



JPB Technology, Operations, Planning, and Safety (TOPS) Committee
Meeting of May 28, 2025

Supplemental Reading File

Subject

1. RFP 24-J-C-107 Construction Manager General Contractor Services for the Middle Avenue Pedestrian and Bicycle Rail Undercrossing - Notice of Award



Memorandum

TO: JPB Technology, Operations, Planning, and Safety (TOPS) Committee

FROM: Michelle Bouchard, Executive Director

DATE: May 21, 2025

RE: RFP 24-J-C-107 Construction Manager General Contractor Services for the Middle Avenue Pedestrian and Bicycle Rail Undercrossing - Notice of Award

Introduction

This memo provides an informational update regarding funding for the Construction Manager General Contractor Services (CMGC) for the Middle Avenue Pedestrian and Bicycle Rail Undercrossing Project (Project). No action is required from the TOPS Committee at this time, and we will continue to apprise you as new developments arise.

Discussion

On April 3, 2025, the Board authorized the award of the pre-construction phase of the Project to Myers and Sons Construction, LLC for \$594,415.98. The pre-construction work is now underway and is fully funded by the City of Menlo Park (City). The Project will enhance pedestrian and bicycle connectivity across the Caltrain corridor in Menlo Park, improving safety and accessibility between key residential, commercial, and recreational areas. The project includes two phases: pre-construction and construction.

The funding provided by the City for the construction phase consists of two key sources: 1) the One Bay Area Grant Cycle 3 (OBAG-3), and 2) a federal omnibus budget bill appropriation, which is currently administered through the Federal Highway Administration (FHWA).

As part of aligning the project funding with the approved CMGC delivery method, it was confirmed that the City intends to use FHWA-administered funds for a portion of construction. Because FHWA imposes restrictions on the use of CMGC, and Caltrain projects are generally subject to Federal Transit Administration (FTA) oversight, the funds must be transferred to FTA to comply with Public Utilities Code Section 103395.

However, after the Peninsula Corridor Joint Powers Board (JPB) approved the use of CMGC project delivery and Caltrain issued a request for proposals, Caltrain staff learned that the City intended to fund a portion of the construction through FHWA funds, which imposes limitations on the use of the CMGC project delivery method. As a result, the FHWA funds must be

transferred to the FTA to allow project oversight consistent with Public Utilities Code Section 103395.

The City is leading the inter-agency coordination needed for this transfer. While the proposed funding swap raises no immediate concerns, staff notes that the federal funds transfer process has taken longer than anticipated. We remain in contact with the City and funding partners to support progress and minimize any downstream impacts on construction timelines. Construction is currently scheduled to begin in early 2027.

Importantly, this administrative step has no impact on:

- The current CMGC contract authorized by the Board
- Pre-construction activities
- The total committed funding to date, which remains \$21.79 million, supported by a mix of local, regional, federal, and private sources:

Table 1: Middle Undercrossing Funding Plan				
No.	Funding	Source	Amount	Phase
1	Measure A/W Pedestrian/Bicycle Program	San Mateo County Transportation Authority	\$1,130,000.00	Design
2	Middle Plaza development agreement contribution	Private, Stanford University	\$5,000,000.00	Construction
3	Transportation Impact fees	City of Menlo Park	\$5,658,334.00	Design, Construction, right-of-way
4	Stanford University recreational mitigation grant	Santa Clara County	\$1,000,000.00	Construction
5	One Bay Area Grant – Third Cycle (OBAG-3) Commission	Metropolitan Transportation Commission	\$5,000,000.00	Construction
6	Federal omnibus budget bill	United States Department of Transportation	\$4,000,000.00	Construction
Total			\$21,788,334.00	

Planned Actions

- The City of Menlo Park has recommended proceeding with the notice of award the pre-construction phase, rather than waiting for the completion of the federal fund transfer.
- To avoid delays, Caltrain issued the (Notice of Award) NOA to Myers and Sons Construction, LLC, on May 9, 2025.
- Staff will continue coordinating with the City of Menlo Park and Caltrans to facilitate the successful transfer of FHWA-administered funds to the FTA.
- A follow-up meeting with Caltrans will be scheduled, as needed, to clarify the process for transferring earmarked federal funds.
- Caltrain has prepared a memo to file documenting the rationale for proceeding with the CMGC delivery method under existing risk guidance, in the event of future federal review or audit.
- Updates will be provided as key milestones are reached or if any issues arise requiring Board attention or action.

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5/1/2025
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