recommendation



Technology, Operations,  
Planning, and Safety  
Committee Recommendation



Advocacy and Major  
Projects Committee  
Recommendation

**Purpose and Recommended Action**

The contract for on-call alternative project delivery negotiation support services (Services) will provide the Peninsula Corridor Joint Powers Board (JPB) with a qualified and experienced consulting firm that is well-versed in public transit capital projects to support the JPB during implementation of capital projects using alternative project delivery methods. These services are expected to include development of independent cost estimates, cost validation and oversight services.

Staff recommends that the Board of Directors (Board) of the JPB:

1. Award an on-call contract to Kelly McNutt Consulting, LLC of Vancouver, WA (Kelly McNutt) to provide the Services for a total not-to-exceed amount of \$2.5 million for a five-year base term.
2. Authorize the Executive Director or designee to execute a contract with Kelly McNutt in full conformity with the terms and conditions of the solicitation documents and negotiated agreement, and in a form approved by legal counsel.
3. Authorize the Executive Director or designee to exercise up to two one-year option terms with Kelly McNutt, for a total not-to-exceed additional amount of \$1 million, if deemed in the best interest of the JPB.

**Discussion**

Approval of the above actions will benefit the JPB by engaging a qualified firm that can provide independent cost estimates for construction phase work; support the JPB with its total contract price review and negotiation with alternative project delivery contractors; provide collaborative support for development of project risk registers and risk allocation and mitigation plans, including risk-based cost assessments; provide support for negotiations with contractors regarding potential incentives for: safety, quality, community relations, diversity, cost control, schedule control, and sustainability; and review, comment on, and validate project delivery contractors' construction phase work planning. The Services will be utilized on an as-needed

basis. Award of this contract will not obligate the JPB to purchase any specific level of service from the Kelly McNutt.

### **Budget Impact**

Work Directives issued under this contract will be funded by a mix of Federal, State, Regional and/or Local revenues and grants from approved and future capital projects.

Staff expects the contract will initially be funded under budgets established for three capital projects, namely: Mountain View Transit Grade Separation, Broadway Burlingame Grade Separation, and Rengstorff Grade Separation.

The Mountain View Transit Grade Separation Project was originally included by the Board in the Fiscal Year (FY) 2022 capital budget. The initial project budget of \$11.2 million included funds from the Santa Clara Valley Transportation Authority (VTA) and the City of Mountain View. The project budget was increased to \$125.2 million in the FY 2023 and FY 2024 budgets with the addition of \$114 million from VTA Measure B, the State's Local Partnership Program and the City of Mountain View.

The Broadway Burlingame Grade Separation Project was originally approved by the Board as part of the FY2018 capital budget, initially with \$4,350,000 of funds from the San Mateo County Transportation Authority (SMCTA) and the City of Burlingame. Amendments to the project's budget resulted in additional contributions of \$21,063,000, funded by SMCTA and the City of Burlingame, increasing the total project budget to \$25,413,000.

The Rengstorff Grade Separation project was included in the FY2019 capital budget with \$3.5 million in funds from the City of Mountain View. In FY2023, the Board approved an additional budget of \$18.5 million in VTA Measure B funds, thereby increasing the project's budget to \$22 million.

Each of the above projects have sufficient available budget to support the contract.

### **Procurement**

On August 29, 2023, the JPB issued a Request for Proposals (RFP), solicitation number 24-J-P-016, for the Services. The RFP was advertised on the JPB's e-Procurement website. Staff held a pre-proposal meeting and two potential proposers attended. On September 25, 2023, the JPB received proposals from two firms:

1. Dynamic Preconstruction Services of Carlsbad, CA
2. Kelly McNutt Consulting, LLC of Vancouver, WA

A Selection Committee (Committee) composed of qualified staff from JPB's Rail Development Department reviewed, evaluated, and ranked these proposals in accordance with the following weighted criteria:

Evaluation Criteria	Maximum Points
Approach to Providing Services: On-Call Team Organization and Work Directive Management Plan	5 Points
Company Qualifications, Experience, and References	25 Points
Qualifications and Experience of Key Personnel	25 Points
Understanding the Required Scope of Services	30 Points
Cost Proposal and/or Labor Rates	15 Points
Small Business Enterprise (SBE) Preference	5 Points

After the initial scoring of the technical proposals, both firms were interviewed as both were in the competitive range. The Committee determined Kelly McNutt to be the highest-ranked firm with the most qualified proposal and approach for the Services. The firm possesses the requisite depth of experience and has the required qualifications to successfully perform the scope of work as defined in the solicitation documents.

Negotiations were conducted successfully with Kelly McNutt. Staff conducted a price analysis and determined that Kelly McNutt's prices are fair and reasonable.

Kelly McNutt is a certified Disadvantaged Business Enterprise (DBE) and received the full five-point SBE preference. Kelly McNutt intends to perform this contract with a team of two sub-consultants, one of which also is a DBE firm.

Prepared By:	Cathie Silva	Procurement Administrator III	650.622.7857
	Alvin Piano	Senior Project Manager	650.453.8099

**Resolution No. 2023-**

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

\* \* \*

**Awarding a Contract to Kelly McNutt Consulting, LLC for On-Call Alternate Project Delivery Negotiation Support Services for a Total Not-to-Exceed Amount of \$2.5 Million for a Five-Year Base Term, and Authorizing Two One-Year Option Terms for an Additional Not-to-Exceed Amount of \$1 Million**

**Whereas**, on August 29, 2023, the Peninsula Corridor Joint Powers Board (JPB) issued Request for Proposals (RFP) number 24-J-P-016 for On-Call Alternate Project Delivery Negotiation Support Services (Services); and

**Whereas**, in response to the RFP, the JPB received two proposals; and

**Whereas**, a Selection Committee (Committee) composed of qualified staff reviewed, evaluated and ranked these proposals in accordance with the weighted criteria set forth in the RFP, conducted interviews with the two firms, and determined that Kelly McNutt Consulting, LLC of Vancouver, Washington (Kelly McNutt) was the highest ranked proposer; and

**Whereas**, the Committee determined that Kelly McNutt possesses the requisite depth of experience and has the required qualifications to successfully perform the scope of work as defined in the solicitation documents; and

**Whereas**, Staff and legal counsel reviewed Kelly McNutt's proposal and determined it complies with the requirements of the RFP; and

**Whereas**, Staff conducted a price analysis and determined that Kelly McNutt's prices are fair and reasonable; and

**Whereas**, staff recommends that the Board of Directors (Board) award a contract to Kelly McNutt Consulting, LLC to provide the Services for a five-year base term for a total not-exceed amount of \$2.5 million and up to two one-year option terms for a total not-to-exceed additional amount of \$1 million.

**Now, Therefore, Be It Resolved** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Kelly McNutt Consulting, LLC of Vancouver, Washington to provide on-call alternate project delivery negotiation support services for a five-year base term for a total not-exceed amount of \$2.5 million and up to two one-year option terms for a total not-to-exceed additional amount of \$1 million; and

**Be It Further Resolved** that the Board authorizes the Executive Director or designee to execute a contract on behalf of the JPB with Kelly McNutt in full conformity with the terms and conditions of the solicitation documents and negotiated agreement, and in a form approved by legal counsel; and

**Be It Further Resolved** that the Board authorizes the Executive Director or designee to execute up to two one-year option terms, if in the best interest of the JPB.

Regularly passed and adopted this 7<sup>th</sup> day of December, 2023 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, Executive Director  
From: Robert Barnard, Chief Rail Design & Construction  
Subject: **Increase Contract Capacity for (3) On-Call Environmental Planning, Permitting and Support Services Contracts 19-J-P-072A, B and C\***

Finance Committee Recommendation       Technology, Operations, Planning, and Safety Committee Recommendation       Advocacy and Major Projects Committee Recommendation

**Purpose and Recommended Action**

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

1. Authorize amendments to the contracts for on-call environmental planning, permitting, and support services to increase the aggregate amount by \$2 million, from \$7 million to a new aggregate not-to-exceed total amount of \$9 million for a five-year term, to:
  - HDR Engineering, Inc.
  - ICF Jones & Stokes, Inc.
  - WSP USA Solutions, Inc. (f.k.a. as Louis Berger U.S., Inc.)
  
2. Authorize the Executive Director, or her designee, to execute the amendments to the contracts in full conformity with the terms and conditions of underlying agreements and in forms approved by legal counsel.

**Discussion**

In October 2019, the Board adopted Resolution 2019-35 authorizing award of the contracts for on-call environmental planning, permitting, and support services for an aggregate amount of \$7 million to be shared as a pool under authorized work directives assigned to the three firms listed above. This resolution also authorized up to two additional, one-year option terms for an aggregate not-to exceed total amount of \$1,750,000 for each option year, provided that exercising such options is in the best interest of the JPB. The first option terms do not start until December 1, 2024.

To date, there is only 5% remaining available capacity from the aggregate amount through the end of the base term, which will conclude at the end of November 2024. Staff anticipates needing an additional \$2 million to fund current and ongoing, anticipated, and unanticipated, work

**REVISED FOLLOWING 11.27.23 FINANCE COMMITTEE MEETING**

directives through November 30, 2024, for capital projects and compliance efforts that include, but are not limited to:

- Bridge replacement and rehabilitation programs,
- Emergency repairs due to more frequent climate change impacts,
- Grade separation projects along the Caltrain corridor,
- Under-crossings for cyclists and pedestrians as requested by cities along the Caltrain corridor,
- Peninsula Corridor Electrification Program environmental compliance,
- Required post-construction mitigation programs,
- Caltrain Sustainability and Resiliency program,
- Caltrain Vulnerability study,
- Compliance with new environmental regulations, and
- Special and third-party projects.

Increasing the contract total will not obligate the JPB to purchase any specific level of services from any firms as work directives are issued on a project and as-needed basis. The performance of all three firms to date has been satisfactory and in accordance with the requirements of each contract.

**Budget Impact**

Work Directives will be funded with a mix of federal, state, regional, and/or local revenues and grants from approved and future JPB operating and capital budgets.

**Finance Committee Consideration**

The Finance Committee considered the staff recommendation at its November 27, 2023, meeting. During the discussion of the item, members of the Committee questioned staff about staff's use of the on-call consultants and the costs of these services compared to the amounts budgeted. The Finance Committee recommended that the Board approve the increase in contract capacity recommended by staff provided that staff provide the Board with additional information regarding the contracts, including: (1) the amounts paid to each contractor and for which projects; (2) the average cost for environmental consulting per capital project; and (3) the amount budgeted and the amount billed for each capital project. This information is attached as Attachment A to this Staff Report.

Prepared By:	Enrica Balagot	Contract Administrator
	Manny Caluya	Procurement Administrator III
Project Manager:	Hilda Lafebre	Deputy Director, Program Management and Environmental Compliance

PENINSULA CORRIDOR JOINT POWERS BOARD						
5-Year Base Term with two-1year option terms 12.1.2019 - 11.30.2024 Staff Report 10.3.19   Reso 2019-35						
<b>Board Authorized, Base Term Total Amount =</b>		<b>\$</b>			<b>7,000,000</b>	
1st option term:		<b>\$</b>			<b>1,750,000</b>	
2nd option term:		<b>\$</b>			<b>1,750,000</b>	
ED's 10% Contract Contingency						
Board Authorized Reso Term Extension: Increase in Contract Capacity						
Contingency 10%						
<b>Total Authorized by Board =</b>		<b>\$</b>			<b>7,000,000</b>	
		Authorized Contract Capacity	Value of WDs Issued	Remaining Contract Capacity		WDs % by Firm
HDR 19-J-P-072A	A	\$ 40,000	\$0.00	\$ 40,000.00	100.00%	0.0%
ICF Jones and Stokes 19-J-P-072B	B	\$ 2,330,000	\$ 2,035,230.70	\$ 294,769.30	12.65%	31%
WSP USA Solutions, Inc. (FKA Louis Berger U.S.,INC.) 19-J-P-072C	C	\$ 4,630,000	\$ 4,597,217.17	\$ 32,782.83	0.71%	69%
<b>Total</b>		<b>\$ 7,000,000</b>				
<b>Total Value of WDs Issued =</b>			<b>\$6,632,447.87</b>	<b>\$ 367,552.13</b>	<b>5.25%</b>	<b>100%</b>
<b>Remaining Board Authority =</b>			<b>\$ 367,552.13</b>			
<b>Percent of Contract Capacity Used =</b>			<b>94.75%</b>			
<b>Percent of Contract Capacity Remaining =</b>			<b>5.25%</b>			
<b>Average Cost per Environmental Services</b>			<b>\$ 157,915.43</b>			

<b>HDR ENGINEERING 19-J-P-072A</b>				
Scope of Work	WD Start Date	WD End Date	Current Amount Budgeted	Current Amount Billed

# Work Directive Projects

Item #6.f.  
12/7/2023

<b>ICF JONES &amp; STOKES 19-J-P-072B</b>				
<b>Scope of Work</b>	<b>WD Start Date</b>	<b>Current WD End Date</b>	<b>Current Amount Budgeted</b>	<b>Current Amount Billed</b>
NEPA & CEQA Support Environmental Services for PCEP FY20	1-Dec-19	30-Jun-20	\$44,168.49	\$4,051.20
Environmental Mitigation Oversight Support for PCEP FY20	1-Dec-19	30-Jun-20	\$185,494.40	\$57,703.02
PCEP – Sea Level Rise Adaptation Plan FY20	1-Jan-20	31-Dec-20	\$74,066.95	\$1,351.35
Atherton station closure	1-May-20	31-Dec-20	\$10,740.00	\$4,466.43
NEPA & CEQA Support Environmental Services for PCEP FY21	1-Jul-20	30-Jun-21	\$86,091.50	\$3,669.64
Environmental Mitigation Oversight Support for PCEP FY21	1-Jul-20	30-Jun-21	\$388,021.00	\$141,247.48
PCEP – Sea Level Rise Adaptation Plan FY21	1-Jan-21	31-Dec-21	\$72,638.27	\$0.00
PCEP NEPA & CEQA Spt Env FY22	1-Jul-21	30-Jun-22	\$50,242.23	
PCEP Env Mitigation Oversight Sppt FY22	1-Jul-21	30-Jun-22	\$264,113.23	\$74,486.16
Sea Level Rise Adaptation Plan FY22	1-Jan-22	31-Dec-22	\$84,911.54	\$0.00
PCEP - Environmental Mitigation Oversight Support FY23	1-Jul-22	30-Jun-23	\$243,166.51	\$270,539.12
PCEP - NEPA & CEQA Support Environmental Work FY23	1-Jul-22	30-Jun-23	\$41,821.52	\$23,797.72
PCEP- Sea Level FY24	1-Jul-23	30-Jun-24	\$81,157.09	\$0.00
NEPA & CEQA PCEP - NEPA & CEQA Support Environmental Work FY24	1-Jul-23	30-Jun-24	\$44,806.35	\$1,635.98
Enviro Mitigation Oversight Support FY24	1-Jul-23	30-Jun-24	\$284,753.00	\$43,206.54
DTX-JPB CEQA Notice of Determination.	28-Sep-23	30-Apr-24	\$79,038.62	\$0.00
			<b>\$2,035,230.70</b>	<b>\$626,154.64</b>

<b>WSP USA Solutions, inc. (fka Louis Berger US, inc) 19-J-P-072C</b>				
<b>Scope of Work</b>	<b>WD Start Date</b>	<b>Current WD End Date</b>	<b>Current Amount Budgeted</b>	<b>Current Amount Billed</b>
Napoleon Street Bridge Environmental Clearance	2-Dec-19	30-Nov-21	\$8,589.40	\$1,114.71
Caltrain Sustainability Support	2-Dec-19	30-Jun-21	\$78,783.16	\$35,045.11
Broadway/Burlingame Grade Separation – Environmental Review Process	2-Dec-19	31-Dec-21	\$96,557.12	\$93,047.39
25th Ave San Mateo Grade Separation – Construction Environmental Compliance, Mitigation Monitoring and Reporting	2-Dec-19	31-Dec-21	\$115,383.02	\$94,785.84
Los Gatos Creek Bridge Replacement – Environmental Permits Compliance Mitigation Implementation Completion and Post Construction Documentation, Reporting and Tracking	2-Dec-19	30-Jan-20	\$27,133.33	\$15,360.93
Guadalupe River Bridge Replacement and Extension NEPA and CEQA Environmental Review Processes	2-Dec-19	30-Apr-23	\$659,267.29	\$658,965.91
Rengstorff Avenue Grade Separation-Environmental Review	2-Dec-19	31-Dec-23	\$389,969.61	\$296,633.44
Energy Procurement Strategy	30-Dec-19	30-Jun-21	\$196,583.07	\$88,411.43

**WSP USA Solutions, inc. (fka Louis Berger US, inc) 19-J-P-072C**

<b>Scope of Work</b>	<b>WD Start Date</b>	<b>Current WD End Date</b>	<b>Current Amount Budgeted</b>	<b>Current Amount Billed</b>
Los Gatos Creek Bridge Post Construction Envi Comp	30-Jan-20	30-Jun-20	\$47,852.29	\$8,523.74
Los Gatos Creek Bridge Post Construction Mitigation	29-Sep-20	30-Jun-21	\$63,029.12	\$36,010.60
Environmental Scoping - San Francisquito Bridge Replacement			\$0.00	\$0.00
Environmental Permitting – Broadway Burlingame Grade Separation	12-Mar-21	30-Nov-24	\$311,109.19	\$102,358.33
LGCB Post Const Mit Mntrg n Rep	1-Jul-21	30-Jun-23	\$119,727.64	\$32,948.64
Castro St. Transit Center Grade Separation – JPB CEQA Determination	11-Jun-21	31-Dec-23	\$48,151.26	\$28,412.93
Caltrain Sustainability Support FY2022	1-Jul-21	30-Jun-22	\$71,390.89	\$56,964.58
San Mateo Set Out Track-CEQA Amendment	21-Jun-21	31-Jul-24	\$60,444.55	\$15,107.07
Broadway Burlingame Grade Separation-Wetlands Delineation Refinement	3-Sep-21	31-Jul-22	\$14,942.05	\$31,224.39
25th Ave GS-Post Construction Env. Compliance	15-Dec-21	30-Jun-23	\$117,383.84	\$12,881.53

**WSP USA Solutions, inc. (fka Louis Berger US, inc) 19-J-P-072C**

<b>Scope of Work</b>	<b>WD Start Date</b>	<b>Current WD End Date</b>	<b>Current Amount Budgeted</b>	<b>Current Amount Billed</b>
Los Gatos Creek Bike-Pedestrian Trail Environmental Review	8-Apr-22	31-Jul-24	\$47,792.28	\$12,881.53
Caltrain Sustainability Spt Fy23	1-Jul-22	16-Jun-23	\$72,996.54	\$44,408.79
Guadalupe River Bridge Replacement-Construction Environmental Compliance.	19-Jan-23	31-Jan-25	\$984,372.81	\$205,923.42
San Francisquito Creek Emergency Repairs-Environmental Permitting.	13-Mar-23	31-Dec-23	\$158,867.15	\$95,376.09
DTX-JPB CEQA Notice of Determination.			\$0.00	\$0.00
Caltrain Sustainability FY24	1-Jul-23	30-Jun-24	\$98,190.23	\$20,688.06
Caltrain Strategic Sustainability PlanFY24			\$98,190.23	\$0.00
WSP Linden Ave and Scott St Grade Separations – Environmental Review Processes	24-Jul-23	30-Nov-24	\$710,511.10	\$0.00
			<b>\$4,597,217.17</b>	<b>\$1,987,074.46</b>



<b>Comparison between Environmental Expenses vs. Total Project Expenses</b>			
<b>Project No. and Title</b>	<b>Environmental Expenses as of Oct 2023</b>	<b>Total Project Expenses as of Oct 2023</b>	<b>% of Environmental Expenses</b>
100403 Broadband Wireless Communications System	\$41,502	\$10,057,222	0.41%
100427 San Francisquito Creek Bridge Conceptual Design & Community Engagement	\$0	\$1,151,109	0.00%
002146 South San Francisco Station Improvement	\$6,153	\$83,004,313	0.01%
100482 Rengstorff Grade Separation	\$384,595	\$3,356,571	11.46%
100244 Burlingame Broadway Grade Separation	\$567,690	\$15,832,762	3.59%
002088 25th Ave Grade Separation	\$686,937	\$99,696,873	0.69%
100522 Watkins Ave Grade Crossing Safety Improvements	\$4,466	\$2,295,212	0.19%
002152 South Linden & Scott Grade Separation	\$0	\$1,698,348	0.00%
100676 San Mateo Replacement Parking Track	\$0	\$835,783	0.00%
100684 Mini High Platform	\$1,400	\$240,457	0.58%
100617 Mountain View Transit Center and Grade Separation & Access Project	\$0	\$7,221,687	0.00%
002113 Guadalupe Bridges Replacement	\$1,039,269	\$24,527,545	4.24%
100459 22nd Street ADA Improvement	\$0	\$344,046	0.00%
<b>Totals</b>	<b>\$2,732,012</b>	<b>\$250,261,928</b>	<b>1.09%</b>

**Resolution No. 2023 -**

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

\* \* \*

**Authorizing Amendments to the Contracts for On-Call Environmental Planning, Permitting, and Support Services to Increase the Aggregate Contract Total Amount by \$2,000,000, from \$7,000,000 to a New Aggregate Not-To-Exceed Total Amount of \$9,000,000**

**Whereas**, pursuant to Resolution No. 2019-35, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) awarded contracts for on-call environmental planning, permitting and support services to HDR Engineering, Inc. (HDR), ICF Jones & Stokes, Inc., (ICF) and WSP USA Solutions, Inc. (f.k.a. Louis Berger U.S., Inc.) (WSP) for a five-year base term with two, one-year options; and

**Whereas**, due to current and upcoming environmental planning for capital and compliance efforts not anticipated at the time of the previous contract solicitation efforts, additional contract capacity is required; and

**Whereas**, the staff recommends, that the Board authorize amendments to the contracts with HDR, ICF, and WSP to increase the aggregate contract total amount by \$2,000,000 from \$7,000,000 to a new aggregate contract total amount of \$9,000,000, to be shared amongst the three firms, with the understanding that increasing the contract total will not obligate the JPB to purchase any specific level of services from any firm, as services are provided on an as-needed basis.

**Now, therefore, be it resolved** that the Board of Directors of the Peninsula Joint Powers Board hereby authorizes amendments to the contracts with HDR Engineering, Inc., ICF Jones & Stokes, Inc., and WSP Solutions, Inc. to increase the aggregate contract total amount by

\$2,000,000 from \$7,000,000, for a new aggregate contract total amount of \$9,000,000 to be shared amongst the three firms; and

**Be it further resolved** that the Board authorizes the Executive Director, or her designee, to execute an amendment with each of the firms listed above in a form approved by legal counsel.

Regularly passed and adopted this 7th day of December, 2023 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary



## JPB Technology, Operations, Planning, and Safety (TOPS) Committee Meeting Calendar – 2024

### Wednesdays, Two Weeks Prior to Board Meeting – 1:30 PM

Wednesday, January 24  
Wednesday, February 28  
Wednesday, March 27  
Wednesday, April 24  
Wednesday, May 29  
Wednesday, June 26  
Wednesday, July 24  
Wednesday, August 28  
Wednesday, September 25  
Wednesday, October 30  
Wednesday, November 20\*  
Wednesday, December 18\*

Board Committee Members: Directors Rico E. Medina (Chair), Pat Burt, Shamann Walton  
Primary Staff Liaison: Sam Sargent

\*Regular meetings are scheduled for two Wednesdays prior to the Board meeting at 1:30 pm unless otherwise noted.

Meetings will be conducted in a hybrid format (virtually via Zoom) and in-person at 1250 San Carlos Avenue, Bacciocco Auditorium, 2nd Floor, San Carlos, CA, unless otherwise stated.

Individual members of the public may participate in-person if they comply with the District's current workplace safety policies, unless stated otherwise, unless scheduled or stated otherwise at <https://www.caltrain.com/about-caltrain/meetings>.

Date may be subject to change.

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: Kate Jordan Steiner, Chief Financial Officer  
Subject: **Award of Contract for Final Design Services for the Rengstorff Avenue Grade Separation Project**



Finance Committee  
Recommendation



Technology, Operations,  
Planning, and Safety  
Committee Recommendation



Advocacy and Major  
Projects Committee  
Recommendation

**Purpose and Recommended Action**

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

1. Award a contract to AECOM Technical Services, Inc. of San Jose, California (AECOM) to provide Final Design Services for the Rengstorff Avenue Grade Separation Project (Project) for a not-to-exceed amount of \$12,496,042.14, consisting of \$11,043,811.88 for the base contract and \$1,452,230.26 for optional services.
2. Authorize the Executive Director or designee to execute a contract with AECOM in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreement, and in a form approved by legal counsel.
3. Authorize the Executive Director or designee to exercise options for performance of additional project-related engineering and design services by AECOM, if deemed in the best interest of the JPB.

**Discussion**

Construction of grade separation structures at Rengstorff Avenue in the City of Mountain View will improve safety by eliminating conflicts between trains and pedestrians, bicycles, and motor vehicles. The Project will also help improve traffic flow, decrease train delays, and reduce train horn noise, which may be exacerbated in the future due to growth in vehicular traffic, greater frequency of Caltrain service, and the eventual use of the Caltrain right-of-way for high-speed rail.

Approval of the above actions will provide the JPB with a qualified firm to provide Final Design Services for the Project and support the JPB in obtaining the plans, specifications, and estimates (PS&E) for Project construction. The actions also would authorize the Executive Director or designee to exercise contract options for AECOM to perform additional related services, if deemed in the best interest of the JPB.

Below is a list of the base contract tasks and optional tasks, along with the corresponding not-to-exceed amounts:

<b>Base Contract and Options</b>	<b>Services and Tasks</b>	<b>Not-To-Exceed Amounts</b>
<b>Base Contract</b>		
Task 01	Project Management	\$1,196,467.39
Task 02	PS&E Support Studies	\$1,730,026.25
Task 03	65% PS&E	\$3,460,620.40
Task 04	95% PS&E	\$2,683,041.77
Task 05	100% PS&E	\$1,239,837.50
Task 06	Final PS&E	\$490,312.79
Task 07	Right-of-Way Support Services	\$243,505.77
<b>Total Base Contract</b>		<b>\$11,043,811.88</b>
<b>Optional Tasks</b>		
Task 08	Construction Manager/General Contractor Price Proposal Review and Coordination	\$112,645.96
Task 09	Design Support During Utility Relocation	\$197,678.41
Task 10	Design Support During Construction	\$352,383.79
Task 11	Prepare As-Built Drawings	\$89,522.10
Task 12	Allowance for Value Engineering	\$700,000.00
<b>Total Optional Tasks</b>		<b>\$1,452,230.26</b>
<b>Total Amount for Base Contract and all Options</b>		<b>\$12,496,042.14</b>

On June 15, 2023, the JPB issued Request for Proposals (RFP) No. 23-J-P-072 for Final Design Services for the Project. The RFP was advertised in a newspaper of general circulation and posted on the JPB e-procurement website. A pre-proposal conference was held virtually on June 29, 2023; two potential proposers and multiple potential subconsultants attended. The JPB received proposals from the following:

1. AECOM Technical Services, Inc. of San Jose, CA
2. Stantec Consulting Services Inc. of San Jose, CA

In accordance with federal and state laws governing the procurement of architecture and engineering services, proposals were evaluated, scored, and ranked solely on a qualification-based selection process, with price being negotiated only with the highest-ranked proposer.

A Selection Committee (Committee), composed of qualified staff from the JPB’s Capital Program Delivery and Engineering Department and the City of Mountain View, reviewed, evaluated, and ranked the proposals in accordance with the following weighted criteria:

<b>Evaluation Criteria</b>	<b>Maximum Points</b>
Company Qualifications, Experience & References	10 Points
Qualifications and Experience of Key Personnel	25 Points
Understanding the Required Scope of Services	30 Points
Project Management Plan	15 Points
Quality Management Plan	20 Points
Small Business Enterprise (SBE) Preference	5 Points
<b>Total</b>	<b>105 Points</b>

After the initial scoring of the technical proposals, the Committee determined that AECOM met all the RFP requirements and was the highest-ranked proposer. AECOM possesses the requisite experience and qualifications as defined in the solicitation documents. In addition, AECOM and its key subconsultants have experience with similar projects.

Staff successfully negotiated the prices with AECOM, conducted a price analysis for the base contract and optional services and determined the prices to be fair and reasonable in comparison to the independent cost estimate. AECOM’s prices are also consistent with those paid by other public agencies in the Bay Area for similar services.

The Office of Civil Rights assessed SBE preference submissions. AECOM received 1 out of 5 preference points in accordance with its level of SBE utilization.

**Budget Impact**

Funds for the Rengstorff Avenue Grade Separation Project were included in the Fiscal Year (FY) 2019 budget, with \$3,500,000 funded by the City of Mountain View. In FY2023, the Board budgeted an additional \$18,500,000 for the Project, funded by Santa Clara Valley Transportation Authority’s Measure B, increasing the Project’s budget to \$22,000,000. The Project has sufficient budget to support the contract.

Prepared By:	Ehab Azab, Procurement Administrator III	650.508.7732
	Arul Edwin, Senior Project Manager	650.339.8845

**Resolution No. 2023 –**

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

\* \* \*

**Awarding a Contract to AECOM Technical Services, Inc. for Final Design Services for the Rengstorff Avenue Grade Separation Project for a Total Not-To-Exceed Amount of \$12,496,042.14**

**Whereas**, in October 2022, the JPB prepared a 35 percent design of the Rengstorff Avenue Grade Separation Project in preparation of the Final Design; and

**Whereas**, on June 15, 2023, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP), solicitation number 23-J-P-072, for Final Design Services for the Rengstorff Avenue Grade Separation Project (Project); and

**Whereas**, in response to the RFP, the JPB received two proposals; and

**Whereas**, a Selection Committee (Committee) scored and ranked the proposals on a qualifications-based selection process in accordance with the evaluation criteria set forth in the RFP; and

**Whereas**, the Committee completed its evaluation process and determined that AECOM Technical Services, Inc. of San Jose, California (AECOM) is the highest-ranked proposer and possesses the necessary qualifications and requisite experience to successfully perform the Scope of Services in the RFP; and

**Whereas**, staff conducted a price analysis for the base contract and optional services and determined that AECOM's prices are fair and reasonable; and

**Whereas**, staff and legal counsel have reviewed AECOM's proposal and have determined that it complies with the requirements of the solicitation documents; and



**Whereas**, staff recommends that the Board of Directors (Board) award a contract to AECOM for the Final Design Services for the Rengstorff Avenue Grade Separation Project for a total not-to-exceed amount of \$12,496,042.14, which includes \$11,043,811.88 for the base contract services and \$1,452,230.26 for optional project-related engineering and design services.

**Now, Therefore, Be It Resolved** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract for Final Design Services for the Rengstorff Avenue Grade Separation Project to AECOM Technical Services, Inc. of San Jose, California for a total not-to-exceed amount of \$12,496,042.14, which includes \$11,043,811.88 for the base services and \$1,452,230.26 for additional project-related engineering and design optional services; and

**Be It Further Resolved** that the Board authorizes the Executive Director or designee to execute a contract with AECOM in full conformity with the terms and conditions of the RFP and negotiated agreement, and in a form approved by legal counsel; and

**Be It Further Resolved** that the Board authorizes the Executive Director or designee to exercise options for AECOM to perform additional project-related engineering and design services, if in the best interest of the JPB.

Regularly passed and adopted this 7th day of December, 2023 by the following vote:

Ayes:

Noes:

Absent:

---

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, Executive Director  
From: Robert Barnard, Deputy Chief, Rail Development  
Subject: Amend Budget for Broadband Wireless Communication System Project



Finance Committee  
Recommendation



Technology, Operations,  
Planning, and Safety  
Committee Recommendation



Advocacy and Major  
Projects Committee  
Recommendation

**Purpose and Recommended Action**

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

1. Amend the Fiscal Year (FY) 2024 Capital Budget by \$1,620,277, from \$515,905,427 to \$517,525,704 to reflect an increase in the Broadband Communications Project (Project) budget by \$1,620,277, from \$28,820,241 to \$30,440,518; and
2. Authorize the Executive Director, or designee, to submit an application to the California State Transportation Agency (CalSTA) for State Rail Assistance (SRA) funds in the amount of \$5,621,464 for the Project; and
3. Authorize the Executive Director, or designee to take any other actions as may be required to receive funds, including to execute and file Certifications and Assurances and Authorized Agent form as well as any amendments and furnish any additional information as CalSTA may require of SRA recipients.

**Discussion**

**Broadband Project Background**

The Board originally approved the Project in Fiscal Year (FY) 2019, subsequently approved a budget of \$28,820,241 in FY2023, and awarded a contract to Nomad Digital to design, implement, and test the Broadband system to provide Passenger Wi-Fi service for the Electric Multiple Unit (EMU) trains.

During the design phase of the Project, staff determined that it would be best for the train manufacturer Stadler to install the Broadband onboard equipment rather than the vendor Nomad Digital. Stadler's performance of the EMU onboard Broadband equipment installation affords several benefits to the Project.

1. Stadler's team has the best knowledge and expertise to install equipment and route the wires in the EMU.
2. Stadler's performance of the work will keep the EMU warranty intact.
3. Stadler can perform installation work in Salt Lake City before the EMU's are shipped to JPB in the Bay Area. This will relieve the space and access constraints for performing the work in the Central Equipment Maintenance & Operations Facility (CEMOF) in San Jose and mitigate schedule concerns to reduce the risk of delaying the overall project. As a result, staff has developed a detailed schedule for installation of Broadband equipment on the EMUs in Salt Lake City rather than on-site at Caltrain, balancing the schedule needs of the Broadband project with the schedule needs of the Peninsula Corridor Electrification Project (PCEP).
4. Stadler will incorporate the Broadband design and installation drawings into their EMU As-Built package so the additional EMUs deliveries from Stadler will contain the Broadband equipment.

The JPB received a proposal from Stadler to perform the EMU Broadband installation and negotiated a final price of \$1,999,015. A Change Order to the PCEP Stadler contract was executed for \$1,999,015 and will be paid from the Broadband Project budget.

The JPB also received a proposal from Nomad Digital to eliminate the EMU Broadband equipment installation scope from the contract and to include a price reduction of \$685,328. The result of the Stadler and Nomad Digital change orders is a net increase of \$1,313,687, which is within the scope of the Executive Director's contract contingency authority.

The cost for the Broadband Project has also increased because the amount of required TASI protection support has increased due to the necessary additional night work for trenching underneath the tracks and the recently developed OCS isolation policy.

With the rise in these Project costs, the Project budget has increased from \$28,820,241 to \$30,440,518.

### **Use of SRA Funds for Broadband Project**

The Road Repair and Accountability Act of 2017, Senate Bill (SB) 1 (Chapter 5, Statutes of 2017), signed by the Governor on April 28, 2017, includes the SRA program, which provides approximately \$45 million in 2020-21, and will rise to approximately \$50 million in 2024-25 in formula funding allocated to commuter and intercity rail agencies for operating and capital needs. The program is administered by the California State Transportation Agency (CalSTA). The JPB is an eligible recipient agency to receive approximately \$5 to \$6 million per year from this program. To receive these funds, CalSTA requires recipients to obtain Board approval for the allocation of funding to the project as well as authorization to execute Certifications and Assurances and Authorized Agent forms.

In the December 2022 Board Staff Report for the Project, staff proposed to use an additional \$4.126 million of the available \$5.6 million in FY 2023 SRA funds if other grant funding is not received. Since then, no other grant funding has been available for the Project. Therefore, staff

proposes to use \$4,126,655, plus an additional \$1,494,809, for a total of \$5,621,464, in the FY 2023 SRA funds, to fill the funding gap for the Project.

**Budget Impact**

The Board approved the initial budget for the Broadband Project in FY19 in the amount of \$14,000,000, funded by the Transit Intercity Rail Capital Program (TIRCP). In FY23, the Board approved an additional budget of \$14,820,241, funded by General Capital Funds and State Rail Assistance (SRA) Program, increasing the project's budget to \$28,820,241. With the rise in Project costs, an additional budget of \$1,620,277, funded by SRA and project savings, will result in a total project budget of \$30,440,518.

The increase in the Project budget of \$1,620,277, from \$28,820,241 to \$30,440,518, requires an amendment to the Fiscal Year (FY) 2024 Capital Budget of \$1,620,277, from \$515,905,427 to \$517,525,704.

Prepared By: Robert Tam

Project Manager

650-508-7969

(00499160-4)

**Resolution No. 2023-**

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

\* \* \*

**Amend Budget for Broadband Wireless Communication System Project**

**Whereas**, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) awarded the Broadband Communications Project to Nomad Digital (Resolution No. 2022-82) to design, implement, and test the broadband system to provide passenger Wi-Fi service for the Electric Multiple Unit (EMU) trains; and

**Whereas**, the Broadband Communications Project was originally approved by the Board in FY2019 and amended in FY2023 for a budget of \$28,820,241; and

**Whereas**, during the design phase of the project, it was determined it is best for the train manufacturer Stadler to install the Broadband onboard equipment rather than the vendor Nomad Digital; and

**Whereas**, Stadler has the best expertise to install equipment and route wires in the EMU, Stadler performing the work keeps the EMU warranty intact, installation will occur in Salt Lake City before the EMUs are shipped to JPB, alleviating space and access constraints and mitigating schedule concerns of this project and the Peninsula Corridor Electrification Project, and can incorporate broadband design and installation drawings into their EMU As-Built package for additional EMU deliveries; and

**Whereas**, JPB received a proposal from Stadler to perform the EMU broadband installation and negotiated a final price of \$1,999,015. A Change Order to the PCEP Stadler contract was executed for \$1,999,015 and will be paid from the Broadband Communications Project; and

**Whereas**, JPB also received a proposal from Nomad Digital to eliminate the EMU Broadband equipment installation scope from the contract and to include a price reduction of \$685,328. The result of the Stadler and Nomad Digital change orders is a net increase of \$1,313,687, which is within the scope of the Executive Director's contract contingency authority; and

**Whereas**, pursuant to Resolution No. 2023-64 adopted on October 5, 2023, the Peninsula Corridor Joint Powers Board (JPB) adopted Fiscal Year (FY) 2024 Capital Budget Amendment 2 for a total authorized budget of \$515,905,427; and

**Whereas**, additional costs of \$1,620,277 have been identified for the Broadband Communications Project, including those associated with Nomad Digital and Stadler Change Orders, which are proposed to be funded by State Rail Assistance (SRA) in the amount of \$1,494,809 and an additional \$125,468 from project savings, amounting to \$1,620,277; and

**Whereas**, of the \$11.1 million of SRA funds, \$5.5 million has been requested and allocated for the project; and

**Whereas**, the Board of Directors wishes to authorize the Executive Director, or designee, to:

1. Submit the following project application to the California State Transportation Agency (CalSTA) for State Rail Assistance (SRA) funds:
  - Project Name: Broadband Communications
  - Amount of SRA funds requested: \$5,621,464
  - Project Description: The project will design, implement, and test a broadband wireless communication system along the Caltrain corridor for wayside train communications and passenger Wi-Fi service.
2. Affirm that the Peninsula Corridor Joint Powers Board agrees to comply with all conditions and requirements of the SRA Program as set forth in the certification and assurances and applicable statutes, regulations, and guidelines; and
3. Execute and file Certifications and Assurances and Authorized Agent form as well as any amendments and furnish any additional information as CalSTA may require of SRA recipients.

**Now, Therefore, Be It Resolved** that the Executive Director, or designee, is authorized to:

1. Submit the following project application to the California State Transportation Agency (CalSTA) for State Rail Assistance (SRA) funds:
  - Project Name: Broadband Communications
  - Amount of SRA funds requested: \$5,621,464
  - Project Description: The project will design, implement, and test a broadband wireless communication system along the Caltrain corridor for the wayside train communications and passenger Wi-Fi service.
2. Affirm that the Peninsula Corridor Joint Powers Board agrees to comply with all conditions and requirements of the SRA Program as set forth in the certification and assurances and applicable statutes, regulations, and guidelines; and
3. Take any other actions necessary as may be required to receive funds, including to execute and file Certifications and Assurances and Authorized Agent form as well as

any amendments and furnish any additional information as CalSTA may require of SRA recipients.

**Now, Therefore, Be It Further Resolved;** that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board hereby approves an amendment to the FY2024 Capital Budget of \$1,620,277, an increase from \$515,905,427 to \$517,525,704.

Regularly passed and adopted this 7th day of December, 2023 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary  
(00499162-3)



FY2024 ADOPTED CAPITAL BUDGET

Attachment B  
Amendment 3  
December 2023

Item #	PROJECT NAME	FY2024 ADOPTED CAPITAL BUDGET	Amendment 3	FY2024 AMENDED CAPITAL BUDGET	Federal Funds	STA SOGR				Member Agency Funds	Others	Externally Funded / Stadler Cars	FY2024 ADOPTED CAPITAL BUDGET
							Santa Clara (Measure B)	San Francisco (SFCTA)	San Mateo (SMCTA)				
<b>i. SOGR</b>													
<b>Bridges</b>													
1	Guadalupe Bridges Replacement <sup>1</sup>	17,364,622		17,364,622	12,138,098	892,549	2,192,000			2,192,000	2,141,975	-	17,364,622
2	San Francisquito Creek Bridge Emergency North Channel Restoration <sup>2</sup>	5,165,715		5,165,715					2,490,020	2,490,020	2,675,695	-	5,165,715
3	San Francisquito Bridge Acoustic Monitoring System <sup>3</sup>	857,638		857,638							857,638	-	857,638
4	SOGR Structures	1,560,000		1,560,000	1,248,000	312,000						-	1,560,000
	<b>Total Bridges</b>	<b>24,947,975</b>	<b>-</b>	<b>24,947,975</b>	<b>13,386,098</b>	<b>1,204,549</b>	<b>2,192,000</b>	<b>-</b>	<b>2,490,020</b>	<b>4,682,020</b>	<b>5,675,308</b>	<b>-</b>	<b>24,947,975</b>
<b>Right of Way</b>													
5	SOGR MOW Track <sup>4</sup>	4,100,543		4,100,543	2,957,273						1,143,270	-	4,100,543
6	SOGR MOW Track - Track Equipment	2,556,828		2,556,828		264,318			2,112,165	180,345	2,292,510	-	2,556,828
7	ROW Fencing <sup>5</sup>	1,835,951		1,835,951					461,316	730,635	1,191,951	644,000	1,835,951
	<b>Total Right of Way</b>	<b>8,493,322</b>	<b>-</b>	<b>8,493,322</b>	<b>2,957,273</b>	<b>264,318</b>	<b>-</b>	<b>2,573,481</b>	<b>910,980</b>	<b>3,484,461</b>	<b>1,787,270</b>	<b>-</b>	<b>8,493,322</b>
<b>Signal &amp; Communications</b>													
8	Signal SOGR FY24 and FY25	632,000		632,000	505,600	126,400							632,000
	<b>Total Signal &amp; Communications</b>	<b>632,000</b>	<b>-</b>	<b>632,000</b>	<b>505,600</b>	<b>126,400</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>632,000</b>
<b>Station &amp; Intermodal Access</b>													
9	Station SOGR Project	1,226,519		1,226,519					1,226,519	1,226,519			1,226,519
	<b>Total Station &amp; Intermodal Access</b>	<b>1,226,519</b>	<b>-</b>	<b>1,226,519</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,226,519</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,226,519</b>
	<b>Total SOGR</b>	<b>35,299,816</b>	<b>-</b>	<b>35,299,816</b>	<b>16,848,971</b>	<b>1,595,267</b>	<b>2,192,000</b>	<b>3,800,000</b>	<b>3,401,000</b>	<b>9,393,000</b>	<b>7,462,578</b>	<b>-</b>	<b>35,299,816</b>
<b>ii. LEGAL MANDATE</b>													
10	MS4 Trash Management	200,000		200,000						200,000	200,000		200,000
	<b>Total</b>	<b>200,000</b>	<b>-</b>	<b>200,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>200,000</b>	<b>200,000</b>	<b>-</b>	<b>200,000</b>
<b>iii. OPERATIONAL IMPROVEMENTS/ENHANCEMENTS</b>													
11	Mini-High Platforms <sup>6</sup>	460,000		460,000							460,000		460,000
12	Next Generation Visual Messaging Sign (VMS)	1,200,000		1,200,000				1,200,000		1,200,000			1,200,000
13	22nd Street ADA Access Improvements <sup>7</sup>	447,198		447,198							447,198		447,198
14	San Mateo Replacement Parking Track <sup>8</sup>	3,773,000		3,773,000							3,773,000		3,773,000
15	Support for Property Mapping	520,000		520,000						520,000			520,000
29	Broadband Communications <sup>14</sup> Total Project Budget (Post-Amendment): \$30,440,518	-	1,620,277	1,620,277							1,620,277		1,620,277
	<b>Total</b>	<b>6,400,198</b>	<b>1,620,277</b>	<b>8,020,475</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,200,000</b>	<b>520,000</b>	<b>1,720,000</b>	<b>6,300,475</b>	<b>-</b>	<b>8,020,475</b>
<b>iv. PLANNING/STUDIES</b>													
16	Capital Planning (CIP)	359,000		359,000					359,000	359,000			359,000
17	San Francisco Railyards TOD <sup>9</sup>	806,000		806,000							806,000		806,000
18	Level Boarding Roadmap	520,000		520,000					520,000	520,000			520,000
19	Battery EMU R/D <sup>10</sup>	1,352,000		1,352,000							1,352,000		1,352,000
20	DISC/Diridon Business Case	1,560,000		1,560,000			1,560,000			1,560,000			1,560,000
21	Rail Network and Operations Planning	1,248,000		1,248,000			1,248,000			1,248,000			1,248,000
22	DTX Funding <sup>3</sup>	250,000		250,000							250,000		250,000
26	DTX Support Project <sup>11</sup> Total Project Budget (Post-Amendment): \$9,349,113	5,018,239		5,018,239							5,018,239		5,018,239
27	SF Railyards Preliminary Business Case <sup>12</sup> Total Project Budget (Post-Amendment): \$4,676,623	274,174		274,174							274,174		274,174
28	DTX Enabling Works <sup>13</sup> Total Project Budget (Post-Amendment): \$1,055,000	460,000		460,000							460,000		460,000
	<b>Total</b>	<b>11,847,413</b>	<b>-</b>	<b>11,847,413</b>	<b>-</b>	<b>-</b>	<b>2,808,000</b>	<b>-</b>	<b>879,000</b>	<b>3,687,000</b>	<b>8,160,413</b>	<b>-</b>	<b>11,847,413</b>





**FY2024 ADOPTED CAPITAL BUDGET**

Attachment B  
Amendment 3  
December 2023

Item #	PROJECT NAME	FY2024 ADOPTED CAPITAL BUDGET	Amendment 3	FY2024 AMENDED CAPITAL BUDGET	Federal Funds	STA SOGR				Member Agency Funds	Others	Externally Funded / Stadler Cars	FY2024 ADOPTED CAPITAL BUDGET
							Santa Clara (Measure B)	San Francisco (SFCTA)	San Mateo (SMCTA)				
<b>v. STADLER CARS</b>													
23	Stadler Cars	355,000,000		355,000,000	-					-	-	355,000,000	355,000,000
<b>Total</b>		<b>355,000,000</b>	<b>-</b>	<b>355,000,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>355,000,000</b>	<b>355,000,000</b>
<b>vi. EXTERNALLY-FUNDED GRADE SEPARATION PROJECTS</b>													
24	Mountain View Transit Center Grade Separation	107,000,000		107,000,000						-	-	107,000,000	107,000,000
25	San Mateo Grade Separation	158,000		158,000						-	-	158,000	158,000
<b>Total</b>		<b>107,158,000</b>	<b>-</b>	<b>107,158,000</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>107,158,000</b>	<b>107,158,000</b>
<b>Total</b>		<b>515,905,427</b>	<b>1,620,277</b>	<b>517,525,704</b>	<b>16,848,971</b>	<b>1,595,267</b>	<b>5,000,000</b>	<b>5,000,000</b>	<b>5,000,000</b>	<b>15,000,000</b>	<b>21,923,466</b>	<b>462,158,000</b>	<b>517,525,704</b>

<sup>1</sup> \$76,760 is funded by AB664 Net Bridge Toll Revenue, \$665,215 is funded by Altamont Corridor Express (ACE), and \$1,400,000 is funded by Union Pacific Railroad (UPRR)

<sup>2</sup> The additional project budget of \$1,171,066 and the change in cost sharing commitment from the cities of Palo Alto and Menlo Park of \$1,861,909 are funded by: SMCTA from San Francisquito Acoustic Monitoring System Project \$2,028,704; Project Savings from existing/closed projects \$683,121; and Capital Contingency Funds \$321,150. The City of Palo Alto/Menlo Park and SMCTA will continue to fund the project as follows: \$1,671,424 and \$461,316, respectively.

<sup>3</sup> Funding plan for the San Francisquito Bridge Acoustic Monitoring System and DTX Funding projects have yet to be finalized

<sup>4</sup> \$423,240 is funded by AB664 Net Bridge Toll Revenue; \$720,030 is funded by San Francisco Prop K

<sup>5</sup> \$800,000 is funded by competitive federal funds offset by \$156,000 Measure RR due to fund switch from FY22 Measure RR to SMCTA coming from the San Francisco Railyards TOD project

<sup>6</sup> \$460,000 is funded by competitive federal funds

<sup>7</sup> \$447,198 is funded by San Francisco Prop K

<sup>8</sup> \$3,773,000 is funded by Local Partnership Program (LPP)

<sup>9</sup> \$650,000 is funded by competitive federal funds; \$156,000 is funded Measure RR due to fund switch from SMCTA to FY22 Measure RR coming from the ROW Fencing project

<sup>10</sup> \$1,352,000 is funded by California State Transportation Agency (CalSTA)

<sup>11</sup> \$5,018,239 is funded by Transbay Joint Powers Authority (TJPA) through an Interim Agreement between JPB and TJPA

<sup>12</sup> \$274,174 is funded by Prologis through an Amended Memorandum of Understanding (MOU) between JPB and Prologis

<sup>13</sup> \$460,000 is funded by Transbay Joint Powers Authority (TJPA) through an Amended Memorandum of Agreement between JPB and TJPA

<sup>14</sup> \$1,494,809 is funded by State Rail Assistance (SRA) Program; \$125,468 is funded by project savings

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: Robert Barnard, Deputy Chief, Caltrain Design and Construction  
Subject: **Authorize Execution of the Amended Memorandum of Understanding to Receive Funding for the Construction Manager General Contractor (CMGC) Pre-Construction Phase for the Broadway Grade Separation**

Finance Committee Recommendation

Technology, Operations, Planning, and Safety Committee Recommendation

Advocacy and Major Projects Committee 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 an amendment to a Memorandum of Understanding by and between the City of Burlingame (City) and San Mateo County Transportation Authority (TA) for the Peninsula Corridor Joint Powers Board (JPB) (Agreement) to receive additional funding of \$2,500,000 for the Construction Manager / General Contractor (CMGC) Pre-Construction phase of the Broadway Grade Separation Project (Project); and
2. Authorize the 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 Broadway at-grade crossing is currently the top-ranked crossing for grade separation in northern California on the California Public Utilities Commission’s Grade Separation Priority List and the second highest ranked crossing in the State. The Project will: 1) help reduce emergency response times as the Caltrain corridor bisects the east and west sides of the City, 2) help alleviate traffic queuing on Broadway, which extends east to the U.S. Highway 101 ramps, 3) reduce traffic delays at nearby intersections with California Drive, Carolan Avenue and Rollins Road, and 4) significantly improve access to the Broadway commercial district from U.S. Highway 101, which would further support economic development.

The proposed amendment to the Agreement by and between the TA, the City and JPB, which is the subject of the staff recommendation, will activate 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 value engineering and 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.

The JPB's work as lead implementing agency will be fully funded by the TA and the City, and approval by the Board to amend the Agreement will provide the JPB with the resources required to support the next phase of the Project.

The parties estimate that the CMGC Pre-Construction phase will cost approximately \$2.5 million. At its November 2, 2023 meeting, the TA Board authorized the allocation of \$2,300,000 for this purpose, pursuant to the request of the City, which has agreed to contribute \$200,000 for eligible CMGC Pre-Construction phase costs.

The current Project budget is \$25,413,000 for the Final Design Phase, with \$23,413,000 from the TA and \$2,000,000 from the City of Burlingame for final design related activities. An alternate project delivery method evaluation was conducted on November 30, 2022. On March 2, 2023, 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 Broadway Grade Separation Project.

**Budget Impact**

The Board first approved the Broadway Grade Separation Project in FY18, with a budget of \$4,350,000 funded by San Mateo County Transportation Authority (TA) and the City of Burlingame (City). Amendments since then increased the project's budget to \$25,413,000, funded by TA for \$23,413,000 and the City for \$2,000,000.

Execution of the amended Agreement between JPB, TA, and the City will provide additional funding to the Project of \$2,500,000, increasing the Project budget to \$27,913,000. A separate item will be presented to the Board in January requesting for an approval to amend the Project and the JPB capital budget.

Prepared By:	Alex Acenas	Senior Project Manager	650.730.0502
	Rob Barnard	Deputy Chief, Rail Design & Construction	650.508.7783

**Resolution No. 2023 –**

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

\* \* \*

**Authorize Execution of the Amended Memorandum of Agreement to Receive Funding for  
the Construction Manager General Contractor (CMGC) Pre-Construction Phase for the  
Broadway Grade Separation Project**

**WHEREAS**, the City of Burlingame (City) and the San Mateo County Transportation Authority (TA) desire to grade separate the Broadway at-grade crossing to improve safety and reduce traffic congestion; and

**WHEREAS**, the Broadway Grade Separation Project objectives are to improve safety for all modes of travel, improve overall traffic flow and reduce traffic delays caused by gate down times; and

**WHEREAS**, the Legislature enacted Assembly Bill No. 797 in 2013 to authorize the San Mateo County District to use the Construction Manager General Contractor (CMGC) project delivery approach for public transit projects within its jurisdiction. This authorization extends to the Peninsula Corridor Joint Powers Board (JPB) pursuant to the Joint Powers Agreement, which established the JPB; and

**WHEREAS**, pursuant to Public Utilities Code section 103395, the JPB may enter a CMGC project delivery method contract after taking the following steps. First, the JPB must evaluate the traditional design-bid-build (DBB) process of construction compared to the CMGC method of project delivery in a public meeting. Second, the JPB must make written findings that the use of the CMGC project delivery method on a specific project under consideration will accomplish

one or more of the following objectives: (1) reduce project costs; (2) expedite the project's completion; or (3) provide features not achievable through the design-bid-build method; and

**WHEREAS**, staff of the JPB, the City and the TA have investigated different project delivery methods and have evaluated the respective merits of delivering the Broadway Grade Separation Project through the CMGC project delivery method versus the DBB method; and

**WHEREAS**, staff has determined that use of the CMGC project delivery method will benefit the JPB by providing project features not achievable through the DBB project delivery method, such as opportunities for project innovation, and will likely also result in the reduction of project costs and promote the expeditious completion of the project; and

**WHEREAS**, on March 2, 2023, the Board made findings that the use of the CMGC project delivery method is in the best interest of the JPB and authorized the use of the CMGC project delivery method to complete the Broadway Grade Separation Project; and

**WHEREAS**, pursuant to the City's request, the TA programmed and allocated an additional \$2,300,000 for the project to hire a CMGC to provide Preconstruction Phase services; and

**WHEREAS**, the City is contributing an additional \$200,000 towards the Preconstruction Phase of the project; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorize the Executive Director, or her designee to execute an amendment to the Memorandum of Understanding by and between the JPB, the San Mateo County Transit Authority, and the City of Burlingame for the JPB to receive additional funding of \$2,500,000 for the CMGC Preconstruction Phase of the Broadway Grade Separation Project, and

to file any other required documentation and to take any other actions necessary to give effect to this resolution.

Regularly passed and adopted this 7<sup>th</sup> day of December 2023 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, Executive Director  
From: Kate Jordan Steiner, Chief Financial Officer  
Subject: **Award of Contract for San Mateo Replacement Parking Track Project**



Finance Committee  
Recommendation



Technology, Operations,  
Planning, and Safety  
Committee  
Recommendation



Advocacy and Major  
Projects Committee  
Recommendation

**Purpose and Recommended 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, Stacy and Witbeck, Inc. of Alameda, California (Stacy & Witbeck) for the San Mateo Replacement Parking Track Project (Project) for a base bid total lump sum amount of \$5,878,424.
2. Authorize the Executive Director or designee to execute a contract with Stacy & Witbeck in full conformity with the terms and conditions set forth in the solicitation documents, and in a form approved by legal counsel.
3. Adopt the 2023 California Environmental Quality Act (CEQA) Addendum to the Negative Declaration (ND) of the 2018 San Mateo Setout Track Project Final Initial Study (IS)/ND.

**Discussion**

The San Mateo Setout Track Projects is now referred to as the San Mateo Replacement Parking Track Project.

The Project will replace the old parking track that was removed from the Bay Meadows area to facilitate construction of the 25<sup>th</sup> Avenue Grade Separation Project in the City of San Mateo. The replacement parking track will be located between 10<sup>th</sup> and 14<sup>th</sup> Avenues on the Caltrain right-of-way next to Mainline Track 2 (MT-2).

The old parking track existed before the JPB became the operator of Caltrain passenger service on the Peninsula rail corridor. Caltrain used the parking track for about 25 years until the 25<sup>th</sup> Avenue Grade Separation Project necessitated its removal. There are over a dozen parking tracks located along the corridor in residential and commercial areas.

The replacement parking track will be used as temporary storage space for train equipment and will allow for efficient use of limited work times at sites elsewhere along the tracks to keep the railroad functioning properly. The only purpose of the parking track is to temporarily park or store equipment. The parking track will not be used as an active maintenance or construction site. Staff

anticipates that Caltrain will use the San Mateo replacement parking track approximately once a month. In the future, once the track is electrified and signaled, it will also serve as a temporary location to off-load Electric Multiple Unit (EMU) trains that have failed in service or are otherwise not suitable for passenger service, especially during peak periods of operation. These trains will then be transported to the Central Equipment & Maintenance Facility in the City of San José for further maintenance.

On August 23, 2023, the JPB issued an Invitation for Bids (IFB), solicitation number 24-J-C-017, for the Project and advertised it in a newspaper of general circulation and on the JPB’s e-procurement website. The JPB received three bids as follows:

<b>Company</b>	<b>Base Bid (A)</b>	<b>Option #1 (B)</b>	<b>The Grand Total Bid Price (A + B)</b>	<b>5% SBE Pref. Eligibility</b>	<b>Grand Total Bid Price with 5% SBE Preference applied</b>
<b>Engineer’s Estimate</b>	<b>\$6,121,722</b>	<b>\$1,216,380</b>	<b>\$7,338,102</b>	<b>N/A</b>	<b>\$7,338,102</b>
1. Stacey & Witbeck	\$5,878,424	\$3,080,000	\$8,958,424	N/A	\$8,958,424
2. Con-Quest	\$9,415,900	\$360,000	\$9,777,900	\$50,000	\$9,727,900
3. Granite	\$9,168,619	\$1,910,238	\$11,078,857	N/A	\$11,078,857

After the bid opening and evaluation of the bids, staff determined, and legal counsel concurred, that the bid received from Stacy & Witbeck is the lowest responsive bid from a responsible bidder. Staff also found the bid price to be fair and reasonable in comparison to the independent cost estimate, and that the bid was received under full and open competition.

Stacy & Witbeck is an established contractor with more than 41 years of construction experience. Staff contacted references for Stacy & Witbeck and confirmed its experience and competency. Based upon these findings, staff concludes that Stacy & Witbeck is appropriately qualified and capable of meeting the requirements of the contract and is therefore a responsible bidder.

Con-Quest Contractors, Inc. was given a 5 percent Small Business Enterprise (SBE) preference based on the lowest bid amount, but the bid preference did not affect the bidder’s rankings. Stacy & Witbeck has committed to 8% SBE utilization.

The IFB included an option for signaling work; however, staff is not recommending exercise of the option at this time. Rather, the work will be deferred to a future project when additional funding becomes available to electrify the parking track.

The JPB performed environmental review of the Project in 2018, which resulted in an Initial Study and Negative Declaration (IS/ND) for Project. The JPB also filed a Notice of Determination with San Mateo County.



After completion of the IS/ND, the JPB secured additional community input, resulting in plans to alter the Project description to include:

- A 12-foot-tall concrete block wall along Railroad Avenue between 10th and 14th Avenues.
- Creeping fig vegetation to be planted in front of the wall.
- Vehicular access near the 9<sup>th</sup> Avenue crossing only.
- Tree removal and replacement, on a one-for-one basis, with replacement trees being planted on the Project site to the extent possible.

As a result, staff has prepared an Addendum to the Negative Declaration for the Project in accordance with CEQA Guidelines Section 15164(a). The Addendum demonstrates that (1) changes made to the Project scope since 2018 will not result in new significant impacts; (2) the proposed revisions do not require preparation of a new, subsequent, or supplemental ND; (3) the Project is consistent with the ND; and (4) there has been no discovery of new information of substantial importance that would trigger or require major revisions of the ND due to significant environmental effects. The Addendum to the ND is not required to be circulated for public review.

#### **Budget Impact**

The Project was originally part of the 25<sup>th</sup> Avenue Grade Separation Project. As progress on the parking track scope fell behind that of the grade separation scope, staff decided to de-couple the parking track from the grade separation and make it its own project to allow the grade separation to stay on schedule.

The Board originally approved the San Mateo Replacement Parking Track with a budget of \$4,045,000 in Fiscal Year (FY) 2022, funded by the City of San Mateo and the San Mateo County Transportation Authority (SMCTA). In FY2024, the Board approved an additional budget of \$3,773,000, funded by Local Partnership Program (LPP) funds increasing the project budget to \$7,818,000.

To supplement the budget, the Rail Division Management Committee approved the internal transfer of \$810,411 from capital contingency funds and \$1.5 million from the 25<sup>th</sup> Avenue Grade Separation Project to the Project's budget, resulting in a total project budget of \$10,128,411. The project has sufficient budget to support the base bid contract.

Prepared By:	Michael Sztenderowicz	Procurement Administrator II	650.508.7908
	Alex Acenas	Senior Project Manager	650.730.0502

**Resolution No. 2023 –**

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

\* \* \*

**Award a Contract to Stacy and Witbeck, Inc. for the  
San Mateo Replacement Parking Track Project for a Total Lump Sum Amount of \$5,878,424,  
and Adopt the 2023 California Environmental Quality Act Addendum to the Negative  
Declaration for the Peninsula Corridor Joint Powers Board San Mateo Setout Track Project**

**Whereas**, on August 23, 2023, the Peninsula Corridor Joint Powers Board (JPB) issued an Invitation for Bids (IFB), solicitation number 24-J-C-017, for the San Mateo Replacement Parking Track Project (Project); and

**Whereas**, JPB conducted extensive outreach to Disadvantaged Business Enterprises (DBEs) and Small Business Enterprises (SBEs), 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 three bids; and

**Whereas**, staff and legal counsel have reviewed the bids and determined that Stacy and Witbeck, Inc. of Alameda, California (Stacy & Witbeck) submitted the lowest responsive bid and is a responsible bidder; and

**Whereas**, Stacy & Witbeck has committed to a Small Business Enterprise utilization of 8%; and

**Whereas**, staff conducted a price analysis and determined that Stacy & Witbeck's price is fair and reasonable; and

**Whereas**, staff recommends that the Board of Directors (Board) award a contract to Stacy & Witbeck for the Project for a base bid total lump sum amount of \$5,878,424; and

**Whereas**, pursuant to the California Environmental Quality Act (CEQA), in 2018 the Board of Directors (Board) adopted the San Mateo Setout Track Project, which is now referred to as the San Mateo Replacement Parking Track Project, Final Initial Study – Negative Declaration (IS/ND); and

**Whereas**, the JPB filed a Notice of Determination for the Project with the San Mateo County Clerk on April 11, 2018; and

**Whereas**, the 2018 IS/ND did not analyze the maintenance access from 9<sup>th</sup> Avenue or the 12-foot screening wall that are included in the final Project design; and

**Whereas**, the JPB has prepared an Addendum to the ND for the Project in conformance with CEQA Guidelines Section 15164 to determine whether and to what extent the ND remains sufficient to address the potential impacts of the Project; and

**Whereas**, the Addendum demonstrates that: (a) there are no substantial changes proposed to the Project or the circumstances in which the Project will be undertaken that require major revisions of the ND due to new or substantially increased significant environmental effects; (b) the proposed revisions do not require preparation of a new, subsequent, or supplemental ND; (c) the Project is consistent with the ND and would involve only minor changes; and (d) there has been no discovery of new information of substantial importance that would trigger or require major revisions of the ND due to significant environmental effects; and

**Whereas**, the Addendum to the ND is not required to be circulated for public review.

**Now, Therefore, Be It Resolved** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Stacy and Witbeck, Inc. of Alameda, California

for the San Mateo Replacement Parking Track Project for a base bid total lump sum amount of \$5,878,424; and

**Be It Further Resolved** that the Board authorizes the Executive Director or designee to execute a contract on behalf of the JPB with Stacy and Witbeck, Inc. in full conformity with the terms and conditions of the solicitation documents, and in a form approved by legal counsel; and

**Be It Further Resolved** that the Board hereby adopts the 2023 CEQA Addendum to the Negative Declaration for the Peninsula Corridor Joint Powers Board San Mateo Setout Track Project included in the 2018 San Mateo Setout Track Project Final IS/ND.

Regularly passed and adopted this 7<sup>th</sup> day of December, 2023 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary



## JPB Advocacy and Major Projects (AMP) Committee Meeting Calendar – 2024

### Wednesdays, Two Weeks Prior to Board Meeting – 3:30 PM

Wednesday, January 24  
Wednesday, February 28  
Wednesday, March 27  
Wednesday, April 24  
Wednesday, May 29  
Wednesday, June 26  
Wednesday, July 24  
Wednesday, August 28  
Wednesday, September 25  
Wednesday, October 30  
Wednesday, November 20\*  
Wednesday, December 18\*

Board Committee Members: Directors Steve Heminger (Chair), Cindy Chavez, Jeff Gee  
Primary Staff Liaison: Sam Sargent

\*Regular meetings are scheduled for two Wednesdays prior to the Board meeting at 1:30 pm unless otherwise noted. Meetings will be conducted in a hybrid format (virtually via Zoom) and in-person at 1250 San Carlos Avenue, Bacciocco Auditorium, 2nd Floor, San Carlos, CA, unless otherwise stated.

Individual members of the public may participate in-person if they comply with the District's current workplace safety policies, unless stated otherwise, unless scheduled or stated otherwise at <https://www.caltrain.com/about-caltrain/meetings>.

Dates may be subject to change.

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: Taylor Huckaby, Deputy Chief, Communications  
Subject: **Authorize the Second Amendment to the Contract with JBR Partners for On-Call Ambassador Services**

Finance Committee Recommendation       Technology, Operations, Planning, and Safety Committee Recommendation       Advocacy and Major Projects Committee Recommendation

**Purpose and Recommended Action**

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

1. Authorize amendment to Contract 21-J-P-018 with JBR Partners, Inc. to increase the compensation amount by \$750,000, from \$707,513 to a new not-to-exceed total amount of \$1,457,513.
2. Authorize the Executive Director, or her designee, to execute the amendments to the contracts in full conformity with the terms and conditions of underlying agreements and in forms approved by legal counsel.

**Discussion**

In August 2021, the Board authorized the award of a contract to JBR Partners for on-call ambassador services for a contract amount not-to-exceed \$557,513, plus a \$150,000 contingency, for the five-year term from August 18, 2021, through August 17, 2026 (Board Resolution 2021-43).

The original contract and project scope did not encompass any provision for on-call ambassador services related to the Peninsula Corridor Electrification Project (PCEP). As a result of the revised PCEP schedule and the need to include weekend shutdowns to accommodate that schedule, staff identified a compelling need in 2023 to deploy large-scale ambassador services for a series of PCEP events, including weekend shutdowns with customer bus bridges, EMU community tours, and other Electrification community outreach events.

On September 12, 2023, the parties executed the First Amendment to the Agreement to exercise the use of the contingency to increase the compensation amount by \$150,000 from \$557,513 to a total not-to-exceed amount \$707,513.

Due to the extensive Ambassador deployments required by PCEP, there is only a remaining capacity of \$24,000 (3.4%) through August 2026.

Notably, the PCEP project has further extensive outreach requirements planned through 2024. These outreach activities include supporting potential weekend and weekday service interruptions for Electrification testing, coordinating bus bridge outreach, facilitating EMU Tour events, and conducting community outreach for EMU events. It's crucial to highlight that the PCEP cost engineers have confirmed the availability of these funds within the existing PCEP budget.

Historically, the PCEP project Ambassador needs have required a monthly budget ranging from \$40,000 to \$70,000.

In light of these developments, staff request that the Board approve the second amendment to the contract with JBR Partners, Inc. for On-call Ambassador Services to increase the compensation amount by \$750,000, from \$707,513 to a new not-to-exceed total amount of \$1,457,513.

**Budget Impact**

Work Directives issued under this contract will be funded by a mix of Federal, State, Regional and/or Local funds from approved and future operating and capital budgets.

Prepared By:	Lisa Peabody	Director, Customer Experience	650.508.6206
	Manny Caluya	Procurement Administrator III	650.508.7788

**Resolution No. 2023-**

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

\* \* \*

**Authorize Second Amendment to the Contract with JBR Partners for the On-Call Ambassador Services**

**Whereas**, in August 2021, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) authorized the award of Contract 21-J-P-018 to JBR Partners for On-Call Ambassador Services (the Agreement) for a contract amount not-to-exceed \$557,513, plus a \$150,000 contingency, for the five-year term from August 18, 2021, through August 17, 2026 (Resolution No. 2021-43); and

**Whereas**, the original Agreement scope did not encompass any provision for on-call ambassador services related to the Peninsula Corridor Electrification Project (PCEP); and

**Whereas**, the revised 2023 PCEP schedule and the need to include weekend shutdowns to accommodate that schedule necessitated the deployment of large-scale ambassador services for a series of PCEP events, including weekend shutdowns with customer bus bridges, Electric Multiple Unit (EMU) community tours, and other electrification community outreach events; and

**Whereas**, on September 12, 2023, the parties executed the First Amendment to the Agreement to exercise the use of the contingency to increase the compensation amount by \$150,000 from \$557,513 to a total not-to-exceed amount \$707,513; and

**Whereas**, due to the extensive ambassador deployments required by PCEP, there is only a remaining capacity of \$24,000 (3.4%) through August 2026; and

**Whereas**, PCEP has further outreach requirements planned through 2024, including supporting potential weekend and weekday service interruptions for electrification testing,



coordinating bus bridge outreach, facilitating EMU Tour events, and conducting community outreach for EMU events; and

**Whereas**, historically, the PCEP ambassador needs have required a monthly budget ranging from \$40,000 to \$70,000; and

**Whereas**, staff request that the Board approve the second amendment to the Agreement to increase the compensation amount by \$750,000, from \$707,513 to an increased not-to-exceed total amount of \$1,457,513; and

**Whereas**, staff further recommends that the Board authorize the Executive Director, or designee, to execute the amendments to the contracts in full conformity with the terms and conditions of underlying agreements and in forms approved by legal counsel; and

**Whereas**, PCEP cost engineers have confirmed the availability of these funds within the existing PCEP budget. Accordingly, work directives issued under this contract will be funded by a mix of federal, state, regional and/or local funds from approved and future operating and capital budgets.

**Now, Therefore, Be It Resolved** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approves the amendment to Contract 21-J-P-018 with JBR Partners, Inc. to increase the compensation amount by \$750,000, from \$707,513 to an increased not-to-exceed total amount of \$1,457,513; and

**Be It Further Resolved** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director, or designee, to execute the amendments to the contracts in full conformity with the terms and conditions of underlying agreements and in forms approved by legal counsel.

Regularly passed and adopted this 7<sup>th</sup> day of December, 2023 by the following vote:

Ayes:

Noes:

Absent:

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Chair, Peninsula Corridor Joint Powers Board

Attest:

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JPB Secretary  
(00500321)

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: Casey Fromson, Chief Communications Officer  
Subject: **State and Federal Legislative Update and Approval of the 2024 Legislative Program**

Finance Committee Recommendation       Technology, Operations, Planning, and Safety Committee Recommendation       Advocacy and Major Projects Committee Recommendation

**Purpose and Recommended Action**

Staff proposes the Committee recommend the Board:

1. Receive the attached State and Federal Legislative Updates
2. Approve 2024 Legislative Program

**Discussion**

The 2023 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.

**AMP Committee Consideration**

The AMP Committee considered this item at its November 29, 2023, meeting. Upon discussion, the Committee recommended approval of the 2024 Legislative Program and requested that staff return with a framework for Caltrain’s participation in a future regional measure. Staff will provide the requested information prior to the December 7, 2023, Board meeting.

Prepared By: Devon Ryan

Government &  
Community Affairs Officer

650.730.6172



November 10, 2023

TO: Board of Directors, Peninsula Corridor Joint Powers Board (Caltrain)

FM: Matt Robinson & Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange  
Mike Robson, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – November 2023**

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### **General Update**

The Legislature remains in recess after adjourning the first year of the two-year 2023-24 Legislative Session on September 14 and will return to Sacramento on January 3, 2024. When the Legislature returns to begin the second year of the two-year Legislative Session, they will have to make quick work of hundreds of two-year bills that are still in their first house. These bills, which include two Brown Act bills SamTrans is following, will need to move to the other house by January 31. Legislators will also begin introducing bills for consideration in 2024 when they return and will have until February 16 to do so. For more information on the legislative deadlines and the calendar for 2024, please see this [link](#).

### **Transit Recovery Task Force**

[SB 125 \(Committee on Budget and Fiscal Review\)](#), which was part of the FY 2023-24 Budget Act establishes the Transit Recovery Task Force (Task Force) and requires, by January 1, 2024, CalSTA to convene the Task Force. The Task Force is required to include transit operators (small and large/urban and rural), local governments, MPOs/RTPAs, advocacy organizations, legislative committee staff, and Caltrans. The Task Force will focus on developing policy recommendations that will increase transit ridership and improve transit for users. CalSTA is required to prepare a recommendations report based on the task force's efforts to the Legislature by October 31, 2025. The report is required to cover numerous elements. As of this writing, CalSTA plans to open an application period for interested participants in mid-November and will hold a kick-off meeting in December 2023.

### **CTC Releases SB 1121 Interim Report**

On November 9, the California Transportation Commission released the Draft SB 1121 State and Local Transportation System Needs Assessment Interim Report. The Draft Interim Needs Assessment reviews the state's surface transportation needs – across modes – with a focus on summarizing needs outlined in existing reports. The Draft Interim Needs Assessment also includes a near-term, five-year gasoline consumption projection to 2029 which illustrates the decline due to increased fuel efficiency and adoption of zero-emission vehicles. Caltrans developed this near-term projection. The Draft Interim Needs Assessment also outlines the CTC's plan for developing the Complete Transportation Needs Assessment Report required under SB 1121. CTC will host a Draft Interim Needs Assessment Workshop on November 30 and CTC staff will present an informational update on the report at the upcoming December 6-7, 2023 Commission Meeting. CTC is accepting comments on the Draft Interim Needs Assessment through December 8, 2023.

**Update on PEPRA**

In February 2023, the United States District Court for the Eastern District of California entered summary judgment in *Amalgamated Transit Union International v. U.S. Department of Labor*, which permanently enjoined the United States Department of Labor (USDOL) from failing to process federal grant applications submitted by California transit agencies to the extent required under 49 U.S.C. Section 5333(b) [commonly referred to as “Section 13(c)”] of the federal Urban Mass Transportation Act (UMTA) of 1964 and implementing regulations and relying on California’s Public Employees’ Pension Reform Act (PEPRA) of 2013 as the basis for denying, withholding, delaying, or otherwise limiting the certification of such grants.

The District Court’s February 2023 ruling further affirmed earlier rulings and ensured that federal grant applications submitted by California transit agencies would be certified irrespective of an agency’s implementation of PEPRA until such time that USDOL and/or ATU appealed the District Court’s ruling and prevailed in the appeal. In March 2023, USDOL and ATU filed appeals of the District Court’s February 2023 ruling with the United States Court of Appeals for the Ninth Circuit. The next round of briefs from the USDOL and ATU are due by November 17, 2023, though the parties are eligible to exercise a 30-day extension. The Appellate Court has not yet established a schedule for oral arguments. We anticipate that the appeal will not be resolved until 2024.

## Caltrain Federal Report November 2023

### Rep. Mike Johnson Elected House Speaker

- Rep. Mike Johnson (R-LA) was elected Speaker of the U.S. House of Representatives on October 25, by a vote of 220-209, with all Republicans voting in his favor. Johnson, the 56th Speaker of the House, is now tasked with guiding the chamber as a critical government funding deadline approaches on November 17, 2023.
- While staying relatively lesser known during his time in Congress, Johnson will receive significant new constitutionally granted responsibilities: Most notably, he is now second in the line of succession to the presidency. With Democrats controlling the White House and Senate, he will face challenges in leading his chamber during a time of divided government.
- In his pitch to his conference, Johnson outlined a comprehensive schedule to pass the 12 appropriations bills, and begin conference negotiations with the Senate on the National Defense Authorization Act (NDAA).
- Johnson will face several tests, as he will lead his chamber's response to a relatively unified Senate and a White House adamant on additional funding for its domestic and international priorities. The newly united Republican Conference will cut the speaker some slack, but eventually, if he fails to deliver on conservative policy priorities, he could find himself in the same position as his predecessor.

### Appropriations Update

- In [a Dear Colleague letter](#), the newly elected House Speaker Mike Johnson outlined his timeline to complete the House's work on outstanding government spending bills, teeing them up for negotiations with the Senate and White House. First on the docket was passing the House Energy & Water Appropriations bill on October 26. The House has also passed its Defense, Interior, Military Construction-VA, and State and Foreign Operations bills. During the week of October 30, the House passed the FY 2024 Legislative Branch bill.
- The House plans to consider the Commerce-Justice-Science (CJS) and Labor, Health and Human Services, and Education appropriations bills on the floor the week of November 13. Both of these bills were the only two that never made it to a full Appropriations

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Committee mark-up. After completion of these bills, the House may try to take back up the Transportation-HUD bill after it was pulled last week before a vote on final passage. The bill includes cuts to Amtrak funding, which several House Republicans are objecting to.

- On November 11, Speaker Johnson announced plans for the House to consider a ladder continuing resolution (CR) the week on November 13 to prevent a government shutdown at midnight on November 17, when the current CR expires. The ladder CR provides two staggered deadlines for completing action on appropriations bills. The first deadline would extend Agriculture, Military Construction-VA, Energy and Water, and Transportation-HUD spending until January 19. The second deadline would extend the other eight appropriations bills until February 2. The ladder CR will not include any polity provisions extending current funding levels. It also extends the Farm Bill through September 2024.
- On November 2, the Senate passed a FY 2024 "minibus," which combines the FY 2024 Military Construction-VA, Agriculture, and Transportation-HUD appropriations bills. The House attempted to pass its Transportation-HUD bill the week of November 6, but pulled the bill after it became clear Republicans did not have the votes to pass it.

## DOT Announces Regional Infrastructure Accelerators

- On October 13, the Department of Transportation (DOT) [announced](#) the awards through the Regional Infrastructure Accelerators (RIA) program. 24 accelerators were selected to receive a total of \$24 million spread across all recipients. The California DOT received a \$2 million award.
- The RIA program was created to assist entities in developing improved infrastructure priorities and financing strategies for the accelerated development of a project that is eligible for funding under the Transportation Infrastructure Finance and Innovation Act (TIFIA) Program.

Revisions made following the November 29, 2023, meeting of the Advocacy and Major Projects Committee are included in bold/underlined font.

## Caltrain Draft 2024 Legislative Program

### **Purpose**

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

The 2024 Legislative Program establishes the principles that will guide the Agency's legislative and regulatory advocacy efforts through the 2024 calendar year, including the second half of the 2023-24 State legislative session and 118<sup>th</sup> Congress. The program is intended to be broad enough to cover the wide variety of issues that are likely to be considered during that time and flexible enough to allow the Agency to respond swiftly and effectively to unanticipated developments.

### **Objectives**

The 2024 Legislative Program is organized to guide the Agency's actions and positions in support of three primary objectives:

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

### **Issues**

The Legislative Program is structured to apply these core objectives to a series of regional, state, and federal issues falling in these categories:

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

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

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



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### **Advocacy Process**

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

### **Public Engagement Strategies**

Staff, led by the Communications Division and its legislative consultants, will employ a variety of public engagement strategies to support the 2024 Legislative Program, including:

- Direct Engagement  
Engage policymakers directly and sponsor legislation, submit correspondence and provide public testimony that communicates and advances the Agency's legislative priorities and positions.
- Coalition-based Engagement  
Engage local and regional stakeholders to build awareness about specific issues and participate in local, regional, statewide, and national coalitions organized to advance positions that are consistent with the 2024 Legislative Program.
- Media Engagement  
Build public awareness and communicate the Agency's legislative priorities by issuing press releases, organizing media events, and using social media.

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

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<b>State and Regional</b>	
<b>Funding Opportunities and Challenges</b>	
<i>Issue / Background</i>	<i>Strategy</i>
<p><b>General Funding</b>            Since March 2020, transit agencies were hit hard by the loss of ridership and revenue due to the COVID-19 pandemic. Caltrain ridership <b>is returning but</b> remains significantly lower than pre-pandemic levels, and significant additional funding is still needed to mitigate the pandemic’s impact for transit agencies.</p> <p>In <b>2023</b>, the state budget included <b>\$2 billion in previously allocated TIRCP funds as well as \$1.1 billion in new ZETCP funding over the next four years that can both be used for either capital or transit operating expenses.</b></p>	<ul style="list-style-type: none"> <li>● Direct advocacy for additional resources to secure state funding for transit systems and work to ensure committed funds materialize in the FY <b>2024-25</b> State Budget.</li> <li>● <b>Participate in state and regional efforts to award committed funds through the process set up in the FY 2023-24 State Budget (SB 125).</b></li> <li>● Work with other regional transit agencies, and agencies statewide, to <b>continue pursuit of additional sources of short- and long-term transit</b> operations funding.</li> <li>● <b><u>Advocate for state level funding pathways for ongoing transit and commuter rail operating needs.</u></b></li> <li>● Protect against the elimination or diversion of any State or regional funds that support the agency’s transportation needs.</li> <li>● Support State funding allocation requests for investments that benefit the Agency’s transportation programs and services.</li> <li>● Work with legislative delegation, regional agencies, transit systems and transit associations to identify and advance opportunities for funding that would support the Agency’s transportation priorities.</li> <li>● Support efforts to provide funding for the deployment of zero emission transit vehicles and infrastructure, including working with the CalSTA, CARB, and CEC on funding program requirements.</li> <li>● <b>Advocate for additional state funds to implement Caltrain’s grade separation program.</b></li> </ul>
<p><b>Formula Funding</b>            In <b>2023</b>, transit formula funding <b>continued its</b> rebound from the lows of the COVID-19 pandemic, seeing new highs in some estimates. However, there <b>remain</b> are signs of a recession <b>and the state budget continues to project funding shortfalls,</b></p>	<ul style="list-style-type: none"> <li>● Support the full funding of the STA program.</li> <li>● Support full and timely allocation of the Agency’s STIP share.</li> <li>● <b>If possible, participate in CalSTA’s Transit Recovery Task Force</b> and support CTA efforts to engage the Legislature on TDA reform and the review of performance measures for transit.</li> </ul>

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<p>which may have negative impacts on core transit funding.</p> <p>After years of diversion to support the State’s General Fund, funding for the State Transit Assistance (STA) program has remained stable over the last few budget cycles thanks to successful legal, legislative and political efforts on behalf of the transportation community. Still, more revenue is needed in order to meet the demand of increased ridership, reduce highway congestion and adhere to the State’s mandate of reducing greenhouse gas emissions, and creating livable communities.</p>	
<p><b>Cap-and-Trade Revenues</b> In 2012, the State began implementing the cap-and-trade market-based compliance system approved as a part of the California Global Warming Solutions Act of 2006 (AB 32). Since the program began selling allowances, the program has generated billions of dollars. In 2014, legislation was enacted creating a long-term funding plan for cap-and-trade which dedicates 60 percent of cap-and-trade revenues to transportation. The remaining 40 percent is subject to annual appropriation through the state budget process. In 2017, the legislature extended the program from 2020 to 2030.</p>	<ul style="list-style-type: none"> <li>● <b>Monitor efforts to extend the Cap-and-Trade program beyond 2030 and any impacts the 2030 date will have on upcoming TIRCP cycles.</b></li> <li>● Work with the Administration and like-minded coalitions to secure the appropriation of additional cap-and-trade revenues to support the Agency’s transportation needs.</li> <li>● Support legislation and regional action that makes a broad array of the Agency’s emissions-reducing transportation projects, programs, and services eligible for investment.</li> <li>● Protect existing cap-and-trade appropriations for transit operations, capital projects, and sustainable communities strategy implementation.</li> <li>● Work to explore Cap-and-Trade as a potential source for additional operating funds.</li> </ul>
<p><b>Voter Threshold</b> <b>In 2024, ACA 1 will appear on the November General Election ballot and ask voters to lower the vote-threshold to fund public works</b></p>	<ul style="list-style-type: none"> <li>● <b>Monitor ACA 1 and other initiatives related to revenue generation as they head to the November 2024 ballot.</b></li> </ul>

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<p>projects, including for transportation, from two-thirds to 55 percent. There is also an effort, sponsored by the California Business Roundtable attempting to increase the voter threshold for certain taxes and make it harder to raise state and local revenues.</p>	<ul style="list-style-type: none"> <li>• Support efforts to amend the State Constitution to reduce the voter threshold required for the State or a city, county, special district, or regional transportation agency to impose a special tax for transportation projects or programs and monitor local efforts to use the initiative process to place measures on the ballot with lower voter thresholds.</li> <li>• Oppose efforts to make it harder for local agencies to raise revenues through voter-approved revenue measures.</li> </ul>
<p><b>Other State or Local Funding Options</b> Local and regional governments continue to seek methods for funding new infrastructure, facility needs, sustainability initiatives, and projects that will support ridership growth through a variety of methods such as managed lanes and local ballot measures.</p> <p>In 2020, there was the potential for a regional transportation measure (called FASTER Bay Area), led by the Bay Area Council, Silicon Valley Leadership Group and SPUR. This effort is once again underway and MTC has established a work group to explore potential avenues for funding.</p>	<ul style="list-style-type: none"> <li>• <b><u>Participate in state and regional efforts to establish authorizing legislation for a regional funding measure under the following guiding framework:</u></b> <ul style="list-style-type: none"> <li>• <b><u>Support efforts that will improve the customer experience including service frequency, schedule coordination, fare integration, seamless payment options, consistent signage, and communication efforts.</u></b></li> <li>• <b><u>Ensure Caltrain receives operating funding support, which would be used in a manner consistent with the Board adopted Caltrain Framework for Equity, Connectivity, Recovery and Growth.</u></b></li> <li>• <b><u>When available, Caltrain should directly receive or be eligible for capital funding.</u></b></li> <li>• <b><u>Support performance and accountability metrics for any transit agency that receives capital or operation funding.</u></b></li> <li>• <b><u>Three key requirements for consolidation consideration include:</u></b> <ul style="list-style-type: none"> <li>• <b><u>Consideration of Caltrain consolidation with another Bay Area transit agency requires the expressed support of the Caltrain Board, which represents the three counties that Caltrain serves. Caltrain member agencies should also be part of the discussion.</u></b></li> <li>• <b><u>Any analysis of the consolidation of Caltrain with another agency will include Caltrain representation.</u></b></li> <li>• <b><u>Analysis should focus on whether consolidation results in benefits for Caltrain riders and enhances the financial sustainability of the agency.</u></b></li> </ul> </li> </ul> </li> <li>• Support innovative local and regional funding options that will provide financial support for the agency.</li> <li>• Advocate for funding sources that would assist transit agencies in obtaining funds for sustainability initiatives including water conservation, waste reduction, long-term resource efficiency of facilities and equipment, and greenhouse gas reductions.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Support funding for workforce development, retention, and housing to attract and retain quality personnel.</li> <li>• Support efforts that allow for public private partnerships that benefit the implementation of capital projects, efficient operation of transit services, or enhanced access to a broad range of mobility options that reduce traffic congestion.</li> <li>•</li> </ul>
<p><b>Transportation &amp; Housing Connection</b> Given the housing shortage crisis, there have been various efforts at the State and regional level to link housing and zoning with transportation funding.</p>	<ul style="list-style-type: none"> <li>• Evaluate state or regional efforts that directly link transportation funding to housing and provide for higher density housing projects near transit stations.</li> <li>• Advocate for solutions that appropriately match decision making authority with funding (i.e. – An agency shouldn’t be financially penalized for decisions that are outside the authority of the agency).</li> <li>• Advocate where necessary for the Agency to be able to develop its property in the manner most beneficial to Agency needs and goals.</li> </ul>
<p><b>Transportation Projects</b></p>	
<p><b>General</b> Pre-pandemic, as the Bay Area’s population continued to grow, the region’s transportation infrastructure was strained. Although transit ridership remains far below pre-pandemic levels, we expect riders to return to public transit once major employers along the corridor bring their employees back to the office. Despite the pandemic, the demand for housing with easy access to public transit continues to grow.</p>	<ul style="list-style-type: none"> <li>• Work with partners in the region to bring business, community, and transportation stakeholders together to enhance, support, and advocate for equitable transportation and mobility in the Bay Area.</li> <li>•</li> </ul>
<p><b>Transit-Oriented Development / First and Last Mile</b> First and last mile projects, as well as transit-oriented development projects, are an important</p>	<ul style="list-style-type: none"> <li>• Support efforts to provide commuters with easy and convenient options to travel between major transit centers and their final destination.</li> <li>• Support the development of new and innovative first and last mile options and support increased funding opportunities for first and last mile projects.</li> </ul>

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<p>part of the broad transit ecosystem that will help support robust ridership in the corridor.</p>	<ul style="list-style-type: none"> <li>• Advocate for policies that promote transit-oriented developments in ways that compliment transit services.</li> <li>• Support state funding incentives and streamlining processes for transit-oriented development.</li> </ul>
<p><b>Transportation Demand Management (TDM)</b> TDM is the application of strategies and policies to reduce travel demand of single-occupancy vehicles or to redistribute this demand in space or time.</p>	<ul style="list-style-type: none"> <li>• Support efforts that provide more TDM tools and funding opportunities.</li> <li>• Support policies that encourage use of TDM.</li> </ul>
<p><b>Electrification Project</b> In 2012, the State Legislature appropriated Prop 1A high-speed rail funds to modernize the Caltrain corridor and lay the foundation for future high-speed rail service. Under a multi-party regional funding agreement, this investment was matched with a variety of local, regional, state, and federal funding sources to electrify the corridor, install an advanced signaling system, and replace 75% of Caltrain’s aging diesel trains with electric trains that will dramatically improve service between San Francisco and San Jose. <b>In 2023, Caltrain was awarded over \$500 million in state and federal funding to complete the electrification project and purchase additional trainsets.</b></p> <p>The Electrification Project is a transformational first step in the realization of a larger future for Caltrain that will be guided by the Caltrain 2040 Business Plan efforts.</p> <p><b>Caltrain 2040 Business Plan</b> In October 2019, the Caltrain Board adopted a long-term 2040 Service Vision, defining an ambitious plan for growing service over the next 20-plus years. The service</p>	<ul style="list-style-type: none"> <li>• Work with state, local, and regional partners to advance policies and actions that will help secure funding needed to fulfill local, regional, and state commitments to the Electrification Project.</li> <li>• Advocate for the sale and allocation of Proposition 1A bonds to meet the commitments specified in SB 1029 with respect to the Caltrain corridor and work to include funding for Caltrain in any future Proposition 1A appropriations.</li> <li>• Work to address regulatory challenges that limit the implementation of solutions that will maximize Caltrain capacity and service benefits.</li> <li>• Advocate for funding and policies to support grade separation projects.</li> <li>• Support the allocation of cap-and-trade or other state / regional funding to advance implementation of Caltrain projects.</li> <li>• Support the implementation of the Caltrain Business Plan-associated projects and policies. Continue to educate the Caltrain legislative delegation and key members of the Administration on the Plan.</li> <li>• Ensure relevant state and regional agencies incorporate relevant elements of the Caltrain Business Plan in their long-term plans.</li> <li>• Support funding and regulations that are consistent with Caltrain’s equity and growth policy.</li> <li>• Consistent with existing agreements between JPB and CHSRA, support efforts to plan, engage stakeholders, and implement the Blended System project on the Caltrain corridor.</li> <li>• <b>Engage CARB to ensure Caltrain secures access to the Low Carbon Fuel Standard for its electrified service.</b></li> </ul>

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<p>vision outlines the capital and operating needs to achieve the vision and includes projects such as longer EMU fleet, longer platforms, level boarding, passing tracks, grade separations, and station upgrades. It also identified needs to prepare the railroad to expand and integrate into a regional rail network.</p> <p><b>Caltrain Equity and Growth Framework</b> In 2020, Caltrain developed a policy to advance equity within the system and neighboring communities. The policy will help address systemic inequality by taking steps to ensure the Caltrain system is accessible and useful to all. The policy also advances efforts to improve Caltrain connections to the regional transit network and provide direction on service priorities during and after the COVID-19 pandemic.</p> <p><b>High-Speed Rail Blended System</b> In 2016, a new round of HSR Blended System planning, outreach, and environmental clearance work kicked-off in the corridor. While this project is not being led by the JPB, the agency owns the right-of-way and has a significant interest in the process and success of the project that will “blended” with Caltrain service. Current timeline for HSR on the corridor is 2033.</p>	<ul style="list-style-type: none"> <li>• Work with CARB to ensure that its regulatory actions do not impede delivery of Caltrain’s electrification project.</li> </ul>
<p>Legislative, Regulatory, and Administrative Issues</p>	
<p><b>General</b> Every year a variety of legislation or regulatory action is pursued that would affect regulations governing transportation-related service operations, administration, planning, and</p>	<ul style="list-style-type: none"> <li>• Support opportunities to remove barriers to, and improve the ability to conduct, safe, efficient transportation operations, administration, planning, and project</li> </ul>

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<p>project delivery. In addition, opportunities exist to reform or update existing regulations that are outdated, or can be improved to address potential burdens on transportation agencies without affecting regulatory goals. Recently, there have been calls for a more coordinated and streamlined transit system in the Bay Area.</p>	<p>delivery efforts, including alternative project delivery methods that provide flexibility to the agency.</p> <ul style="list-style-type: none"> <li>• Oppose efforts to impose unjustified and burdensome regulations or restrictions on the Agency’s ability to conduct efficient transportation operations, administration, planning, and project delivery efforts.</li> <li>• Engage with MTC, the Legislature, and stakeholders on policies stemming from MTC’s Blue Ribbon Transit Recovery Task Force’s Bay Area Transit Transformation Action Plan, the “Seamless” Bay Area efforts, <b>and the implementation of SB 125</b></li> <li>• Ensure that new requirements impacting transit agencies support improved connections with other transit system and don’t result in tradeoffs that have unintended consequences for key transit riders and stakeholders.</li> <li>• Work with the Administration to ensure guidance considers impacts on transit operations and the ability to meet transit rider mobility needs.</li> </ul>
<p><b>California Environmental Quality Act (CEQA)</b> Several regional and statewide transportation organizations continue working to modernize CEQA and minimize unnecessary delays during the environmental review process. In 2020, legislation was passed (SB 288) providing a series of temporary statutory exemptions for transit and active transportation projects under CEQA. In 2022, legislation was passed (SB 922) to extend these exemptions through 2030.</p>	<ul style="list-style-type: none"> <li>• Closely monitor efforts to modernize CEQA. Without compromising CEQA’s effectiveness as an environmental protection policy, support proposals that advantage transportation projects, including bicycle, <b>pedestrian</b>, and transit-oriented development projects.</li> <li>• Monitor the implementation of, and opportunities related to, SB 922 (Wiener).</li> </ul>
<p><b>Public Employees’ Pension Reform Act (PEPRA)</b> In <b>2023, the United States District Court issued a permanent injunction against USDOL relying on implementation of PEPRA by California transit agencies to deny certification of federal transit grants owed to California transit agencies. While this permanent injunction has ensured that California transit agencies continued to receive</b></p>	<ul style="list-style-type: none"> <li>• <b>Monitor the appeal of the District Court’s ruling.</b> Engage, <b>as appropriate</b>, the State of California, delegation, sister agencies, and transportation associations to prevent the withholding of the certification of federal transit grants owed to the Agency due to the implementation of PEPRA by transit agencies.</li> </ul>



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<p>their federal transit grants, USDOL and the ATU have appealed the District Court’s ruling to the United States Appellate Court for the Ninth Circuit.</p>	
<p><b>Sustainable Communities Strategies</b> In conjunction with AB 32 and SB 32 implementation, the Sustainable Communities and Climate Protection Act (SB 375) requires regions to develop Sustainable Communities Strategies (SCS) with integrated housing, land-use, and transportation policies that will accommodate population growth and reduce regional greenhouse gas emissions by specific amounts. In 2017, regional authorities in the Bay Area approved the update to Plan Bay Area. The final Plan Bay Area 2050 was adopted in 2021.</p>	<ul style="list-style-type: none"> <li>• Advocate for policies that provide adequate and equitable funding to support increased demand and dependence on the Agency’s transportation services associated with the implementation of SB 375 and Plan Bay Area.</li> <li>• Ensure any planning, development, or policy proposals are consistent with the Agency’s policies and planning.</li> <li>• Support efforts to ensure transit agencies are eligible for climate resiliency program funding.</li> </ul>
<p><b>Executive Orders Related to GHG Emissions:</b> Since taking office, Governor Newsom has issued two Executive Orders – N-19-19 and N-79-20 – calling for reduced emissions from the transportation sector and larger, coordinated investments in transit, active transportation, and land-use. The executive orders highlight the need for expanding clean transportation options.</p> <p>Building on the executive orders above, in 2021, CalSTA adopted the Climate Action Plan for Transportation Infrastructure (CAPTI), which details how the state recommends investing billions of discretionary transportation dollars annually to aggressively combat and adapt to climate change while supporting public health, safety, and equity.</p>	<ul style="list-style-type: none"> <li>• Work to ensure state and federal funds are made available transportation agencies to achieve the goals outlined in the orders.</li> <li>• Engage in the State’s efforts to address the transit-specific goals outlined in the executive orders, protecting transit agencies from any negative impacts stemming from the executive orders (e.g. additional mandates without funding, changes to funding guidelines that might disadvantage transit projects).</li> </ul>

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<p><b>CARB In-Use Locomotive Regulation:</b> To meet Executive Order N-79-20 and achieve 100% zero emissions from off-road vehicles and equipment operations in the state by 2035, CARB <b>passed the In-Use Locomotive Regulation. The Regulation</b> requires all owners, operators, sellers, leasers, renters, or manufacturers to create spending accounts (based on emissions level and amount of work performed in California) for zero-emission loco purchases as early as 2023. <b>The Regulation also creates alternative compliance pathways, including an Alternative Compliance Plan and an Alternative Fleet Milestone Option. As of the drafting of this program, Caltrain is pursuing compliance with the Regulation through the AFMO.</b></p>	<ul style="list-style-type: none"> <li>• Work to ensure funding programs are available to support transition to new technology.</li> <li>• <b>Work with CARB to ensure their approval of Caltrain’s AFMO.</b></li> <li>• Work to support pilot projects for zero-emissions rail technologies such as BEMUs funded by the state.</li> </ul>
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Federal	
Funding Opportunities and Challenges	
<i>Issue / Background</i>	<i>Strategy</i>
<p><b>Federal Appropriations</b></p> <p>Every year, Congress adopts several <b>12</b> appropriations bills that <b>fund the federal government during the federal fiscal year (October 1 – September 30)</b>, including the Transportation, Housing, and Urban Development bill. These measures provide the funding for federal agencies to spend money for the programs they administer.</p>	<ul style="list-style-type: none"> <li>• <b><u>Advocate for new federal pathways to fund ongoing transit and commuter rail operations needs.</u></b></li> <li>• Advocate for funding for the Caltrain projects in the <b>FY 24/25</b> Appropriations bill.</li> <li>• Partner with local, regional, State, and national coalitions to advocate appropriation of the maximum authorized amount for programs that benefit the Agency’s transportation services and needs.</li> <li>• Work with local and regional coalitions to support requests for funding from discretionary programs.</li> <li>• Communicate frequently with the Agency’s federal delegation and key appropriators on the needs or concerns of pending appropriation bills.</li> </ul>

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<p>In September of <b>2023</b>, Congress passed a continuing resolution (CR) to keep federal agencies roughly funded at the same level as the previous fiscal year, through <b>November 17, 2023</b>. <b>Congress must either pass all the individual FY 2024 appropriations bills and Omnibus Appropriations to include the Transportation, Housing and Urban Development bill, or another CR by November 17 in order to prevent a federal government shutdown.</b></p>	
<p><b>Tax and Finance</b> Congress considers legislation that governs tax and finance issues that impact transit agencies.</p>	<ul style="list-style-type: none"> <li>• Support efforts to ensure tax provisions that benefit the agency’s priorities are included in any tax or finance proposal.</li> <li>• Protect against the elimination or diversion of any tax policies that support the agency’s transportation needs.</li> </ul>
<p><b>Transportation Projects</b></p>	
<p><b>General</b> Support Agency projects and the efforts of partnering agencies to obtain federal funding for the Agency’s related transit projects.</p>	<ul style="list-style-type: none"> <li>• Work with federal delegation members, as well as local, regional, and state coalitions to support the federal funding requests for Agency projects and for our partner transit agencies on projects that provide complimentary services for the agency.</li> </ul>
<p><b>Caltrain Electrification Project</b> The current Project funding plan includes funding from several federal funding sources including the FTA Capital Investments Grant Program and Community Project requests. The Project has a funding gap that requires additional financial resources.</p> <p>Positive Train Control (PTC) is a federal mandate. The current Caltrain Positive Train Control (PTC) project includes some funding from the Federal Railroad Administration (FRA).</p>	<ul style="list-style-type: none"> <li>• Work with federal delegation members, as well as local, regional, and state coalitions to fill the Electrification Project funding gap through formula funding, discretionary grants, and the annual appropriations bills.</li> <li>• Advocate for additional PTC funding for operating expenses.</li> <li>• Support efforts to streamline regulatory administrative hurdles to supporting full PTC operations.</li> <li>• Support the allocation of federal funding to advance implementation of Caltrain-related projects.</li> <li>• Advocate for funding and policies to support grade separation projects.</li> <li>• Work to address regulatory actions or policies that negatively impact future capacity or service improvements.</li> </ul>

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<p>The Electrification program is a transformational first step in the realization of a larger future for Caltrain that will be guided by the Caltrain 2040 Business Plan efforts.</p> <p><b>Caltrain 2040 Business Plan</b> In October 2019, the Caltrain Board adopted a long-term 2040 Service Vision, defining an ambitious plan for growing service over the next 20-plus years. The service vision outlines the capital and operating needs to achieve this vision and includes projects such as longer EMU fleet, longer platforms, level boarding, passing tracks, grade separations, and station upgrades. It also identified needs to prepare the railroad to expand and integrate into a regional rail network.</p> <p><b>Caltrain Equity and Growth Framework</b> In 2020, Caltrain developed a policy to advance equity within the system and neighboring communities. The policy will help address systemic inequality by taking steps to ensure the Caltrain system is accessible and useful to all. The policy also advances efforts to improve Caltrain connections to the regional transit network and provide direction on service priorities during and after the COVID-19 pandemic.</p> <p><b>High-Speed Rail Blended System</b> In 2016, a new round of HSR Blended System planning, outreach, and environmental clearance work kicked-off in the corridor. While this project is not being led by the JPB, the agency owns the right-of-way and has a significant interest in the process and success of the project that will “blended” with</p>	<ul style="list-style-type: none"> <li>• Support the implementation of the Caltrain Business Plan associated projects and policies. Continue to educate the Caltrain legislative delegation and key members of the Administration on the Plan.</li> <li>• Support funding and regulations that are consistent with Caltrain’s equity and growth policy.</li> <li>• Consistent with existing agreements between JPB and CHSRA, support efforts to plan, engage stakeholders, and implement the Blended System project on the Caltrain corridor.</li> </ul>
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<p>Caltrain service. In 2024, HSR will be pursuing full environmental clearance for San Francisco to Los Angeles.</p>	
<p><b>Legislative, Regulatory, and Administrative Issues</b></p>	
<p><b>General</b> Every year a variety of legislation or regulatory action is pursued that would affect regulations governing transportation-related service operations, administration, planning, and project delivery. In addition, opportunities exist to reform or update existing regulations that are outdated, or can be improved to address potential burdens on transportation agencies without affecting regulatory goals.</p>	<ul style="list-style-type: none"> <li>• Support opportunities to remove barriers to, and improve the ability to conduct, safe, efficient transportation operations, administration, planning, and project delivery efforts, including alternative project delivery methods that provide flexibility to the agency.</li> <li>• Oppose efforts to impose unjustified and burdensome regulations or restrictions on the Agency’s ability to conduct efficient transportation operations, administration, planning, and project delivery efforts.</li> </ul>
<p><b>Infrastructure Investment and Jobs Act (IIJA) Implementation</b> In November 2021, Congress approved and the President signed into law the IIJA, includes \$550 billion in new formula and grant funding for infrastructure investment, including for roads and bridges, rail systems, bus systems, drinking water and clean water, the electric grid, and other programs. MTC estimates that the Bay Area will receive at least \$4.5 billion in formula fundings from IIJA.</p>	<ul style="list-style-type: none"> <li>• Advocate for federal funds through IIJA for Agency projects and plans.</li> <li>• Monitor and review guidance and rulemaking proposals affecting IIJA implementation and other transportation issues.</li> <li>• Collaborate with local, regional, <b>state</b>, and national transportation advocacy groups to coordinate comments and advocacy efforts that support regulations that maximize benefits for transportation programs, <b>services</b>, and users.</li> <li>• Collaborate with local, regional, <b>state</b>, and national transportation advocacy groups to coordinate proposals and advocacy efforts for IIJA funding and implementation.</li> </ul>
<p><b>Inflation Reduction Act (IRA)</b> As a result of the passage of the IRA, federal agencies <b>are</b> tasked with program implementation, granting them broad authority over the deployment of funding. While focusing mainly on energy production, tax, and healthcare, the IRA provides some funding for low-emission transportation technologies.</p>	<ul style="list-style-type: none"> <li>• Monitor closely <b>and act</b> as needed during Administration implementation of provisions that may have a significant impact on transit / transportation projects and programs.</li> <li>• Advocate for funding for the Agency’s projects and needs.</li> </ul>

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<p><b>FAA Rule</b> In 2014, the Federal Aviation Administration’s (FAA) issued a rule called the “Policy and Procedures Concerning the Use of Airport Revenue, proceeds from Taxes on Aviation Fuel.” The rule would require that local taxes on aviation fuels must be spent on airports is contrary to states’ rights to control their general application sales tax measures.</p> <p>The final FY 2021 Omnibus Appropriations bill includes report language encouraging the Department of Transportation “to continue working with State and local governments and the FAA to develop a path forward to allow the use of local sales tax revenues generated on the sale of aviation fuel to be used in a manner consistent with their enactment.”</p>	<ul style="list-style-type: none"><li>• Support efforts to protect the ability of local and state governments to determine how general sales tax measures are allocated.</li><li>• Continue to advocate for report language in the annual appropriations bills and support legislative changes that would permanently clarify the issue.</li><li>• Support the State of California in its efforts to address FAA’s requests.</li></ul>
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BOARD OF DIRECTORS 2023

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EXECUTIVE DIRECTOR

December 7, 2023

Janice Li, Board President  
San Francisco Bay Area Rapid Transit District  
2150 Webster Street  
Oakland CA 94612.

Dear Board President Li:

Consistent with the commitment that I made earlier this year on behalf of the JPB Board and Caltrain in our Rail Partnership meeting on March 3, 2023, and in our subsequent coffee meeting on March 24, I am writing to propose that our two agencies recommit to providing customer-facing improvements between BART and Caltrain, focusing on the schedules and fares that have the most direct impact on customer experience. There is more we can do together, if the commitment to improvements is real.

As you know, Caltrain's electrified service plan will increase service on weekends, at stations throughout the corridor and reduce overall travel times. This new schedule will launch in September of 2024. With BART planning a new schedule in August of 2024, there is an opportunity for improvements to transfers at Millbrae and additional potential to reduce transfer times. We should take advantage of the window between now and August to work together to make this happen.

Caltrain is prepared to take the next step by offering a proposal of options for BART and Caltrain to improve transfer times across our systems that could potentially be implemented in Fall 2024. Understandably, there may be trade-offs for both systems and we should document what solution would be the best option for riders.

We can also continue work on the progress we and the region have made on fare integration. Caltrain and BART are nearly finishing scoping an integrated fare study and we should commit to a timely completion of the work. Clipper 2.0 roll out will be a key data source for this study and we should continue to encourage the Metropolitan Transportation Commission to expedite that urgently-needed next generation of Clipper.

Finally, we should articulate a vision for our rail systems that could provide high frequency well matched services. With Electrification, Caltrain has the capability to run trains every 10 minutes at high-frequency stations during peak hours. Let's jointly describe the resources that would be needed to provide at least that level of service for Caltrain and more ambitious service for BART. Even if we don't have the resources today, we can describe what could be possible in the future. Caltrain has done vision work through the Caltrain Business Plan and we are open to doing visioning work with BART.

If BART is willing to engage in this effort, I propose that our two agencies agree to come up with a plan we can commit to by July 2024, if not sooner, and we jointly report progress on a regular basis

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
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throughout the life of the effort. This transparency will ensure that the region and its riders can be confident we are making progress towards a joint vision.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Gee", with a long horizontal flourish extending to the right.

Jeff Gee  
Chair  
Caltrain Board of Directors



**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: Dahlia Chazan, Deputy Chief, Caltrain Planning  
Subject: **Authorize Use of the Construction Manager General Contractor (CMGC) Delivery Method Pursuant to Public Utilities Code Section 103395 for the 4<sup>th</sup> and King Yard Preparation Track and Systems Package (4KY Package B)**

- Finance Committee Recommendation
- Technology, Operations, Planning, and Safety Committee Recommendation
- Advocacy and Major Projects Committee Recommendation

**Purpose and Recommended Action**

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

1. Make findings that Caltrain's use of the Construction Manager General Contractor (CMGC) delivery method for the 4<sup>th</sup> and King Yard Preparation Track and Systems Package (4KY Package B) will accomplish one or more of the following objectives required to utilize this project delivery method pursuant to Public Utilities Code Section 103395, et seq.: reduce project costs; expedite the project's completion; or provide features not achievable through the traditional Design-Bid-Build (DBB) method;
2. Authorize Caltrain to use the CMGC delivery method for the 4KY Package B based on these findings; and
3. Authorize the Executive Director, or designee, to file any other required documentation and to take any other actions necessary to give effect to this action.

**Discussion**

**San Francisco Downtown Extension (DTX) Delivery Methods**

The Downtown Rail Extension (DTX) project, also known as The Portal, has identified the need for substantial work to occur in Caltrain’s right-of-way at the 4th and King railyard prior to and during the project’s main civil construction. This work is referred to as “4th and King Yard Preparation” and is divided into two packages: Package A and Package B. Package A includes early site clearing of Caltrain assets to allow DTX to begin construction of the tunnel and the underground 4th and Townsend Street Station. Package B includes track and systems work within the 4th and King railyard and along the mainline to 16th Street to provide for the two-track mainline connection to DTX through a future transitional open cut “U-Wall”. Caltrain is

**REVISED FOLLOWING 11.29.23 ADVOCACY AND MAJOR PROJECTS COMMITTEE MEETING** 12/7/2023

currently providing design oversight for work commissioned by the Transbay Joint Powers Authority (TJPA) to advance this sitework.

In 2020, the TJPA, Caltrain, the Metropolitan Transportation Commission (MTC), the San Francisco County Transportation Authority (SFCTA), the California High-Speed Rail Authority (CHSRA), and the City and County of San Francisco (CCSF) entered an MOU to support the efforts of the TJPA to develop The Portal. One of the tasks for this six-party stakeholder group was to study various traditional and alternative contracting approaches to deliver The Portal using a risk-based assessment, and recommend an approach to the TJPA Board. In July 2022, consistent with the stakeholder recommendation, the TJPA Board adopted the Project Delivery Alternatives Study (PDAS) which analyzed and recommended the contract packaging and associated procurement and delivery models for the DTX project. The PDAS identified TJPA as the delivery agency for the DTX contract packages. The initial contract packages and recommended delivery methods are summarized in Table 1.

*Table 1. Initial PDAS Recommendations, as approved by the TJPA Board in July 2022*

Initial Contract Package	Recommended Delivery Method
<b>Civil and Tunnel</b> - Construction of tunnel, throat, and civil structures including Fourth and Townsend station box, two ventilation structures, and certain utility temporary support and/or relocation	<b>Progressive Design-Build (PDB)</b> <ul style="list-style-type: none"> <li>The contractor takes responsibility for design and construction, usually from the 30-60% design level through a competitive procurement process.</li> <li>This method is typical for packages where design is closely tied to construction means and methods.</li> </ul>
<b>Track and Systems</b> - Installation of track and rail systems	<b>Construction Manager/ General Contractor (CMGC)</b> <ul style="list-style-type: none"> <li>The Contractor is involved early to mitigate risk.</li> <li>The contract is delivered in two phases: (1) preconstruction and (2) construction, after agreement on contract terms and a lump-sum price.</li> </ul>
<b>Station Fit-out</b> - Mechanical, electrical, plumbing, and architectural finishes at Fourth and Townsend Station, Salesforce Transit Center, and the two ventilation structures	
<b>Advance Works</b> - Utility relocation, building demolition, and the work now known as 4th and King Yard Preparation (4KY)	<b>Design-Bid-Build (DBB)</b> <ul style="list-style-type: none"> <li>Traditional building method with three distinct phases: the design phase, the bid phase and the build phase.</li> <li>The delivery agency is responsible for design and contract interface management, and as a result retains most of the risk</li> </ul>

**REVISED FOLLOWING 11.29.23 ADVOCACY AND MAJOR PROJECTS COMMITTEE MEETING**

Since the approval of the PDAS recommendations, design work on 4KY has significantly advanced and the relationship between the 4KY work and Caltrain’s operations has become more evident. As a result, TJPA and Caltrain agreed to reevaluate the delivery method alternatives for the planned 4th and King Yard Preparation in a 4KY Procurement Analysis.

The 4KY Procurement Analysis was completed in October 2023 by the TJPA consultant team with the purpose of identifying if DBB is still the most appropriate delivery approach for 4KY Package A and 4KY Package B. As part of the evaluation process representatives of Caltrain and TJPA conducted two facilitated workshops to compare and evaluate the relative benefits of the DBB, PDB, and CMGC delivery methods for Package A and B.

The 4KY Procurement Analysis ultimately recommended that DBB remain as the delivery method for Package A, and CMGC is the most appropriate method for Package B. The evaluation team noted that the CMGC delivery method offers several advantages over the traditional DBB method and the alternative PDB method, including a reduction in operating risks, potential time and cost savings, and providing opportunities for innovation.

The six-party stakeholder group reviewed and concurred with this recommendation, as well as other key changes to the project delivery plan, including shifting the delivery of the 4<sup>th</sup> and Townsend Station Fit-out work from the Station Fit-out CMGC package to the Civil and Tunnel PDB package and dividing the 4KY package into two distinct scopes package (Package A and Package B). The modified contract packages and recommended delivery methods are summarized in Table 2.

*Table 2. Modified PDAS Recommendations, as approved by the TJPA Board in November 2023*

Modified Contract Package	Changes from Initial PDAS Recommendations	Recommended Delivery Method
<b>Civil and Tunnel</b> - Construction of tunnel, throat, and civil structures including Fourth and Townsend station box, two ventilation structures, and certain utility temporary support and/or relocation; 4th and Townsend station fit-out and the two ventilation structures	Includes 4 <sup>th</sup> and Townsend station fit-out	Progressive Design-Build (PDB)
<b>Track and Systems</b> - Installation of track and rail systems	No changes	Construction Manager/ General Contractor (CMGC)
<b>Station Fit-out</b> - Mechanical, electrical, plumbing, and	Removes 4 <sup>th</sup> and Townsend Station Fit-out	

Modified Contract Package	Changes from Initial PDAS Recommendations	Recommended Delivery Method
architectural finishes at Salesforce Transit Center		
<b>4KY Package B</b> (track and systems work) for the 4th and King Yard Preparation	New contract package, separate from 4KY Package A. Delivery method is CMGC	
<b>Advance Works</b> - Utility relocation, building demolition, and 4KY Package A (site clearing) for the 4th and King Yard Preparation	Removes 4KY Package B from Advance Works contract package	Design-Bid-Build (DBB)

Caltrain as Delivery Agency for 4KY Package B

TJPA is the lead delivery agency for The Portal project, and originally expected to deliver all of the construction packages described in the prior section utilizing an integrated project delivery team approach which includes Caltrain staff. However, Caltrain and TJPA have been discussing the concept of TJPA delivering 4KY Package A, and Caltrain delivering 4KY Package B, consistent with Caltrain’s practice of delivering all work within its operating right of way to minimize operating disruptions to its passengers.

The scope of Package B requires complex sequencing to maintain continuous rail operations during construction. Using the CMGC delivery method, Caltrain will work together with TJPA, utilizing the integrated project delivery approach, and coordinate with the designer and contractor to minimize potential service impacts and manage schedule and costs.

However, there are also potential risks for Caltrain to deliver Package B. Caltrain will need to establish a focused and effective delivery team with sufficient resources, decision-making processes, and authority. Package B must be completed within a tight schedule to avoid delaying core DTX construction. As operator, Caltrain would be impacted by this risk, regardless of the delivery agency. Therefore, the best approach is for Caltrain to lead, which will minimize the risk and streamline communication and decision-making authority.

At its December meeting, the TJPA Board will consider conceptual approval of Caltrain as delivery entity for Package B subject to approval of a 4<sup>th</sup> and King Yard Preparation Agreement and review by the Federal Transit Administration. The 4KY Agreement is expected to be completed in Spring 2024 to be followed by formal adoption by the respective boards. Confirmation of Caltrain as delivery agency, as part of the comprehensive 4KY Agreement, will be required to complete the 4KY Package B CMGC contractor procurement process.

While Caltrain expects to lead the delivery, design will continue by TJPA's engineering consultant for 4KY Package B, under Caltrain direction.

#### CMGC Delivery Method Process

The Legislature enacted Assembly Bill 797 in 2013 to authorize the San Mateo County Transit District to use the CMGC delivery method for public transit projects within its jurisdiction. This authorization extends to Caltrain pursuant to the Joint Powers Agreement, which established the JPB.

Pursuant to Public Utilities Code Section 103395, et seq., the JPB may enter into a CMGC delivery method contract only after taking the following steps. First, Caltrain must evaluate the traditional Design-Bid-Build (DBB) and CMGC delivery methods in a public meeting. Second, Caltrain must then make written findings that the use of the CMGC delivery method on the specific project under consideration will accomplish one or more of the following objectives:

- Reduce project costs;
- Expedite project completion; or
- Provide features not achievable through the design-bid-build method.

Caltrain must make findings *prior* to entering a CMGC contract. Contracting using the CMGC delivery method requires two steps. First, Caltrain issues a best-value procurement to engage a contractor for preconstruction services. The initial agreement must include a provision for subsequent negotiation of any of the later stages of the project including the construction itself. Second, if Caltrain would like to award a contract for construction services after the initial phase of the contract, a Total Contract Price (TCP) must be negotiated. If an acceptable TCP cannot be negotiated, then Caltrain may award the subsequent phases of the contract using any other delivery method permitted by law.

Under the CMGC delivery method, the agency utilizes a qualifications-based selection process to hire a CMGC contractor (contractor) to collaborate during the pre-construction design phase to deliver the project. The contractor is initially authorized to participate in the pre-construction design phase work. Upon agreement on the TCP to deliver the construction work, the contractor's construction phase contract will be executed. The CMGC delivery balances and facilitates important factors relating to the agency's control, including relationships with stakeholders and access to designer and contractor expertise during the pre-construction design phase.

#### CMGC Method for 4KY Package B

The CMGC delivery method will reduce risks to Caltrain and offers significant advantages over traditional delivery methods as summarized below:

- a) **Reduced Risk to Yard Operations:** The scope of 4KY Package B involves realigning the yard tracks, relocating wayside assets, and reconstructing a portion of the overhead contact system (OCS). The CMGC method requires the Caltrain operations staff, engineer, and the contractor to collaborate during the design phase to establish operating objectives, construction means, methods, and innovative approaches to

complete the work efficiently and minimize or eliminate negative impacts to Caltrain's operations. Since the parties are integrated throughout the design and construction phases, there is a clear and continuous line of communication and accountability to best manage the operating risks during construction.

- b) **Total Contract Price (TCP) establishes a total contract price prior to starting construction:** The contractor will be able to obtain a complete understanding of Caltrain's design intent, the scope of the project, the condition of the existing facilities, and Caltrain's operational needs by participating in the development of the design documents. With the benefit of this knowledge, the contractor will be able to negotiate a TCP for 4KY Package B, before Caltrain executes the construction contract.
- c) **Fewer Change Orders:** When the contractor participates in the pre-construction design process, fewer change orders will occur during construction. As a result, the 4KY Package B is more likely to be completed on time and on budget. In addition, fewer change orders reduce project management costs for both the JPB and the contractor.
- d) **Change Orders Cost Less:** The traditional Design-Bid-Build delivery method typically results in contractors charging up to 20% mark-up on construction contract change orders. The CMGC delivery method establishes in advance the allowable contractor fixed fee mark-up in the range of 5% to 10% if construction change orders are encountered.
- e) **Contractor Construction Fee is Less:** Contracts with the contractor are designed to create a better working relationship between all parties resulting in better risk identification and allocation and reduced risk to the contractor. As a consequence, the contractor's overhead and profit fee is generally in the 3% to 5% range which is lower than the mark-up usually applied to traditional design-bid-build projects.
- f) **Caltrain has an Off-Ramp:** In the event Caltrain and the contractor cannot reach agreement on the TCP for the construction phase work, the JPB will not execute the contractor's construction phase contract and will advertise and award a contract for the 4KY Package B using any other delivery method permitted by law.

After assessment of the respective merits of the DBB, Progressive Design Build (PDB), and CMGC delivery methods and how these different delivery methods would best address the unique features and complexities of the 4KY Package B, staff have determined that the use of the CMGC delivery method will provide features that are not achievable through the DBB or PDB process. The CMGC delivery method will allow contractor collaboration with the designer, providing opportunities to improve the 4KY Package B with innovative solutions. CMGC delivery is also anticipated to reduce construction costs and expedite project completion.

Staff recommends that the Board make these findings and authorize Caltrain's use of the CMGC method for the 4KY Package B. **As discussed below, Caltrain will not enter into a CMGC contract until it has negotiated a 4KY Agreement with the TJPA and the Board has approved the Agreement.**

#### 4KY Agreement

In Spring 2024, staff plan to present the 4th and King Preparation Agreement to both the TJPA Board of Directors and Caltrain Board for consideration, as described in the Interim Agreement recently approved by both boards. The new agreement will include a project delivery plan to define the approach for advancing the project after the 30% design milestone. It will confirm items such as: project definition, roles and responsibilities, indemnification, staffing plan and support budgets, decision-making and stage gates, change management approach, cost reimbursement, among other items necessary to advance the project.

Staff are requesting approval of the CMGC delivery method prior to the 4KY Agreement to enable Caltrain to concurrently begin the CMGC procurement process in Q1 2024 and engage a contractor by Q3 2024, subject to Caltrain Board approval, consistent with the overall delivery schedule of The Portal. TJPA requested this approach to stay on the overall schedule but understands that this means the current expenditures and work being completed on 4KY is at TJPA's risk in advance of the 4KY Agreement. **Staff will not execute a contract with a CMGC contractor until after the Board has considered and approved the 4KY agreement.**

On February 2<sup>nd</sup>, 2023, the Caltrain Board adopted the following three principles to inform Caltrain's approach for negotiating major topics within the Master Cooperative Agreement (MCA) between Caltrain and TJPA:

1. Project must be cost-neutral to Caltrain.
  - a. Capital Costs – Any capital contributions Caltrain makes beyond those committed to project development (PCEP, real property, \$1.5M, reimbursed staff time and resources) must be offset through committed third-party funding sources (e.g., grants).
  - b. Maintaining State of Good Repair – DTX cannot detract from Caltrain's ability to maintain its assets in a State of Good Repair.
  - c. Operating Costs – Caltrain's DTX operating contributions cannot detract from Caltrain's ability to operate the rest of the system. Any contribution of incremental operating revenue (e.g., fare revenue, special fare zone, facility revenues) must be directly attributable to DTX and any operating costs in excess of incremental operating revenue must be backstopped by non-Caltrain source(s) in case revenue projections are not met.
2. Project design, operations, and funding must be compatible with and connected to Caltrain's existing and planned rail system and must be consistent with Caltrain's 2040 service vision.
3. Safety and customer experience must be the primary focus of all planning, design, construction, and operations and maintenance decisions.

While these principles were initially designed for MCA negotiations, Caltrain staff are also using them to guide negotiations on the 4KY Agreement. Consistent with Principle #1 on cost-neutrality, the DTX Project will bear all costs for the 4KY work, including Caltrain costs to support the 4KY Project. Also, the 4KY Agreement will confirm that Caltrain will only grant approval over the modification, removal, or relocation of its assets (i.e., trackage, existing

**REVISED FOLLOWING 11.29.23 ADVOCACY AND MAJOR PROJECTS COMMITTEE MEETING** 12/7/2023

offices, etc.) if it will not adversely impact current or future Caltrain operations (Principle #2). In alignment with Principle #3, safety and customer experience are critical to the 4KY Project and will be deeply integrated into all aspects of the 4KY Agreement. The construction staging for the 4KY Project must enable continual train operations with minimal disruptions.

**Budget Impact**

There is no immediate budget impact because the Board action is limited to authorizing the use of the CMGC contracting approach over the traditional DBB contracting process for the 4KY Package B. Caltrain's consultant resources to implement the approach is reimbursed from TJPA through the DTX Rail Program Enabling Works Planning Memorandum of Agreement, amended October 1, 2023.

Separate from this Board action, project cost updates and project delivery contract negotiations affecting the 4KY Package B budget will be discussed and reflected in future agreements between TJPA and Caltrain, including the 4KY Agreement.

**AMP Committee Consideration**

The AMP Committee considered this item at its November 29, 2023, meeting. After a robust discussion, the Committee voted to forward the item to the full Board, without a recommendation, and requested that staff provide additional information, including the process and criteria for selecting a CMGC contractor and a description of the decision-making process for the Portal Project, in advance of the Board meeting. Once this information is prepared, staff will provide the information to the Board as part of this agenda item. The Committee also requested that a procurement officer be available at the Board meeting to answer questions about the procurement process and that staff invite Adam Van de Water, the Executive Director of TJPA, to participate in the Board meeting.

Prepared By:	Greg Oslund	Senior Project Manager	(650) 647-3513
	Gwen Buckley	Principal Planner	(650) 722-6827



## Summary of Governance Structures for The Portal

Prepared by Caltrain staff. December 6, 2023

### The Portal's Governance Structure through Project Development

The Transbay Joint Powers Authority (TJPA) is the project lead for the Downtown Rail Extension (DTX or The Portal). In June 2020, Caltrain entered into the San Francisco Peninsula Rail Program Memorandum of Understanding (the 2020 MOU) with TJPA and the four other DTX Project Partners: the Metropolitan Transportation Commission (MTC), the San Francisco County Transportation Authority (SFCTA), the California High-Speed Rail Authority (CHSRA), and the City and County of San Francisco (CCSF). The purpose of the MOU and associated work plan is to ready DTX for procurement, and includes tasks related to governance, oversight, management, funding, and project delivery.

The MOU provides an organizational structure, which includes the Executive Steering Committee (ESC) and the Integrated Program Management Team (IPMT).

The ESC is responsible for making recommendations to the TJPA Board regarding the scope of efforts under the MOU. The ESC consists of executives of the Project Partners (TJPA, MTC, SFCTA, Caltrain, CHSRA, and the CCSF) and meets monthly in a public forum. The IPMT supports the ESC and is chaired by the TJPA Project Director along with representatives with relevant experience in large complex projects from each of the partners. This current governance structure is depicted in Figure 1 below.

Figure 1. SF Rail Program Integrated Program Team Structure. (2020 to present)



The 2020 MOU work program identified twenty specific tasks, including Task 18, which is to “Explore the best institutional arrangement and governance for the delivery of the DTX Rail Program thru(sic) construction and make representation to TJPA Board”. A key element of this task is the development of the Governance Study to identify the institutional arrangement and governance for the delivery of The

Portal through construction. SFCTA and MTC are co-leading the activities related to the Governance Study in cooperation with TJPA and the other project partners. Along with the Governance Study, Task 18 of the work program includes:

- Stress-testing options to maximize opportunities for Federal, State, and Regional funding as a Project of Regional and National Significance and recommending governance/project delivery structure for delivery
- Developing a management structure, including briefs with roles and responsibilities, staffing qualifications, reporting and communication protocols, contracting, and staffing plan
- Conducting an assessment with strategic, economic, commercial, financial, management cases and consider responsibilities for O&M of new trackage and the rail portion of STC
- Developing outcome-based performance and sourcing management system, regime of Key Performance Indicators (KPIs), and stage-gated decision-making protocols

Importantly, the Governance Study will support governance arrangements agreed upon between Caltrain and TJPA as part of the upcoming Master Cooperative Agreement (MCA) and 4<sup>th</sup> and King Yard Preparation (4KY) Agreement.

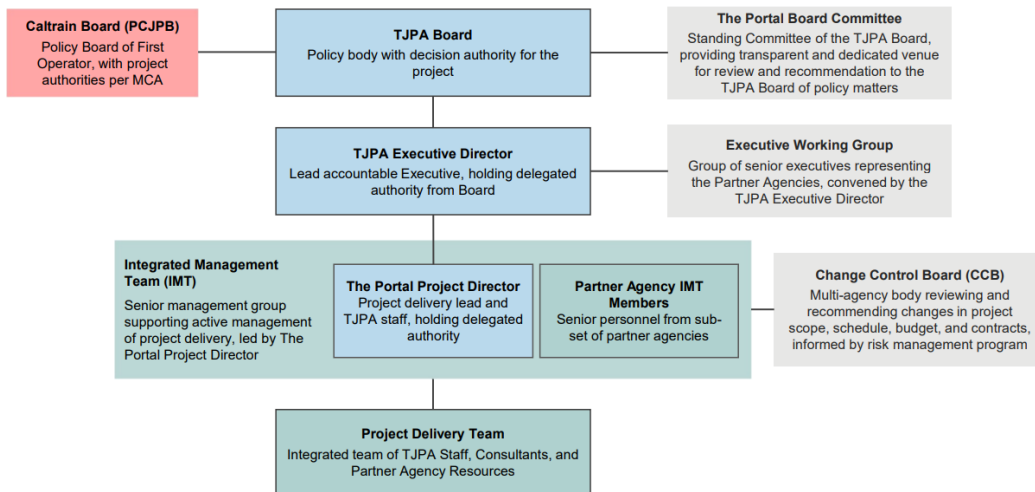
### **The Portal's Governance Structure for Project Delivery**

As part of the Governance Study, MTC and SFCTA worked with the IPMT to prepare The Portal Governance Blueprint (Blueprint). The Blueprint provides detailed recommendations regarding the governance approach for procurement and construction of the project. It is intended to guide the preparation of a new, multi-party MOU (Successor MOU), among the Partner Agencies, to succeed the Peninsula Rail Program MOU. The Blueprint was approved by the TJPA Board of Directors at the August 10, 2023, meeting, as recommended by the ESC. The Blueprint recommends a refined governance structure for project delivery, including the following bodies:

- **The Portal Board Committee**, established as a standing committee of the TJPA Board with three voting members, including representation from Caltrain and San Francisco, and with non-voting membership by MTC, providing transparent and dedicated venue for review and recommendation to the TJPA Board of policy matters.
- **Executive Working Group**, convened by the TJPA Executive Director, with senior executive representation from TJPA and the five other partner agencies.
- **Change Control Board (CCB)**, serving as multi-agency body to review and recommend changes in project scope, schedule, budget, and contracts, informed by the project's risk management program and composed of senior technical representation from TJPA and the five other partner agencies.
- **Integrated Management Team (IMT)**, led by the TJPA Project Director, supporting the active management of delivery and aligning management activities across the partner agencies.
- **Project Delivery Team (PDT)**, the integrated team of TJPA and Caltrain staff, consultants, and other partner agency resources.

The Caltrain Board has been identified in the refined governance structure to acknowledge the role of the JPB in approving certain project elements in changes, specifically those that could impact Caltrain's current and future operations, maintenance requirements, and financial risk profile.

Figure 2. Governance Structure for Project Delivery



The implementation of the new governance structure will align with the effective date of the Successor MOU. At the November 17, 2023 meeting, the ESC approved an extension to the 2020 MOU to May 10, 2024. The extension will allow the Project Partners to focus on the preparation of the procurement bid documents and allow sufficient time for the IPMT to prepare and bring forward to the ESC the Successor MOU and related components of governance.

## Construction Manager/General Contractor Delivery Method – JPB Procurement Approach

Prepared by Caltrain staff. December 6, 2023

The Construction Manager/General Contractor (CM/GC) delivery method is a project delivery approach that involves the collaboration of the CMGC Contractor and Design Consultant from the early stages of a construction project, typically when the design has reached 30%. This delivery method is often used in complex and large-scale projects where the input of construction expertise is beneficial during the design phase. This method fosters collaboration between key stakeholders throughout the project, ultimately enhancing the efficiency and success of the construction process. The CM/GC delivery method is also known as the Construction Manager at Risk (CM at Risk) approach. This alternative delivery method requires the JPB Board of Directors approval prior to the issuance of the RFP.

Here is a typical process for a CM/GC delivery method for the JPB:

1. The JPB selects a CMGC Contractor based on multiple criteria and weighted score (e.g., qualifications, experience, and expertise in the specific type of project) using an RFP process. The contract with the CMGC Contractor is typically executed about the same time as the contract for the Design Consultant.
2. The CMGC method typically has two phases:
  - a. Pre-Construction Phase:
    - i. The CMGC Contractor collaborates with the Design Consultant to provide constructability, cost estimates, scheduling, and value engineering. The CMGC Contractor provides cost estimates throughout the design phase, allowing the JPB to make informed decisions about design choices and project scope.
    - ii. Also, the CMGC Contractor develops and provides the JPB with a comprehensive construction plan, including scheduling, logistics, and coordination.
    - iii. Once the design is sufficiently advanced, typically about 95%, the CMGC Contractor provides the JPB with a guaranteed maximum price (GMP) or Total Contract Price (TCP) for the project. The GMP/TCP includes the construction cost, contingency, and the CMGC's fee.
    - iv. The JPB would compare the GMP/TCP with our own Engineer's Estimate and the estimate from an Independent Cost Estimator.
  - b. Construction Phase: JPB Options
    - i. If the JPB approves the negotiated GMP/TCP, the project moves into the Construction Phase with CMGC Contractor by exercising the Construction Phase Option.
    - ii. If the JPB is unable to negotiate a favorable construction contract, the JPB would terminate the negotiations and convert the CMGC Delivery Method into the Traditional Construction Method of Design-Bid-Build. The JPB would issue an Invitation for Bids using the 100% design and plans.
    - iii. The JPB may choose not to move forward with the construction.

**Resolution No. 2023-**

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

\* \* \*

**Authorize Use of the Construction Manager General Contractor (CMGC) Delivery Method Pursuant to Public Utilities Code Section 103395 for the 4th and King Yard Preparation Track and Systems Package (4KY Package B)**

**Whereas**, the Downtown Rail Extension (DTX) project, now known as The Portal, has identified the need for substantial work to occur in the Peninsula Corridor Joint Powers Board's (JPB or Caltrain) right-of-way at the 4th and King railyard prior to and during the project's main civil construction, referred to as "4th and King Yard Preparation"; and

**Whereas**, the work is divided into two separate phases, Package A, which includes early site clearing of Caltrain assets to allow DTX to begin construction of the tunnel and the underground 4<sup>th</sup> and Townsend Street Station, and Package B, which includes track and systems work within the 4th and King railyard and along the mainline to 16th Street to provide for the two-track mainline connection to DTX through a future transitional open cut "U-Wall"; and

**Whereas**, Caltrain is currently overseeing design work commissioned by the Transbay Joint Powers Authority (TJPA) to advance this sitework; and

**Whereas**, in July 2022, the TJPA Board adopted the Project Delivery Alternatives Study (PDAS) which analyzed and recommended the contract packaging and associated procurement and delivery models for the DTX project. The PDAS identified TJPA as the delivery agency for the DTX contract packages. The contract packages and recommended delivery methods are summarized in the Staff Report; and

**Whereas**, since the approval of the PDAS recommendations, design work on 4KY has significantly advanced and the relationship between the 4KY work and Caltrain's operations has

become more evident. As a result, TJPA and Caltrain agreed to reevaluate the delivery method alternatives in a 4KY Procurement Analysis; and

**Whereas**, the TJPA consultant team completed the 4KY Procurement Analysis in October 2023 with the purpose of identifying whether Design-Bid-Build (DBB) is still the most appropriate delivery approach for 4KY Package A and 4KY Package B; and

**Whereas**, representatives of Caltrain and TJPA participated in two workshops to compare and evaluate the relative benefits of the DBB, Progressive Design-Build (PDB), and CMGC delivery methods for Package A and B; and

**Whereas**, the 4KY Procurement Analysis ultimately recommended that DBB remain the delivery method for Package A, but that CMGC is the most appropriate method for Package B because it offers several advantages over the traditional DBB method and the alternative PDB method, including a reduction in operating risks, potential time and cost savings, and providing opportunities for innovation; and

**Whereas**, the TJPA Board approved these recommendations at its November 9, 2023, meeting; and

**Whereas**, the TJPA is the lead delivery agency for The Portal project, and originally expected to deliver all of the construction packages described in the prior section utilizing an integrated project delivery team approach which includes Caltrain staff. However, Caltrain and TJPA have been discussing the concept of TJPA delivering 4KY Package A, and Caltrain delivering 4KY Package B, consistent with Caltrain's practice of delivering all work within its operating right of way to minimize operating disruptions to its passengers; and

**Whereas**, the Legislature enacted Assembly Bill 797 in 2013 to authorize the San Mateo County Transit District to use the CMGC project delivery approach for public transit projects within

its jurisdiction. This authorization extends to the JPB pursuant to the Joint Powers Agreement, which established the JPB; and

**Whereas**, pursuant to Public Utilities Code Section 103395, the JPB may enter into a CMGC project delivery method contract after taking the following steps: First, the Board of Directors (the Board) must evaluate the traditional DBB process of construction compared to the CMGC method of project delivery in a public meeting; Second, the Board must make written findings that the use of the CMGC project delivery method on a specific project under consideration will accomplish one or more of the following objectives: (1) reduce project costs; (2) expedite the project's completion; or (3) provide features not achievable through the design-bid-build method; and

**Whereas**, agency staff representatives of the JPB and TJPA have investigated different project delivery methods and have evaluated the respective merits of delivering Package B through the CMGC project delivery method versus the DBB method and the PDB method; and

**Whereas**, staff have determined that use of the CMGC project delivery method will benefit the JPB by providing project features not achievable through the DBB or PDB project delivery methods, such as opportunities for project innovation, and will likely also result in the reduction of project costs and promote the expeditious completion of the project; and

**Whereas**, staff recommends that the Board make findings that the use of the CMGC project delivery method is in the best interest of the JPB and authorize the use of the CMGC project delivery method to complete 4KY Package B pursuant to Public Utilities Code Section 103395, et seq.; and

**Whereas**, in Spring 2024, staff plan to present the 4th and King Preparation Agreement to both the TJPA Board of Directors and Caltrain Board for consideration; and

**Whereas**, the new agreement will include a project delivery plan to define the approach for advancing the project after the 30% design milestone, and will confirm: project definition, roles and responsibilities, indemnification, staffing plan and support budgets, decision-making and stage gates, change management approach, cost reimbursement, and other items necessary to advance the project; and

**Whereas**, there is no budget impact because this action is limited to authorizing the use of the CMGC contracting approach for the 4KY Package B, and a contract for the work will not be awarded until the Board approves a 4KY agreement with TJPA, which will address the 4KY Package; and

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

1. Finds that the use of the CMGC delivery method for the 4KY Package B will accomplish one or more of the following objectives in accord with Public Utilities Code Section 103395, et seq.: reduce project costs; expedite the project's completion; or provide features not achievable through the traditional DBB method;
2. Authorizes the use of the CMGC delivery method for the 4KY Package B based on these findings; and
3. Authorizes the Executive Director, or designee, to file any other required documentation and to take any other actions necessary to give effect to this action.



Regularly passed and adopted this 7<sup>th</sup> day of December, 2023 by the following vote:

Ayes:

Noes:

Absent:

---

Chair, Peninsula Corridor Joint Powers Board

Attest:

---

JPB Secretary  
(00500059)

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: Pranaya Shrestha, Chief Officer, Caltrain Modernization Program  
Subject: **Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report**

Finance Committee  
Recommendation

Technology, Operations,  
Planning, and Safety  
Committee Recommendation

Advocacy and Major  
Projects Committee  
Recommendation

**Purpose and Recommended Action**

Staff Coordinating Council recommends the Board receive the Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report (MPR).

No action required.

**Discussion**

Staff prepares and submits a report covering the PCEP monthly.

**Background**

The MPR is intended to provide funding partners, stakeholders, and the public a PCEP overview and an overall update on project progress. This document provides information on the scope, cost, funding, schedule, and project implementation.

**Budget Impact**

There is no impact on the budget.

Prepared By: Pranaya Shrestha

Chief Officer, Caltrain  
Modernization Program

720.757.9191



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



# Executive Monthly Progress Report

October 31, 2023

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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 completed a thorough assessment of all aspects of the program including cost, schedule, risks, and organization after the global settlement in 2021. Caltrain re-baselined the program budget and schedule in December of 2021. Caltrain finished a schedule reforecast in March 2023 and 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. On January 31, 2023, Caltrain received a \$367 million funding award from California’s Transit and Intercity Rail Capital Program’s (TIRCP) Cycle 6 Existing Project Reserve, representing the remaining funding needed to complete the project. The project is now fully funded in the amount of \$2,442,690,697. As of October 2023, the project is on budget:

- The current project total cost at completion (EAC) is the same as the Board adopted budget of \$2.44 billion.
- As of October 2023, a total of \$12.8M has been drawn down from the Shared Risk Pool of \$50 million. In October 2023, \$1,738,710.00 was drawn from the Shared Risk Pool.
- As of October 2023, a total of \$34.3M has been drawn from the project contingency of \$40 million. In October 2023, \$22,039,702 was drawn from project contingency.
- As of October 2023, no new awards have been made from the Project incentive pool of \$18.5 million.
- As of October 2023, no incentive was issued from the milestone incentive pool of \$15 million.

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

As of October 31, 2023, the overall project completion is 89.29%. The current program schedule is projecting a PCEP substantial completion date of April 2024 and Revenue Service by September 2024. Staff is implementing a 2023 path to completion with 31 weekend area focused bus bridges to maximize track access to allow system integration testing, signal cutovers, and proactive OCS construction productivity mitigations for the remaining PCEP work.

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

In October 2023, the following items were brought to the CMB for approval:

- IRL 112 – 25<sup>th</sup> Avenue Grade Separation Grounding & Bonding

- IRL 213 – High Voltage Warning Signage
- PCEP Contingency

### 1.5 This Month's Accomplishments

The project team has completed the following notable activities for the month of October 2023:

- Successfully energized Traction PowerStation 1 both lines.
- Completed all 2SC Signal and Crossing cutovers for all Segments.
- Completed all OCS Wire
- Continued to monitor monthly project schedule against the reforecast that reflects the path to completion with 31 focused area weekend closures. The team is in the process of re-evaluating the remaining OCS completion schedule based on the latest production data.
- Continued to coordinate low voltage power drop applications with PG&E and utilizing generators to support project testing and cutovers.
- Commenced asphalt cover implementation for impedance bonds to mitigation theft impact.
- Continued bi-weekly project completion road map meeting with Design-Build Contractor Executives to monitor OCS productivities and addressed TPS findings. Additional third-party crews have been working on regulations since June 2023.
- Completed operations planning, ambassador, and rail service planning effort for Segments 1 and 2 OCS construction weekend area closures for October three weekends bus bridge.
- Completed Segment 3 Live run testing up to San Antonio.
- Completed Live run Testing with Civil speed up to 79 mph at the mainline
- Completed Operator's refresher training at the Drill Track.
- Held Monthly CMB meeting for program status and change order approval.
- Continued to work with FRA on Submitted Programmatic Agreement (PA) amendment review and approval.
- Continued safety special task force working group, including TASI, Rail Operations and PCEP to address communications, process, and procedure improvements.
- Continued providing PCEP progress updates to funding partners, leadership, elected officials, citizens, and business community.
- Since October 2<sup>nd</sup>, 2023, TASI is performing isolation and protection service for the Milestone 1 limits.
- Completed EMU PTC Field Integrated testing on mainline.
- 
- Finalized short circuit test sequence and test dates with PG&E support.
- Continue project close out effort and finalize Segment 4 and Segment 3 punch list items.
- Received Temporary Use Permit (TUP) for Milestone 1 limits (Diridon to San Antonio) and Drill Track, Caltrain completed first EMU burin in Test on main line.
- Issued change order to Stadler to install Caltrain broadband equipment on board, and remaining EMU delivery schedule was revised.
- Two more EMU trainsets were delivered. There is a total of six EMUs on



site.

### 1.6 Upcoming work

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

- Complete all OCS Regulations for Segments 1 and 2
- Complete Segments 1 and 2 Sectionalization Testing
- Complete double traction Testing with two EMUs
- Complete power pull aways testing
- Perform the remaining 5 short circuit testing.
- Complete Guadalupe OCS installation and test once Guadalupe project hands off MT2 in November of 2023
- Continue to coordinate with Broadband Project, work with vehicle manufacturer and monitor EMU production schedule that includes broadband equipment installation.
- Continue bi-weekly project completion road map meeting with Design-Build Contractor Executives to address path to substantial completion.
- Continue operations planning, ambassador, and rail service planning minor issues efforts for Segment 1 and 2 live runs.
- Continue to coordinate with PG&E on low voltage power drop applications, and distribution line de-energization work.
- Perform joint punch list walks for all remaining work.
- Hold Monthly CMB meeting for program status and change order approval.
- Complete certification of conformance for Milestone 1 limits.
- Complete EMU revenue service maintenance program, EMU storage plan, diesel fleet exit plan, and fleet management plan.
- Complete Programmatic Agreement (PA) amendment and finalize burial agreement and treatment plan.
- Continue EMU acceptance testing (burn in)
- Receive two more EMU trainsets in late 2023. The remaining EMUs will be delivered in the 2nd and 3<sup>rd</sup> quarter of 2024 in support of September Revenue Service.
- Complete end to end full corridor live runs prior to substantial completion.
- Finalize Substantial Completion and Final Acceptance Check List.

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

### 1.7 Critical Items

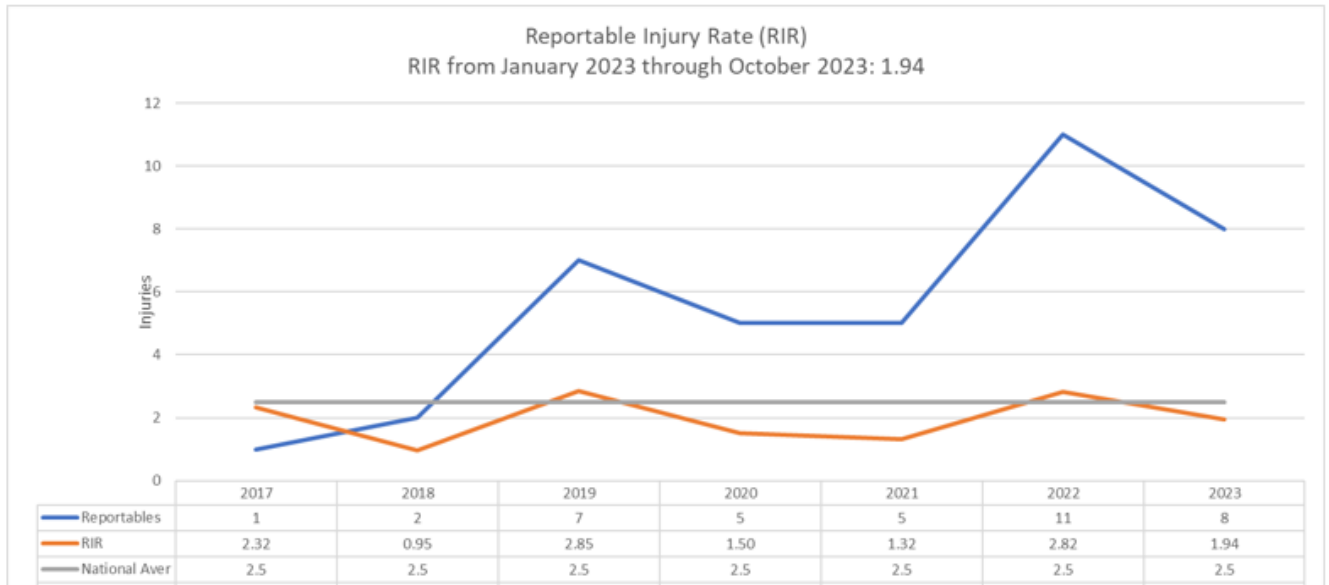
As of October 2023, PCEP has energized traction power substations, completed All Segment signal cutover, fulfilled the \$410M funding gap, and has adequate RWIC to support field construction. The top critical items and related actions are highlighted below.

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

Critical Issues	Actions
<p>Overhead Contact System (OCS) installation delay due to low productivity</p> <p>Note: The project OCS work was on hold from March 10, 2022, to March 28, 2022, during the safety stand down.</p> <p>Segment 2 OCS was damaged during high wind and heavy rainstorms in late December 2022 and early January 2023</p>	<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 – Completed.</li> <li>• Hiring additional BBII OCS staff members to prevent schedule slippage and help in future installation planning – Completed.</li> <li>• Hold OCS construction scheduling recovery workshop for remaining OCS installation and testing – Completed.</li> <li>• Increase OCS crews and OCS wiring equipment to increase productivity – Completed.</li> <li>• More track access including weekend area closures for remaining Segments 1 and 2 OCS construction and testing. Weekend bus bridge construction started on February 11, 2023.</li> <li>• OCS storm repair work for Segment 2 is planned for September 2023 due to rainstorm and long lead time for materials. Completed</li> <li>• Bring on more regulating crews in May 2023. Mass will start regulating work in the first week of June 2023 – Completed.</li> <li>• Procure more equipment parts and ensure all equipment is performing well for construction – Completed.</li> <li>• Bring on equipment fitters and warehouse material manager on site – Completed.</li> <li>• Segment 2 damaged wire due to winter storms were repaired – Completed.</li> <li>• Continue to address OCS quality issues through joints walks and field verification – on-going</li> </ul>
<p>Complete TPS Short Circuit Tests</p> <ul style="list-style-type: none"> <li>• TPS 2 short circuit test delays drill track and Segment 4 mainline energization. TPS 2 Short circuit test was performed in May 2023 with some follow up actions.</li> <li>• TPS 1 Short Circuit Test is scheduled 1<sup>st</sup> quarter of 2023.</li> </ul>	<ul style="list-style-type: none"> <li>• Perform comprehensive root cause analysis and develop corrective action plan – Completed.</li> <li>• Implement configuration change control process including design drawing, shop drawings, as-built version control to ensure all parties are using the same set of drawings for TPS2 testing – On-going.</li> <li>• Perform technical working groups including all vendors and EOR – On-going.</li> <li>• Weekly management team briefing on corrective action status – On-going.</li> <li>• Perform independent assessment of the TPS – Completed.</li> <li>• Develop SSWP for all work performed at TPS for Caltrain review and approval – On-going.</li> <li>• Perform field verification and pre-testing before short circuit re-test – Completed.</li> <li>• Perform load bank testing prior to short circuit re-test. – Completed.</li> <li>• Developed remaining short circuit tests required for system completion – on going.</li> </ul>
<p>Theft of impedance bond or grounding cables may delay segment live run testing because the system (or portions of the system) cannot be energized without impedance bonds</p>	<ul style="list-style-type: none"> <li>• Monitor hot spot areas in segments 1, 3 and 4. Perform just in time replacement right before the testing.</li> <li>• Report Theft incidents with Transit PD</li> <li>• Enhance security with cameras and other monitoring systems.</li> <li>• Work with Communications on high voltage safety messages</li> <li>• Distribute high voltage safety fliers to the homeless encampments.</li> <li>• Implement asphalt cover for impedance bonds that have been repeatedly stolen. – on-going</li> </ul>

**2.0 SAFETY**

There were 3 reportable injuries in October 2023 bringing the total reportable injuries to 8 for the year. The Reportable Injury Rate (RIR) for 2023 YTD is currently 1.94. Overall, since the project’s construction started in 2017, the RIR is at 1.96, which remains below the national average of 2.5.



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

**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. In addition, Caltrain Safety continues weekly calls with the lead safety staff from Caltrain, PCEP, BBII, and TASI to discuss safety performance and ongoing initiatives. Caltrain initiated the 10’/10’ rule: 10’ from track and 10’ from overhead wires.

**Upcoming Work**

The Fire/Life Safety Committee continues to work with emergency responders along the Caltrain corridor on emergency preparedness in advance of energization. The safety team has updated the OCS and EMU emergency responder safety familiarization presentations to include voiceover features for use by the Fire Departments. The presentation will also be shared with other emergency responder jurisdictions through the project Fire/Life Safety Committee.

OCS and EMU First Responder was completed in October. In all 92 classes were given to emergency responders with a total number of 815 attendees.

Police Departments along the corridor are also currently being scheduled by the Transit Police to receive this training also.

In addition to the 815 emergency responders trained there were 242 third party and Tenant railroad employees trained for a total of 1057.

### 3.0 IMS PROGRAM SCHEDULE

#### 3.1 Introduction

The Integrated Master Schedule (IMS) Program Summary Schedule depicted in **Figure 3-1**, Master Program Summary Schedule shows the schedule status of the major PCEP projects. The current schedule dates for this program schedule were based on BBII's September 2023 Progress Schedule as well as the Stadler September 2023 EMU Progress Schedule. The Revenue Service Date (RSD) remains as September 26, 2024, and Full Funding Grant Agreement (FFGA) Revenue Completion Date (RCD) is still shown as December 31, 2024.

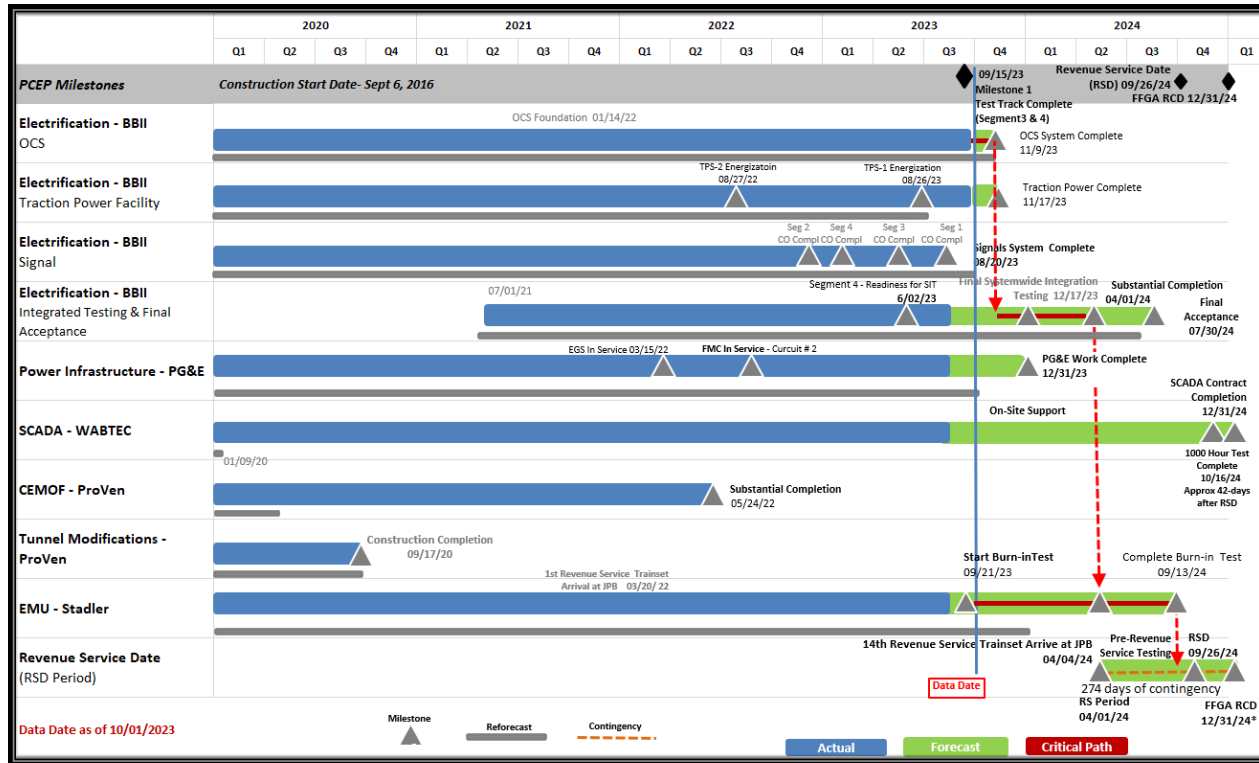


Figure 3-1. Master Program Summary Schedule



### 3.2 Critical Path Analysis

The current critical path has changed this month to the final Segment 4 Short Circuit Testing. This work is followed by Live Run Testing in Segments 1 and 2 followed by the 92-day Project Schedule Contingency, Substantial Completion, and Final Acceptance. The Longest Path plot (shown below) represents the as submitted critical path for the BBII September 2023 Update schedule.

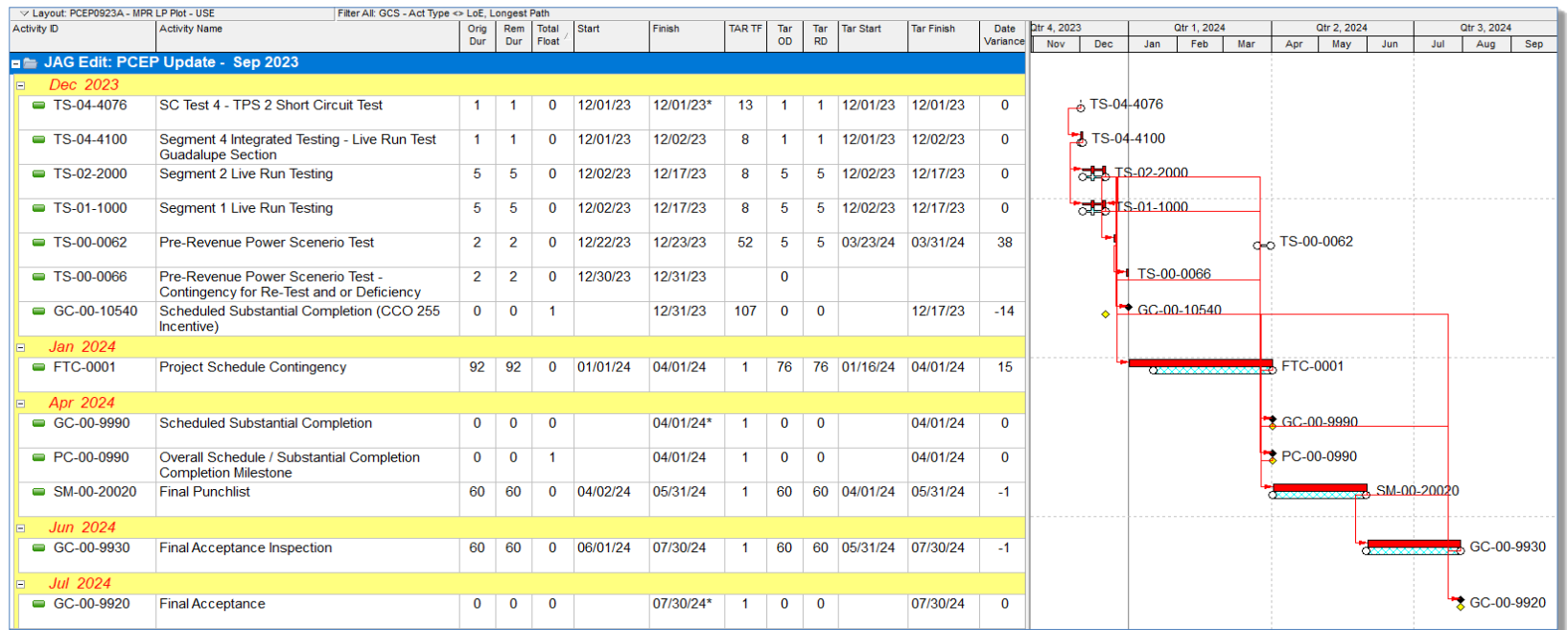


Figure 3-2. Critical Path Schedule





**3.3 Schedule Contract Milestone Analysis**

Contractor	Milestones	Reforecast Dates (Dec 2022)	Current Dates (Aug 2023)	Milestone Finish Date Variance	Total Float	Remarks
BBII	Segment 4 Completion (Final Short Circuit Test Report Delivered to JPB)	2/5/2023	5/31/2023	-115		Completed
BBII	Signal Cutovers and Systems Completion	8/20/2023	8/20/2023	0		Completed
BBII	Traction Power Substation #1 Energization	9/12/2023	8/26/2023	17		Completed
BBII	Completion of Milestone 1 (Segments 3 and 4)	5/28/2023	9/15/2023	-110		Completed
BBII	OCS Construction Completion	10/2/2023	11/9/2023	-38	23	This date does not include Guadalupe Bridge work.
BBII	OCS Construction Completion (Guadalupe Bridge)	10/25/2023	11/30/2023	-36	2	This milestone date includes the delivery of Guadalupe Bridge back to BBII on 10/21/2023.
BBII	System Integration Testing Start (Segment 4)	4/10/2023	06/05/2023	-55	0	JPB Continues to perform SIT testing in Segment 3 and 4.
BBII	System Integration Testing Completion	11/18/2023	12/17/2023	-29	0	Delayed by SC Test 4 – TPS 2 Short Circuit Test and Segments 1 and 2 Live Run Testing
BBII	Scheduled Substantial Completion	4/1/2024	4/1/2024	0	0	
Stadler	14th Trainset Arrival at JPB Site	10/12/2023	4/5/2024	-176	-10	The date committed to deliver the first 14 Trainsets by 3/24/2024 has slipped to 4/5/2024 (same as August Update).
BBII	Scheduled Final Acceptance	7/30/2024	7/30/2024	0	0	
JPB	Revenue Service Date (RSD)	9/26/2024	9/26/2024	0	N/A	

**Figure 3-3. Contract Milestone Analysis**



## 4.0 COST AND BUDGET

### 4.1 Introduction

This section presents an update on 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 October 31, 2023.

### 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	\$1,754,673,622	\$18,165,701	\$1,663,391,143	\$91,282,479	\$1,754,673,622	\$0
EMU	\$688,017,075	\$11,641,283	\$552,602,269	\$135,414,806	\$688,017,075	\$0
<b>PCEP TOTAL</b>	<b>\$2,442,690,697</b>	<b>\$29,806,985</b>	<b>\$2,215,993,412</b>	<b>\$226,697,285</b>	<b>\$2,442,690,697</b>	<b>\$0</b>

- Column A "Current Budget" includes re-baseline and 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.
- Column F "Variance at Completion" includes forecasted transfer of contingency from EMU to Electrification project.

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	\$11,906,750	\$1,010,409,797	\$86,624,084	\$1,097,033,881
EMU Procurement	\$556,072,601	\$564,986,271	\$10,102,667	\$457,591,495	\$107,394,776	\$564,986,271
Minor Construction Contracts (Tunnel, CEMOF, SCADA, Non-BBI OCS)	\$67,055,072	\$68,091,194	\$11,998	\$64,955,790	\$2,370,277	\$67,326,067
Real Estate Acquisition & Support	\$34,914,177	\$34,914,177	\$28,106	\$24,585,504	\$10,328,673	\$34,914,177
PG&E, Utilities	\$132,088,994	\$132,088,994	\$352,633	\$207,056,100	-\$78,796,706	\$128,259,394
Management Oversight & Support	\$312,699,697	\$315,007,767	\$2,756,471	\$287,525,455	\$27,482,312	\$315,007,767
TASI Support	\$114,488,767	\$136,528,469	\$2,756,481	\$110,551,823	\$25,976,647	\$136,528,469
Finance Charges	\$9,898,638	\$9,898,638	\$449,428	\$10,226,077	\$1,242,453	\$11,468,530
Insurance	\$6,581,851	\$6,581,851	\$0	\$6,291,001	\$290,850	\$6,581,851
Other Required Projects & Services	\$9,084,176	\$10,484,176	\$290,187	\$6,021,994	\$4,662,182	\$10,684,176
Environmental Mitigation	\$14,438,866	\$13,038,866	\$0	\$1,294,369	\$9,974,605	\$11,268,974
Caltrain Capital Overhead (ICAP)	\$48,217,887	\$48,217,887	\$1,152,263	\$29,484,006	\$18,733,881	\$48,217,887
Contingency	\$40,000,089	\$5,702,525	\$0	\$0	\$10,413,251	\$10,413,251
<b>Total</b>	<b>\$2,442,690,697</b>	<b>\$2,442,690,697</b>	<b>\$29,806,985</b>	<b>\$2,215,993,412</b>	<b>\$226,697,285</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 (27 Risk IDs listed below in Table 4-3) that are above \$250,000 require Change Management Board (CMB) approval.

**Table 4-3. Shared Risk Pool Status as of October 2023**

Risk ID	Risk Description	Risk Amount	Current Month	Executed to Date	Remaining Balance
1	Permanent Power Availability	\$268,572	\$0	\$178,365	\$90,207
2	Different Site Condition for OCS Foundation	\$3,500,000	\$0	\$1,253,451	\$2,246,549
3	Different Site Condition for Duct bank	\$2,800,000	\$0	\$435,798	\$2,364,202
4	Condition of existing Fiber backbone infrastructure	\$3,150,000	\$0	\$402,275	\$2,747,725
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	\$0	\$507,167	\$31,405
8	EMI Nonconformance by EMU Vendor	\$750,000	\$0	\$13,184	\$736,817
9	Reed Street Cutover	\$90,000	\$0	\$111,765	-\$21,765
10	Availability of low voltage power for cutover testing	\$1,120,000	\$0	\$2,381,123	-\$1,261,123
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	\$157,418	\$10,083
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	\$71,920	\$1,328,080
17	Third party Approval	\$150,000	\$0	\$353,277	-\$203,277
18	Impact from Caltrain other capital or third-party projects	\$2,166,683	\$930,732	\$1,819,568	\$347,114
19	Track access delay for BBII Construction	\$1,800,000	\$57,155	\$864,751	\$935,250
20	Additional light Maintenance and Protection Needs	\$280,000	\$15,974	\$180,505	\$99,495
21	Crossing Protection	\$220,000	\$0	\$102,334	\$117,666
22	Power facilities	\$500,000	\$0	\$845,576	-\$345,576
23	NCR's	\$0	\$0	\$0	\$0
24	Potholing	\$1,700,000	\$0	\$107,547	\$1,592,453
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	\$734,850	\$2,937,662	\$9,062,338
NA	Unidentified	\$54,179	\$0	\$0	\$54,179
	<b>BBII Risk Pool Total</b>	<b>\$50,000,000</b>	<b>\$1,738,710</b>	<b>\$12,752,607</b>	<b>\$37,247,393</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 unknowns. 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 ID	Description	Contingency
<b>PCEP Contingency Budget</b>		<b>\$40,000,088</b>
STA-056-CCO-038	Allowance for Electric Power Cost at TTCI	(\$132,365)
STA-056-CCO-041	Manual Phase Break	(\$43,520)
STA-056-CCO-042	Stadler Project Time Extension	(\$8,021,124)
ARINC-061-CCO-005	Traction Power Facility SCADA Database Changes	(\$1,036,122)
PROV-070-CCO-056	Proven Tunnels Final Settlement	\$1,000,000
PROV-071-CCO-069	Proven CEMOF Final Settlement	(\$1,000,000)
BT-027D	Legal Support FY23 - PG&E Counsel	(\$200,000)
BT-029D	GFI Electrification FY23-24 Additional Staff	(\$2,108,070)
STA-056-CCO-053	Stadler – Passenger Convenience Outlets	(\$716,661)
BT-035C	TASI Support – Electrification (2023-2024) rev1	(\$22,039,703)
<b>Remaining Contingency</b>		<b>\$5,702,524</b>
BT-049	CNPA – Mary Ave Pre-emption (Non-PCEP)	\$116,000
PG&E-042-BT-5	PG&E – Supplemental Agreement 4 – EAC Update	\$3,829,600
PROV-070-CLOSE	Proven Tunnels – Close out of Final Actuals	\$184,910
PROV-071-CLOSE	Proven CEMOF – Close out of Final Actuals	\$580,217
<b>Forecasted Remaining Contingency</b>		<b>\$10,413,251</b>

Note: EAC Contingency reflects forecast contingency.

The total Program Contingency as of the December 2021 Re-Baseline Budget totaled \$90M including Allocated and Unallocated Contingency, and BBII Risk Pool. Table 4-5 summarizes the current remaining and forecasted contingency balance as of the monthly update.

**Table 4-5. Overall Program Contingency**

	Total E = (A+D)	Shared Risk Pool with BBII	Program Contingency		
		BBII Risk Pool (A)	Allocated (B)	Unallocated (C)	Subtotal D = (B+C)
<b>PCEP Contingency</b>	<b>\$90,000,088</b>	<b>\$50,000,000</b>	<b>\$24,115,581</b>	<b>\$15,884,507</b>	<b>\$40,000,088</b>
Drawn Contingency	(\$47,050,171)	(\$12,752,607)	(\$21,953,405)	(\$12,344,159)	(\$34,297,564)
<b>Remaining Contingency</b>	<b>\$42,949,917</b>	<b>\$37,247,393</b>	<b>\$2,162,176</b>	<b>\$3,540,348</b>	<b>\$5,702,524</b>
Pending Changes	\$3,543,365	(\$1,167,362)	\$0	\$4,710,727	\$4,710,727
<b>Forecasted Remaining Contingency</b>	<b>\$46,493,282</b>	<b>\$36,080,031</b>	<b>\$2,162,176</b>	<b>\$8,251,075</b>	<b>\$10,413,251</b>

#### 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.

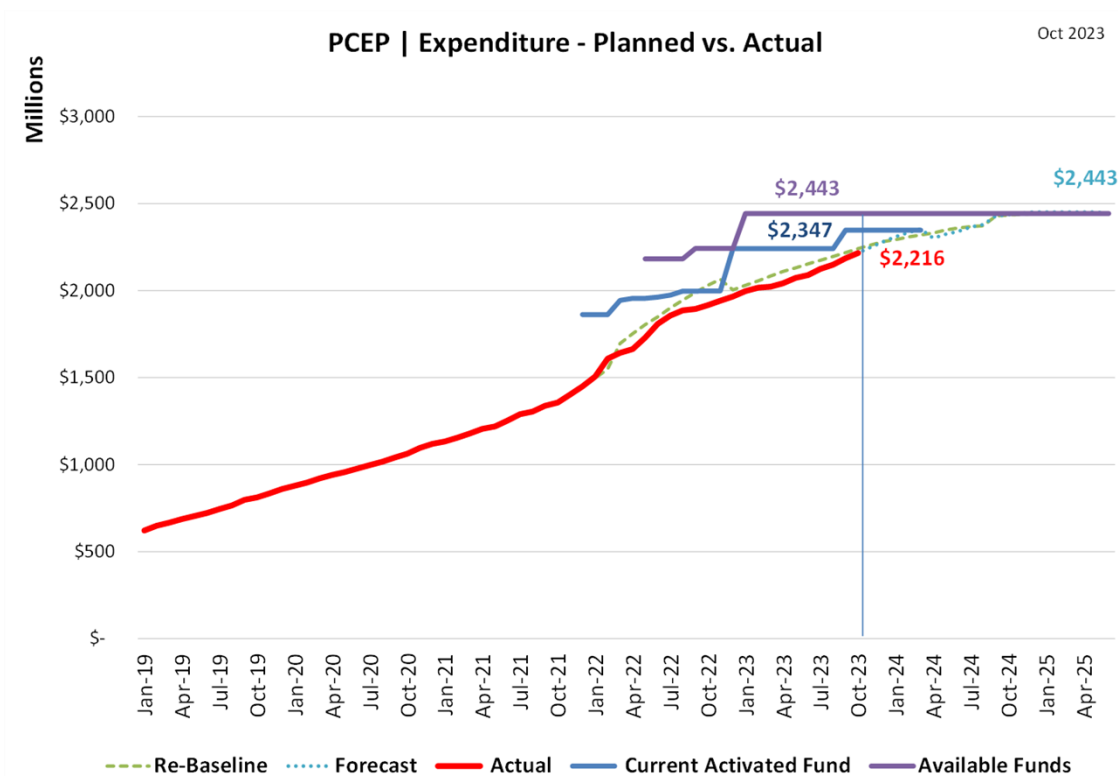
**Table 4-6. BBI Incentives**

Incentives	Budgeted	Awarded	Balance
<b>Contract Incentive:</b>			
Quality	\$1,250,000	\$1,000,000	\$250,000
Safety	\$2,500,000	\$1,000,000	\$1,500,000
Community Outreach	\$2,500,000	\$2,000,000	\$500,000
DBE	\$900,000	\$0	\$900,000
<b>Total Contract Incentive</b>	<b>\$7,150,000</b>	<b>\$4,000,000</b>	<b>\$3,150,000</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>\$0</b>	<b>\$15,000,000</b>

**4.5 Program Cash Flow and Funding**

The remaining program expenditures are cash flowed in Figure 4-1. With the award of the full funding, the program does not expect any cash flow issues due to funding.

**Figure 4.1. Expenditure – Funding Cash Flow**



4.6 Issues

Table 4-7. Cost and Funding Issues Identified, and Actions Taken for October 2023

Issues	Actions
Late receiving of PG&E \$99 million reimbursement	<ul style="list-style-type: none"><li>• Work with PG&amp;E to project reimbursement date; the latest forecast is March 2024</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/CCO

The following Shared Risk items were executed in October 2023:

- CCO-043 EMU Passenger Broadband Integration was executed on October 5, 2023, for \$1,999,015.
- CEMOF Objects Anchorage and G&B was executed on October 16, 2023, for \$26,913.
- Pantograph Security Analysis was executed on October 16, 2023, for \$73,101.
- PES Install at CEMOF was executed on October 16, 2023, for \$29,733.
- Stanford Station Lighting Undergrounding was executed on October 16, 2023, for \$15,974.
- 25th Avenue Grade Separation Ground Leads Install was executed on October 17, 2023, for \$637,711.
- High Voltage Warning Signage was executed on October 17, 2023, for \$639,716.
- Track Access Delays July 2023 was executed on October 24, 2023, for \$88,770.
- Anti-theft Asphalt Test Locations was executed on October 24, 2023, for \$22,033.
- CEMOF YT-5 G&B and Wire Removal was executed on October 30, 2023, for \$236,375.

#### 5.2.2 CMB Approved Items

- High Voltage Warning Signage.
- 25<sup>th</sup> Ave Grade Separation Grounding and Bonding

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

- Debris Pile Removal at FDN 46.1-19
- Tap Settings Change (to 26.5kv)
- Pole Recoloring at 4th & King Station
- 4th & King Flagpole Removal
- Testing for Step & Touch Potential at TPFs
- Test Train Passing CEMOF Isolation Limits
- Segment 3 Low Voltage (Generators)
- Test Train Passing CEMOF Isolation Limits
- Stanford Station Lighting Undergrounding
- CCO-260 Contract Language Revisions for Intermediate Milestone 1

- CCO-043 EMU Passenger Broadband Integration

**5.3 Issues**

**Table 5-1. Change Management Issues Identified and Actions Taken for October 2023**

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 - Completed.</li> <li>• BBII provides isolation and protection once Segment 4 is powered up.</li> <li>• Maintenance Service for public procurement strategy has changed to implementing amendment to railroad operator and maintainer TASI for OCS/TPS maintenance work.</li> <li>• Develop evaluation criteria for TASI Maintenance Service proposals - Completed</li> <li>• TASI performs isolation and inspections for milestone 1 limits since Oct 2023</li> </ul>
Caltrain broadband implementation may impact EMU delivery and burn in for electrified service revenue service	<ul style="list-style-type: none"> <li>• Issue change order to Stadler to install broadband equipment at Salt Lake Facility and Caltrain CEMOF</li> <li>• Close coordinate with Broadband project on wayside installation and integration</li> <li>• Revised remaining EMU delivery dates that includes broadband equipment.</li> </ul>

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: Dahlia Chazan, Deputy Chief Caltrain Planning  
Subject: **Final Fall 2024 Electrified Service Plan**

Finance Committee Recommendation       Technology, Operations, Planning, and Safety Committee Recommendation       Advocacy and Major Projects Committee Recommendation

**Purpose and Recommended Action**

Staff recommends the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) receive the attached presentation on the Final Electrified Service Plan for Fall 2024.

This item is informational only.

**Discussion**

Caltrain has been working diligently with its partners and the local communities to complete the Electrification Project, which will electrify 51 miles of the Caltrain corridor from San Francisco Station to Tamien Station in San Jose. In preparation for the Fall 2024 launch of electrified service, Caltrain initiated a service planning process in early 2023 that builds upon recent and ongoing engagement, policy, and planning efforts. The purpose of this effort is to develop an electrified service plan and new schedule with the intended outcome of enhancing the Caltrain customer experience by providing more station stops, competitive travel times, enhanced off-peak service, coordinated transfers, and a user-friendly schedule.

The project team has developed a final electrified service plan based on feedback collected through a robust community outreach campaign and stakeholder engagement, the results of a travel market and equity analysis, and operational considerations. Between San Francisco and San Jose, the proposed electrified service plan will provide faster service and more station stops with all-electric trains, while providing the same total number of trains per weekday (104 trains) as today. Between San Jose and Gilroy, four roundtrips per day will be provided via a South County connector service, with schedules tailored to feedback received from South County residents in June 2023. The final weekend service plan will provide a significant increase in service going from hourly to half hourly service (2 trains per hour per direction) at all stations between San Francisco and San Jose.

Staff will present an overview of the service planning process and share the final service plan during the presentation to the Board. In addition, staff will discuss next steps leading up to the

launch of Fall 2024 electrified service, including electric train testing on the corridor, financial analysis and refinement, and development of the final electrified service schedule. Electric train testing is a critical next step in the electrified service planning process and will inform both the financial analysis and development of the final electrified service schedule.

**Budget Impact**

Projected operating costs for electrified service are included in the Board approved budget for Fiscal Years 2024 and 2025. Given that electrified service is a new technology and operating model for FY25, staff will work to refine related costs as testing starts in FY24 and the first trains begin running.

Prepared By:	Melissa Jones	Deputy Director, Caltrain Policy Development	650-339-1908
	David Pape	Caltrain Policy and Program Manager	650-418-6025

**Peninsula Corridor Joint Powers Board  
Staff Report**

To: Board of Directors  
Through: Michelle Bouchard, Executive Director  
From: James Harrison, General Counsel  
Nadine Fogarty, Deputy Director, Transit Oriented Development (TOD) and Real Estate Planning  
Subject: **Update on SamTrans' Search for a New Headquarters Building and Caltrain Analysis of its Options**

Finance Committee Recommendation       Technology, Operations, Planning, and Safety Committee Recommendation       Advocacy and Major Projects Committee Recommendation

**Purpose and Recommended Action**

This report includes an informational update that requires no action by the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB” or “Caltrain”).

**Discussion**

Caltrain staff currently occupy office space owned by the San Mateo County Transit District (SamTrans) at 1250 San Carlos Avenue in San Carlos. Under the existing Independent Cost Allocation Plan (ICAP), Caltrain reimburses SamTrans for its share of depreciation costs for the building as well as for maintenance and security expenses and overhead costs associated with the shared services provided by SamTrans. SamTrans is currently exploring opportunities to purchase a new headquarters building. As a result, Caltrain staff are analyzing Caltrain’s options for future office space, which include co-locating with SamTrans, either as a lessee or co-owner, or leasing or purchasing office space along the Caltrain corridor independent of SamTrans.

The purpose of this informational briefing is to provide background information regarding SamTrans’ headquarters search, a description of the work in which Caltrain is currently engaged, and a timeline for bringing a recommendation regarding Caltrain’s options to the Board for its consideration.

**Background**

The current SamTrans headquarters building is outdated, suffers from significant deferred maintenance and is rapidly deteriorating. For the last several years, SamTrans has been exploring the potential to redevelop the building to include new office space using a public-private partnership approach; however current financial market conditions, including high interest rates, make this approach infeasible for the foreseeable future. Recently, SamTrans

shifted its focus to consider the acquisition of a building rather than redeveloping its current facility given that current office market conditions present an opportunity to purchase a building with favorable terms. In August, the SamTrans Board met to consider the agency's options and authorized SamTrans staff to begin a search for a new headquarters building based on the following criteria:

1. Any offer made by or on behalf of SamTrans to acquire a new headquarters facility must first be reviewed and approved by the SamTrans Board's HQ Ad Hoc Advisory Committee.
2. Any final purchase agreement for a headquarters building is subject to approval by the SamTrans Board.
3. The cost of a new headquarters building, including tenant improvements, may not exceed \$136 million.
4. Any new headquarter building must be located in San Mateo County and within a ¼-mile walk of a rail transit station.

The SamTrans Board also authorized its staff to engage a real estate broker, CBRE, to assist in the search, and directed the SamTrans General Manager to brief the Board on options for a new headquarters building at its January meeting if a suitable headquarters building is not identified for acquisition prior to December 31, 2023. The SamTrans Board also established an ad hoc committee to provide on-going input to staff as SamTrans advances its search for a new building.

If a suitable new headquarters building is identified, SamTrans plans to finance the acquisition with a mix of capital funds and debt.

Caltrain and SamTrans staff met on October 19 and November 16, 2023, to discuss SamTrans' headquarters search. To facilitate Caltrain's consideration of its options, including co-locating with SamTrans or relocating independent of SamTrans, and the costs and benefits of leasing versus owning, staff agreed to share confidential information pursuant to a common interest agreement. In addition, SamTrans agreed to make its broker available to Caltrain to provide information about the market.

To further its analysis of its options, Caltrain has retained Arup through an on-call planning contract. Arup's scope of work includes assisting Caltrain in exploring high-level options for how Caltrain may proceed, including estimating a range of potential costs for different options. Arup's tasks include:

- Estimating a range of square footage needed by Caltrain in a new headquarters building, with consideration of potential future growth.
- Conducting market research and estimating expected costs for Caltrain to obtain headquarters space under the following scenarios:
  - Lease office space proximate to a Caltrain station
  - Purchase office space for Caltrain proximate to a Caltrain station

- Co-locate with SamTrans (including leasing space from SamTrans or co-investing in a building.)
- Working with Caltrain staff to develop a recommendation based on Caltrain's options.
- Evaluating proposals for co-location presented by SamTrans in order to inform negotiations.

In evaluating Caltrain's options, staff and Arup intend to focus on locations within walking distance of a Caltrain station and rely upon the following criteria:

- Ability to meet Caltrain's current and expected future space requirements and operational needs.
- Cost to purchase or lease and any other financial considerations.
- Expected impact on employee retention and recruitment.
- Other key location factors such as frequency of Caltrain service and presence of neighborhood amenities such as restaurants and cafes.

Staff anticipate that Arup's analysis will be complete in time to present the results of the analysis and recommendations for next steps to the Finance Committee and the Board at their meetings in January and February, respectively.

#### **Budget Impact**

This informational item has no budget impact.

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