



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Finance Committee Meeting

Committee Members: Dev Davis (Chair), Ron Collins, Monique Zmuda

Due to COVID-19, this meeting will be conducted via teleconference only (no physical location) pursuant to the [Governor's Executive Orders N-25-20 and N-29-20](#). Directors, staff and the public may participate remotely via Zoom at <https://zoom.us/j/98291920938> for audio/visual capability or by calling 1-669-900-9128, Webinar ID: #982 9192 0938 for audio only. The video live stream will be available after the meeting at <http://www.caltrain.com/about/bod/video.html>

Public Comments: Members of the public are encouraged to participate remotely. Public comments may be submitted to 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 after an agenda item is heard will be included into the Board's weekly correspondence and posted online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html.

Oral public comments will also be accepted during the meeting through Zoom or via the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Use the Raise Hand feature to request to speak. For public 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 the Hand feature for public comment. 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.

June 22, 2020

2:30 pm

1. Call to Order/Pledge of Allegiance
2. Roll Call

3. Public Comment on 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.

- | | |
|---|---------------|
| 4. Approve Meeting Minutes of May 26, 2020 | MOTION |
| 5. Finance and Ridership Updates – COVID-19 | INFORMATIONAL |
| 6. Accept Statement of Revenues and Expenditures for May 2020 | MOTION |
| 7. Award of Contract for Marin and Napoleon Street Bridge Replacement Project for \$8,907,901 | MOTION |
| 8. Award of Contract for Caltrain Naming Rights and Sponsorship Consulting Services | MOTION |
| 9. Authorize Amendment to Contract to Operate the San Francisco Caltrain Bicycle Parking Facility | MOTION |
| 10. Authorize Execution of Funding Agreement with the Metropolitan Transportation Commission for Clipper START, the Regional Means-Based Fare Pilot Program | MOTION |
| 11. Authorize Execution of Amendment 2 of the Amended and Restated Clipper Memorandum of Understanding | MOTION |
| 12. Approve and Ratify Fiscal Year 2021 Insurance Program | MOTION |
| 13. Committee Member Requests | |
| 14. Date/Time of Next Regular Finance Committee Meeting:
Monday, July 27, 2020 at 2:30 pm, via Zoom or at San Mateo County Transit District Administrative Building, 2 nd Floor, 1250 San Carlos Avenue, San Carlos, CA | |
| 15. Adjourn | |

INFORMATION FOR THE PUBLIC

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board. If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at www.caltrain.com. Communications to the Board of Directors can be e-mailed to 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 Finance Committee: Fourth Monday of the month, 2:30 pm. Date, time and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting

Due to COVID-19, the meeting will only be via teleconference as per the information provided at the top of the agenda. the Public may not attend this meeting in person.

Public Comment*

Members of the public are encouraged to participate remotely. Public comments may be submitted to 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 http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html. Oral public comments will also be accepted during the meeting through Zoom or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM and 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 for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in 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 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; 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 are distributed to a majority of the legislative body will be available for public inspection at 1250 San Carlos Avenue, San Carlos, CA 94070-1306, at the same time that the public records are distributed or made available to the legislative body.

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

DRAFT MINUTES OF MAY 26, 2020

MEMBERS PRESENT: D. Davis(Chair), R. Collins, M. Zmuda

MEMBERS ABSENT: None

STAFF PRESENT: D. Hansel, M. Bouchard, J. Cassman, S. van Hoften, J. Funghi, L. Larano, L. Leung, C. Gayotin, D. Seamans, J. Brook, S. Wong

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Dev Davis called the meeting to order at 2:31 pm and led the Pledge of Allegiance.

2. ROLL CALL

District Secretary Dora Seamans called the roll and confirmed all Members were present.

3. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

None.

4. APPROVAL OF MEETING MINUTES OF APRIL 27, 2020

Motion/Second: Zmuda/Davis

Ayes: Collins, Zmuda, Davis

Noes: None

Absent: None

5. FINANCE AND RIDERSHIP UPDATES – COVID-19

Michelle Bouchard, Chief Rail Officer, provided an update on operations, noting that Caltrain has been in essential service mode for over a month now with hourly service on the weekdays and 90-minute service on the weekends. Ms. Bouchard pointed out a slight increase in the number of one-way tickets purchased. She stated that staff has been working on an initial re-opening plan with an increased level of service of nearly three trains per hour per direction, striking a balance between trains used and physically distancing customers. Ms. Bouchard said they have also considered transfers at major nodes, such as Millbrae, and adjusting the supply level to meet returning ridership demands. She stated that single-tracking has seen huge benefits, particularly with the 25th Avenue Grade Separation project.

Derek Hansel, Chief Financial Officer, followed with a financial update, noting that they have been effective at managing cash and the first tranche of Federal funds have covered revenue losses for March and April. He stated that this week and next week would be periods of addressing Go Pass losses, first with customers, then through the Board, and then with Federal funds. Mr. Hansel indicated that there were limits to financial adjustments in staffing, but they have implemented a hiring freeze for all but the most essential positions, and deferred wage increases.

Public comment

Roland Lebrun, San Jose, provided suggestions on ridership decreases, physical distancing, and hiring freezes.

Adina Levin, Friends of Caltrain, commented on working with other agencies and international experts for a comprehensive approach for safety, communication, and mitigation issues regarding re-opening.

Aleta Dupree, Oakland, commented on three trains per hour and Go Pass.

The Board members had a discussion and staff provided further clarification in response to Board comments and questions. Topics included bench marks for increasing the number of trains per hour, the ability to increase the length of the trains to accommodate distancing, capacity of trains for social distancing, self-policing, communication with riders regarding new requirements, three trains per hour during commute times, types of trains used, methods for maintaining distance, physical barriers, regional coordination, use of Twitter for immediate updates, managing non-compliant riders, and use of CARES Act funding.

6. ACCEPT STATEMENT OF REVENUES AND EXPENDITURES APRIL 2020

Mr. Hansel noted that there was no staff presentation and was available for questions.

Public Comment:

Roland Lebrun, San Jose, commented on fare box revenues, wages and benefits, and Caltrain savings.

There were no Board questions or comments on the item.

Motion/Second: Zmuda/Collins

Ayes: Collins, Zmuda, Davis

Noes: None

Absent: None

7. ADOPTION OF FISCAL YEAR 2021 INTERIM OPERATING BUDGET AND FISCAL YEAR 2021 CAPITAL BUDGET

Mr. Hansel introduced the interim operating and capital budgets covering the first quarter of fiscal year 2021. He explained the budget challenges, mitigating measures, proposed actions, obtaining Board authority for remainder of the fiscal year, the capital budget, key assumptions, interim revenues, interim expenses, interim funding sources, and next steps.

Public Comment:

Roland Lebrun, San Jose, commented on posting the presentation, positive train control (PTC) deadlines, hiring freeze, over time, Transit America Services, Inc. (TASI) wage increases, and refunds.

Adina Levin, Friends of Caltrain, commented on voter federal funding advocacy efforts, and had questions on electrification and member agency funding.

Board members had a robust discussion and staff provided further clarification in response to Board comments and questions, which included the following: TASI salary increase schedules, cost of living adjustments for operators, status of labor negotiations, Positive Train Control (PTC) cost estimates, 92 train schedule cost savings possibilities, expenses for the first tranche, the need for additional capital projects (in regard to the state of good repair), State Transit Assistance Act (STA) funds, CARES Act funding flexibility, FEMA funding options, member agency contribution increases due to insurance increases, necessary cost increase due to Positive Train Control (PTC), 70 trains timetable, data line services, electrification funding, line fiber optics, and cellular equipment for poles.

Motion/Second: Collins/Zmuda
Ayes: Collins, Zmuda, Davis
Noes: None
Absent: None

8. PROVIDE AN EXTENSION OF CURRENT GO PASS TERM FOR ALL CURRENT PARTICIPANTS IMPACTED BY COVID-19 SHELTER IN PLACE ORDER

Mr. Hansel stated that there was no presentation and that he was available for inquiries. He said most Go Pass customers stayed, with the exception of a single cancellation notice given for July.

The Board members had a robust discussion and staff provided further clarification in response to the Board comments and questions regarding CARES funding covering Go Pass revenues, scheduled increases for Go Pass pricing, participant notification, and which County's orders would extend Go Pass terms.

Public Comment:

Adina Levin, Friends of Caltrain, commented on Menlo Park potentially cancelling Go Passes as a cost saving measure.

Motion/Second: **Davis/Collins moved to approve with the amendment to include the May 31, 2020 as the resolution term date unless staff returns to the full Board with a different date.**

Ayes: Collins, Zmuda, Davis
Noes: None
Absent: None

9. AWARD OF CONTRACT FOR LAW ENFORCEMENT SERVICES

Concepcion Gayotin, Procurement Manager, reported that this project underwent a formal solicitation through request for proposal (RFP) process and staff recommended that the contract be awarded to the San Mateo County Sheriff's Office to provide Law Enforcement Services; these services included patrol services, coordination of all requests for police service, collision investigations, police reports, crime scene investigation, criminal forensics, coroner services, and special events coverage. She stated that the contract is for a five-year base term with one five-year option term and the total cost is shared with the Joint Powers Board (JPB) at 78 percent, and the San Mateo Transit District at 22 percent.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding when the negotiations occurred and the not-to-exceed amounts versus the expected amounts.

Motion/Second: Zmuda/Collins
Ayes: Collins, Zmuda, Davis
Noes: None
Absent: None

10. AWARD OF CONTRACTS FOR PROVISION OF INVESTMENT MANAGEMENT AND CUSTODY AND SAFEKEEPING SERVICES

Ms. Gayotin explained that this award went through a formal solicitation through RFP (request for proposals), eight proposals were evaluated, an award was recommended to PFM for investment management services and US Bank to provide custody and safekeeping services. She stated that the contracts are for a five-year base term with a not-to-exceed amount of \$425,000 for PFM and \$50,000 for US Bank, fees come into effect when funds become available.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding the definition of custody and safekeeping services.

Motion/Second: Zmuda/Collins
Ayes: Collins, Zmuda, Davis
Noes: None
Absent: None

11. EXECUTION OF CONTRACTS FOR INFORMATION TECHNOLOGY LICENSES, MAINTENANCE SERVICES, AND PROFESSIONAL SERVICES

Ms. Gayotin explained that this authorizes the execution of contracts greater than \$150,000 with original equipment manufacturers or product licensors and their distributors when no cooperating purchasing agreements are available nor competitive solicitations make sense.

Chair Davis thanked staff for including a quarterly report in the resolution and requested it be included on the consent calendar agenda for the Finance Committee.

Motion/Second: Zmuda/Collins
Ayes: Collins, Zmuda, Davis
Noes: None
Absent: None

12. EXECUTION OF CONTRACTS FOR TECHNOLOGY-RELATED PRODUCTS AND SERVICES THROUGH PIGGYBACKING CONTRACTS AND COOPERATIVE PURCHASING PROGRAMS

Ms. Gayotin explained that this authorizes the execution of contracts greater than \$150,000 with vendors through piggybacking contracts and cooperative purchasing agreements as necessary for the purchase, lease, and rental of the computer and telecommunications equipment, maintenance agreements, hardware and software,

configuration of equipment, computer peripherals, temporary technology consultants, and purchases not exceed \$1.31 million.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions on contracts requiring Board approval with the threshold of \$150,000, the total aggregate amount of the contract, and how this quarterly report would be distributed.

Motion/Second: Zmuda/Collins

Ayes: Collins, Zmuda, Davis

Noes: None

Absent: None

13. AUTHORIZE AMENDMENTS TO CONTRACTS FOR ON-CALL RAILROAD BUSINESS OPERATIONS AND SYSTEMS SUPPORT SERVICES

Lawrence Leung, Manager of Rail Contracts & Budget, explained that this was a ten-year contract, a six-year base with two two-year options. He stated that they were currently in the fourth year with the base term ending in April 2022, this contract has four categories (operations, business, system, and safety) and six vendors (HDR, Stantec, WSP, CDM Smith, LTK, and B&G). Mr. Leung requested base increase capacity for category one and four (operations and safety), \$1.26 million and \$2.26 million increase respectively. He explained that the major factors for these increases are due to seeking a Director of Rail Integration, for numerous capital projects that was not anticipated four years ago, and for an independent review of the 2019 derailment.

Public Comment:

Roland Lebrun, San Jose, commented on expenses for the Director of Rail Integration.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding outsourcing the funding for the Director of Rail Integration.

Motion/Second: Collins/Zmuda

Ayes: Collins, Zmuda, Davis

Noes: None

Absent: None

14. AUTHORIZE AMENDMENT TO ON-CALL ELECTRIFICATION SUPPORT SERVICES CONTRACT FOR THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

John Funghi, CalMod Chief Officer, with the Board's consent, provided updates on agenda items 14 and 15 together. He informed the Board that the program's day-to-day management is handled by engineering consultants and they have recently been evaluating the consultant agreements, the remaining contract capacity, the time needed for program completion, and the estimated close out of the project at the end of 2022. Mr. Funghi explained that this resolution supplies construction management services, and the second contract provided project control support for the program. He stated that both contracts are requesting contract authority increases with varied impacts to the PCEP budget. He stated that this contract requires a \$7.5 million increase in contract authority to their contract. Mr. Funghi stated that Item #15

asks for an increase of \$7.35 million in contract authority that is already budgeted in the PCEP program, and hence, there is no contingency impact. He stated that the resolutions ask for a two-year extension to both contracts.

Public Comment:

Roland Lebrun, San Jose, commented on Gannett Fleming and URS Corporation Americas, Inc. extensions.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding Gannett Fleming extension dates, contingency amounts drawn, and the project completion date versus contract extension date.

Motion/Second: Davis/Collins moved approval of both Items 14 and 15 together

Ayes: Collins, Zmuda, Davis

Noes: None

Absent: None

15. AUTHORIZE AMENDMENT TO ON-CALL PROGRAM MANAGEMENT SUPPORT SERVICES CONTRACT FOR THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

Mr. Funghi explained Items 14 and 15 together with the consent of the Board.

Motion/Second: Davis/Collins moved approval of both Items 14 and 15 together

Ayes: Collins, Zmuda, Davis

Noes: None

Absent: None

16. COMMITTEE MEMBER REQUESTS

Director Zmuda requested more details on the TASI labor negotiations at the full Board meeting.

Director Collins requested the amount of STA funds be provided in regard to percentage of Caltrain revenues.

Chair Davis requests were as follows: discuss increased member contribution due to increased insurance rates with the member agencies; remove the increases in staff for security services from the interim budget; provide additional information regarding data line services dependent on the acceptance schedule of the Peninsula Corridor Electrification Program (PCEP); clarify in the resolution as to which counties would extend Go Pass terms; and, she also requested a second resolution if there will be a second shelter-in-place order given.

17. DATE/TIME OF NEXT REGULAR FINANCE COMMITTEE MEETING

Monday, June 22, 2020 at 2:30 pm, via Zoom or at San Mateo County Transit District Administrative Building, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA

18. ADJOURN

The meeting adjourned at 4:55 pm.

Finance Committee Meeting
Minutes of May 26, 2020

An audio/video recording of this meeting is available online at <https://www.caltrain.com/about/bod/video.html?> Questions may be referred to the Board Secretary's office by phone at 650.508.6279 or by email to board@caltrain.com.

DRAFT

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Finance Committee
THROUGH: Jim Hartnett
Executive Director
FROM: Derek Hansel
Chief Financial Officer
SUBJECT: **STATEMENT OF REVENUES AND EXPENSES FOR THE PERIOD ENDING
MAY 31, 2020**

ACTION

Staff proposes that the Board of Directors accept and enter into the record the Statement of Revenues and Expenses for the month of May 2020.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through May 31, 2020. The statement has been designed to follow the Agency-wide line item rollup as included in the adopted budget. The columns have been designed to provide easy comparison of year-to-date prior to current actuals for the current fiscal year including dollar and percentage variances.

SIGNIFICANCE

Year to Date Revenues: As of May year-to-date actual, the Total Revenue (page 1, line 17) is \$7.0 million lower than the prior year. This is primarily driven by Farebox Revenue (page 1, line 1) and partially offset by increases in Operating Grants including CARES ACT relief fund (page 1, line 11) and JPB Member Agencies Contributions (page 1, line 12). In May, Go Pass revenues were adjusted down by \$6.2 million to reflect the Go Pass contract extension approved by the Board at its June 4, 2020 meeting.

Year to Date Expenses: As of May year-to-date actual, the Grand Total Expense (page 1, line 49) is \$2.7 million higher than the prior year-to-date actual. This is primarily due to increases in Rail Operator Service (page 1, line 23), Wages and Benefits (page 1, line 38), Professional Services (page 1, line 41), and Long Term Debt Expense (page 1, line 47). The increases are partially offset by decreases in Fuel and Lubricants (Page 1, line 27), Claims, Payments, and Reserves (page 1, line 30), Managing Agency Admin OH Cost (page 1, line 39), and Other Office Expenses and Services (page 1, line 43).

Other Information: Starting in January 2019, the Agency modified the basis of reporting from accrual basis to modified cash basis (only material revenues and expenses are accrued) in monthly financial statements. The change in the

accounting basis is not retroactively reflected in the prior year actual. As such, the monthly variance between the prior year and the current year actual may show noticeable variances for some line items on the financial statements.

Due to the impact of Covid-19 pandemic in the farebox revenues and other major line items in the financial statements, the forecast column was eliminated from the reports until more information are available for accurate revenue and expense forecast.

BUDGET IMPACT

There are no budget amendments for the month of May 2020.

STRATEGIC INITIATIVE

This item does not achieve a strategic initiative.

Prepared By : Thwe Han, Accountant II

650-508-7912

Jennifer Ye, Manager, General Ledger

650-622-7890

PENINSULA CORRIDOR JOINT POWERS BOARD**STATEMENT OF REVENUE AND EXPENSE****Fiscal Year 2020****May 2020****% OF YEAR ELAPSED****91.7%**

	YEAR TO DATE					ANNUAL
	PRIOR	CURRENT	\$	%	CURRENT	APPROVED
	ACTUAL	ACTUAL	VARIANCE	VARIANCE	YTD as a % OF BUDGET	BUDGET
REVENUE						
OPERATIONS:						
1 Farebox Revenue	94,811,471	75,893,843	(18,917,628)	(20.0%)	71.6%	106,000,000
2 Parking Revenue	4,755,930	3,700,893	(1,055,037)	(22.2%)	69.4%	5,335,000
3 Shuttles	1,809,228	1,777,877	(31,350)	(1.7%)	71.0%	2,503,200
4 Rental Income	1,745,590	1,925,184	179,594	10.3%	93.4%	2,060,540
5 Other Income	2,550,164	2,978,386	428,222	16.8%	169.9%	1,753,450
6						
7 TOTAL OPERATING REVENUE	105,672,383	86,276,183	(19,396,200)	(18.4%)	73.3%	117,652,190
8						
CONTRIBUTIONS:						
10 AB434 Peninsula & TA Shuttle Funding	1,584,607	2,288,830	704,222	44.4%	131.7%	1,737,950
11 Operating Grants	6,023,056	14,594,711	8,571,655	142.3%	274.0%	5,327,497
12 JPB Member Agencies	23,806,500	26,912,923	3,106,423	13.0%	89.9%	29,921,971
13 Use of Reserves	-	-	-	0.0%	0.0%	1,064,614
14						
15 TOTAL CONTRIBUTED REVENUE	31,414,164	43,796,464	12,382,300	39.4%	115.1%	38,052,032
16						
17 GRAND TOTAL REVENUE	137,086,547	130,072,647	(7,013,900)	(5.1%)	83.5%	155,704,222
18						
19						
EXPENSE						
OPERATING EXPENSE:						
23 Rail Operator Service	77,832,887	79,688,335	1,855,448	2.4%	87.7%	90,817,696
24 Positive Train Control	63,394	437,471	374,077	590.1%	18.2%	2,400,000
25 Security Services	5,422,516	5,333,875	(88,641)	(1.6%)	81.5%	6,544,183
26 Shuttles Services	3,668,111	3,696,265	28,154	0.8%	69.9%	5,290,100
27 Fuel and Lubricants	9,465,197	8,605,479	(859,718)	(9.1%)	78.2%	11,003,417
28 Timetables and Tickets	87,245	137,610	50,365	57.7%	95.9%	143,500
29 Insurance	3,845,922	3,971,450	125,528	3.3%	88.1%	4,506,064
30 Claims, Payments, and Reserves	428,520	(113,149)	(541,669)	(126.4%)	(11.9%)	951,794
31 Facilities and Equipment Maint	2,107,089	2,101,283	(5,807)	(.3%)	62.9%	3,339,391
32 Utilities	1,742,363	1,716,583	(25,780)	(1.5%)	81.5%	2,105,422
33 Maint & Services-Bldg & Other	1,312,282	1,205,203	(107,079)	(8.2%)	76.9%	1,567,930
34						
35 TOTAL OPERATING EXPENSE	105,975,525	106,780,404	804,879	0.8%	83.0%	128,669,496
36						
ADMINISTRATIVE EXPENSE						
38 Wages and Benefits	9,305,588	10,713,066	1,407,477	15.1%	88.9%	12,047,389
39 Managing Agency Admin OH Cost	6,127,613	3,973,449	(2,154,164)	(35.2%)	77.9%	5,098,065
40 Board of Directors	17,799	10,028	(7,771)	(43.7%)	68.7%	14,600
41 Professional Services	2,262,449	4,586,727	2,324,278	102.7%	107.3%	4,275,583
42 Communications and Marketing	238,448	254,014	15,566	6.5%	84.3%	301,500
43 Other Office Expenses and Services	2,956,283	1,615,177	(1,341,106)	(45.4%)	60.8%	2,657,816
44						
45 TOTAL ADMINISTRATIVE EXPENSE	20,908,180	21,152,460	244,281	1.2%	86.7%	24,394,953
46						
47 Long Term Debt Expense	778,648	2,412,211	1,633,564	209.8%	91.4%	2,639,773
48						
49 GRAND TOTAL EXPENSE	127,662,352	130,345,076	2,682,723	2.1%	83.7%	155,704,222
50						
51 NET SURPLUS / (DEFICIT)	9,424,194	(272,429)	(9,696,623)	(102.9%)		(0)



BOARD OF DIRECTORS 2020

DAVE PINE, CHAIR
DEVORA "DEV" DAVIS, VICE CHAIR
STEVE HEMINGER
JENNIE BRUINS
RON COLLINS
CINDY CHAVEZ
SHAMANN WALTON
CHARLES STONE
MONIQUE ZMUDA

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF MAY 31, 2020

JIM HARTNETT
EXECUTIVE DIRECTOR

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	1.363%	36,616	36,616
County Pool (Restricted)		Liquid Cash	1.462%	549,572	549,572
Other (Unrestricted)		Liquid Cash	0.050%	81,315,832	81,315,832
Other (Restricted)	**	Liquid Cash	0.050%	12,624,488	12,624,488
				\$ 94,526,507	\$ 94,526,507

Interest Earnings for May 20 \$ 2,562.50
Cumulative Earnings FY2020 \$ 360,771.19

* 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.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Finance Committee

THROUGH: Jim Hartnett
Executive Director

FROM: Derek Hansel
Chief Financial Officer

Michelle Bouchard
Chief Operating Officer, Rail

SUBJECT: **AWARD OF CONTRACT FOR MARIN AND NAPOLEON STREET BRIDGE
REPLACEMENT PROJECT FOR \$8,907,901**

ACTION

Staff Coordinating Council recommends the Board:

1. Award a contract to the lowest, responsive and responsible bidder, Proven Management, Inc., of Oakland, California (Proven), for a total amount of \$8,907,901 for the Marin and Napoleon Street Bridge Replacement Project (Project).
2. Authorize the Executive Director, or his designee, to execute a contract with Proven in full conformity with the terms and conditions set forth in the solicitation documents, and in a form approved by legal counsel.

SIGNIFICANCE

The Marin Street and Napoleon Street bridges (Bridges) are located in the City and County of San Francisco and were built in 1963 and 1947, respectively. Inspection of the Bridges rates them in fair and poor conditions, respectively. The Bridges suffer from deterioration and corrosion, as well as poor workmanship during the original construction.

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

- Marin Street Bridge: reconstruction of the walkways on both sides of the structure and repair of existing cracks and spalls within the superstructure.
- Napoleon Street Bridge: removal of the two outer structure spans of the bridge and replacement with elevated soil berms. The middle span will be reconstructed using new girders with new micropiles next to existing pile foundations.
- Caltrain tracks: reconstruction of the track infrastructure within the Project limits.

The Project is anticipated to be completed by the summer of 2021.

BUDGET IMPACT

The total Project cost is estimated at \$16.4 million. The Board of Directors (Board) initially approved \$600,000 for the Project in Fiscal Year (FY) 2015, and added to this amount as follows: in FY 2016 by \$764,000, in FY 2017 by \$1.0 million, in FY 2018 by \$1.1 million, in FY 2019 by \$540,000 and in FY 2020 by \$2.7 million.

The remaining \$9.7 million needed to complete the Project budget was approved in the FY 2021 Capital Budget and will be funded by project savings of \$3.0 million from the Los Gatos Bridge and San Mateo Bridge projects and \$6.7 million in Federal Transit Administration formula funds, regional bridge toll funds provided through the Metropolitan Transportation Commission, and available Proposition K funds from the San Francisco County Transportation Authority.

BACKGROUND

An Invitation for Bids (IFB) was advertised in a newspaper of general circulation and on the Peninsula Corridor Joint Powers Board's (JPB) procurement website. A 15 percent Disadvantaged Business Enterprise (DBE) goal was assigned to this Project. Prior to releasing the IFB, outreach for DBEs was conducted using the State of California's DBE database. Eight potential bidders attended the pre-bid meeting and four bids were received as follows:

Company	Base Contract A	Alternative B	Alternative C	Low Bidder Determination (A + B)	Contract Award (A + C)
Engineer's Estimate	\$5,327,033	\$276,036	\$1,442,647	\$5,603,069	\$6,769,680
1. Proven Management, Oakland	\$7,531,071	\$487,208	\$1,376,830	\$8,018,279	\$8,907,901
2. DMZ Builders, Concord	\$7,742,250	\$905,605	\$2,913,510	\$8,647,855	\$10,655,760
3. Thompson Builders, Novato	\$7,946,352	\$922,673	\$1,888,758	\$8,869,025	\$9,835,110
4. Disney Construction, Burlingame (Found to be Non-Responsive)	\$5,621,685	\$472,248	\$1,837,725	\$6,093,933	\$7,459,410

The IFB included the base contract (A) and two alternative track infrastructure bid items as follows:

- Alternative B is the minimum required track work from north of Marin Street to Evans Avenue.

- Alternative C is expanded track work from Cesar Chavez to Jerrold Avenue. This is outside of the project limits and will be funded through the State of Good Repair funds.

After the bid opening and evaluation of the bids, staff determined to award the contract based on the base contract plus the Alternative C track work.

The JPB's Office of Civil Rights (OCR) reviewed Disney Construction, Inc.'s (Disney) bid, which achieved 0.18 percent DBE utilization. As Disney did not meet the DBE goal, OCR reviewed its good faith outreach documentation and determined Disney failed to make an adequate good faith effort to meet the DBE goal. Subsequently, Disney's bid was deemed non-responsive. After a reconsideration hearing, the hearing officer confirmed that Disney did not meet good faith outreach requirements.

The OCR reviewed the bid from Proven, which included a 19.8 percent DBE commitment, and determined that it met and exceeded the DBE goal.

Proven submitted all required bid documentation. Staff has determined, and legal counsel has concurred, that the bid submitted by Proven is responsive. The bid from Proven was approximately 32% percent higher than the engineer's estimate. Staff believes this is due to the complexity of the Project, with higher risks and challenges with subcontracting work during the onset of the Covid-19 pandemic.

Proven is an established regional contractor with more than 25 years of construction experience. Proven currently has contracts for the following JPB projects: Tunnel Modifications and Track Rehabilitation, CEMOF Modifications, and South San Francisco Station Improvement Projects. Staff concludes that Proven is appropriately qualified and capable of meeting the requirements of the contract and is, therefore, the lowest, responsive, and responsible bidder.

Procurement Administrator III:	Quoc Truong	650.508.7732
Senior Project Manager:	Joy Sharma	650.508.6410

RESOLUTION NO. 2020 – 31

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

* * *

**AWARDING A CONTRACT TO PROVEN MANAGEMENT, INC. FOR THE
MARIN AND NAPOLEON STREET BRIDGE REPLACEMENT PROJECT
FOR A TOTAL AMOUNT OF \$8,907,901**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) issued an Invitation for Bids (IFB) for the Marin and Napoleon Street Bridge Replacement Project (Project); and

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

WHEREAS, staff and legal counsel have reviewed the bids and determined that Proven Management, Inc. of Oakland, California (Proven) is the lowest, responsive and responsible bidder; and

WHEREAS, Staff Coordinating Council recommends, and the Executive Director concurs, that a contract be awarded to Proven, whose bid meets the requirements of the solicitation documents.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Proven Management, Inc. for the Marin and Napoleon Street Bridge Replacement Project for a total amount of \$8,907,901; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with Proven, in full conformity with all the terms and conditions of the solicitation documents and in a form approved by legal counsel.

Regularly passed and adopted this 9th day of July, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Finance Committee

THROUGH: Jim Hartnett
Executive Director

FROM: Derek Hansel
Chief Financial Officer

Seamus Murphy
Chief Communications Officer

SUBJECT: **AWARD OF CONTRACT FOR CALTRAIN NAMING RIGHTS AND SPONSORSHIP
CONSULTING SERVICES**

ACTION

Staff Coordinating Council recommends the Board:

1. Award a contract to Elevate Sports Ventures, LLC (Elevate) of Santa Clara, California for provision of naming rights and sponsorship consulting services (Services) for a five-year base term (Phases 1-3).
2. Approve up to an aggregate total of \$840,000 for additional discrete services or tasks not contemplated during or arising after Elevate's completion of Phase 1 and 2 work.
3. Authorize the Executive Director, or his designee, to execute a contract with Elevate in full conformity with the terms and conditions of the solicitation documents and negotiated agreement.
4. Authorize the Executive Director, or his designee, to exercise up to one, additional five-year option term, for provision of additional Services, if deemed in the best interest of the Peninsula Corridor Joint Powers Board (JPB).

SIGNIFICANCE

The JPB is continually exploring opportunities to secure additional revenue to support Caltrain's ongoing capital and operating needs, maximize the values of its transit assets, and facilitate improved customer experience with new technology and amenities. Staff has determined there exists an opportunity to leverage certain Caltrain stations and assets to generate additional revenue from negotiation of naming and sponsorship rights.

Approval of the above actions will provide the JPB with a qualified firm to carry out consulting services to identify, evaluate and prioritize assets, naming rights and sponsorship opportunities; create and implement a marketing and sales strategy; and

negotiate naming rights and sponsorship contracts which will be presented to the Board of Directors (Board) for approval. Services will be delivered in four phases:

- Phase 1: a) identification, evaluation, and prioritization of assets, naming rights and sponsorship opportunities; and b) creation and implementation of a detailed marketing and sales strategy for identified assets, naming rights and sponsorship opportunities.
- Phase 2: Sales effort and negotiation of contracts for naming rights and sponsorship opportunities. All naming rights and sponsorship contracts will be presented to the Board for final approval prior to contract execution.
- Phase 3: Provision of the Services for new or revalued assets, naming rights and sponsorship opportunities not contemplated in Phases 1 or 2, or identified subsequent to completing Phases 1 and 2. These services and tasks may include, but are not limited to, identification and evaluation of new assets or amenities, assistance with contract issues or disputes, and other discrete tasks not contemplated in Phases 1 and/or 2.
- Phase 4: If approved by the Board, and if deemed in the best interest of the JPB, the Executive Director or his designee will exercise one, five-year option term for ongoing provision of the Services.

The JPB will compensate Elevate for Phases 1 and 2 on a success-fee basis calculated as a percentage of the contract value of naming rights and/or sponsorship contracts it successfully negotiates and which are approved by the Board:

<u>COMPENSATION</u>		
TIER	NEGOTIATED NAMING RIGHTS OR SPONSORSHIP CONTRACT VALUE	SUCCESS FEE PERCENTAGE (%)
1	\$0 - \$2M	15.0%
2	\$2M+ to \$3.5M	17.5%
3	\$3.5M+	20.0%

The JPB will issue Task Orders for Phase 3 and 4 work and will compensate Elevate based on negotiated hourly billing rates and/or a success fee basis in accordance with the percentages listed above.

This contract will provide the JPB with innovative, revenue-producing naming rights and sponsorship opportunities.

BUDGET IMPACT

As this contract is a revenue-producing contract, the net proceeds realized from multi-year, naming rights and sponsorship contracts will help fund future JPB operating and/or capital budgets.

BACKGROUND

This is the first time the JPB has solicited these Services. Staff issued a Request for Proposals (RFP) for the Services. A solicitation notice was also sent to Small and Disadvantaged Business Enterprises (SBEs/DBEs) registered in the JPB's database. Staff received three proposals, none of which were from SBE/DBE certified firms.

A Selection Committee (Committee) composed of qualified staff representing the Finance, Communications, Market Research and Development, and Rail Infrastructure & Maintenance departments reviewed and scored the proposals in accordance with the following weighted criteria:

- Company Qualifications, Experience and References 30 points
- Qualifications and Experience of Key Personnel 20 points
- Approach Understanding and Management Plan 25 points
- Reasonableness of Cost 25 points
- SBE Preference 5 points

Following proposal review, the Committee found the three firms to be within the competitive range, and invited all three firms for interviews. Upon completion of interviews, review of Best and Final Offers from all three firms, and final scoring of proposals, the Committee came to a consensus and identified Elevate as the highest-ranked proposer.

JPB staff completed negotiations with the highest ranked firm, Elevate, which demonstrated a strong understanding of the requirements of the project, and has committed to providing an experienced and qualified team to deliver the Services as required in the contract. Staff therefore recommends award of a contract to this firm.

Procurement Administrator: Luis F. Velásquez 650.622.8099
Project Manager: Megan Larocque, Contract Administrator, Market 650.508.7978
Research and Development

RESOLUTION NO. 2020 - 32

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

* * *

**AWARDING CONTRACT TO ELEVATE SPORTS VENTURES, LLC FOR PROVISION
OF NAMING RIGHTS AND SPONSORSHIP CONSULTING SERVICES FOR
A FIVE-YEAR TERM**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP) for naming rights and sponsorship consulting services (Services); and

WHEREAS, the Services consist of three phases: (1) a) Identification, evaluation, and prioritization of assets, naming rights and sponsorship opportunities; and b) Creation and implementation of a detailed marketing and sales strategy for identified assets, naming rights and sponsorship opportunities; (2) Sales effort and negotiation of contracts for naming rights and sponsorship opportunities; and (3) Provision of the Services for new or revalued assets, naming rights and sponsorship opportunities not contemplated in Phases 1 or 2 nor identified subsequent to completing Phases 1 and 2; and

WHEREAS, in response to the RFP, the JPB received three proposals; and

WHEREAS, none of the proposers are from Small Business Enterprise/Disadvantaged Business Enterprise firms; and

WHEREAS, a Selection Committee (Committee) composed of qualified JPB staff evaluated and ranked the proposals according to the evaluation criteria set forth in the RFP, and determined the three proposals were in the competitive range for interviews; and

WHEREAS, after interviews, the Committee determined all three firms remained in the competitive range, held additional interviews with all three firms, and requested Best and Final Offers from all three firms; and

WHEREAS, the Committee completed its evaluation process and determined that Elevate Sports Ventures, LLC (Elevate) of Santa Clara, California possesses the necessary qualifications and requisite experience to successfully perform the Services, and has agreed to perform the Services at fair and reasonable prices including a success fee capped at twenty percent (20%) of the value of negotiated naming rights and/or sponsorship agreements; and

WHEREAS, staff and legal counsel have reviewed the Elevate proposal and determined the proposal complies with the requirements of the solicitation documents; and

WHEREAS, Staff Coordinating Council recommends, and the Executive Director concurs, that the Board of Directors (Board) (1) award a contract to Elevate for provision of naming rights and sponsorship consulting services for a five-year term; (2) approve up to an aggregate total of \$840,000 for additional discrete tasks not contemplated during or arising after Elevate's completion of Phase 1 and 2 work; and (3) authorize the Executive Director, or his designee, to exercise up to one additional five-year option term, if it is in the best interest of the JPB.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract for naming rights and sponsorship consulting services to Elevate Sports Ventures for a five-year term including up to an aggregate total of \$840,000 for additional discrete services or tasks not contemplated during or arising after Elevate's completion of Phase 1 and 2 work; and

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

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director, or his designee, to exercise up to one, additional five-year option term, for provision of additional Services, if deemed in the best interest of the JPB.

Regularly passed and adopted this 9th day of July, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Finance Committee

THROUGH: Jim Hartnett
Executive Director

FROM: Michelle Bouchard
Chief Operations Officer, Rail

SUBJECT: **AUTHORIZE AMENDMENT TO CONTRACT TO OPERATE THE SAN FRANCISCO
CALTRAIN BICYCLE PARKING FACILITY**

ACTION

Staff Coordinating Council recommends the Board approve and authorize the Executive Director, or his designee, to execute a second amendment to the contract with BikeHub, a certified disadvantaged business enterprise formerly known as Alameda Park Street Bicycles, Inc., to operate the San Francisco Caltrain Bicycle Parking Facility (Contract) to:

1. Increase the not-to-exceed total contract amount by \$150,000, from \$635,000 to \$785,000
2. Increase the base compensation amount by \$70,000, from \$635,000 to \$705,000.
3. Extend the Contract term for an additional one-year period at a monthly cost of \$6,351.66, for a one-year amount not to exceed \$76,220.
4. Add sidewalk space as part of the property devoted to the Bicycle Parking Facility.

SIGNIFICANCE

Execution of Amendment 2 will provide the Peninsula Corridor Joint Powers Board (JPB) with uninterrupted services at the 4th and King Bike Parking Facility as staff works with consultants on a bike parking vendor Request for Proposals to potentially expand the scope of the current Contract, including the possibility of expanding to more stations along the corridor. Seven-hundred and fifteen square feet of sidewalk space will be used to organize shared micromobility devices and make them more readily available to Caltrain customers. BikeHub will receive financial compensation from various micromobility vendors, keeping the JPB's subsidy slightly lower.

BUDGET IMPACT

Funds for the proposed Contract amendment are available in the current-year Board-approved interim operating budget and will be included in the operating budget proposed for the remainder of Fiscal Year 2021.

BACKGROUND

Pursuant to Resolution No. 2013-25, the Board of Directors (Board) awarded the Contract to Alameda Park Street Bicycles, Inc., consisting of an eighteen-month transition period for a not-to-exceed amount of \$265,000 followed by a three-year base term for a not-to-exceed

amount of \$245,000 with two, one-year option terms for not-to-exceed amounts of \$65,000 and \$60,000 (see table below).

Pursuant to Amendment 1, the Contract was amended to:

1. Exercise the first and second one-year option terms and increase the maximum aggregate compensation amount of \$510,000 by \$125,000 for a revised not-to-exceed amount of \$635,000.
2. Amend the days of operation of the Bicycle Parking Facility to allow for closure of the Facility from Christmas Day, December 25th through New Year's Day, January 1st each year.
3. Change the Alameda Park Street Bicycles, Inc. corporate name to BikeHub.

Unanticipated scope of work changes during the build-out and transition periods resulted in a compensation increase in the amount of \$69,179.

Description	Start	End	Amount	Units (in months except as noted)	Total
Transition Period	5/2/2013	10/31/2014	\$ 7,500	18	\$ 135,000
Purchase of furnishings & equipment			\$ 130,000	1 (one- time cost)	\$ 130,000
Three-Year Base Term	11/1/2014	10/31/2017	\$ 6,806	36	\$ 245,000
1 st Option-Year Term	11/1/2017	10/31/2018	\$ 5,417	12	\$ 65,000
2 nd Option-Year Term	11/1/2018	10/31/2019	\$ 5,000	12	\$ 60,000
Amendment 1 1st Option-Year Term	1/1/2019	12/31/2019			
Amendment 1 2nd Option-Year Term	1/1/2020	12/31/2020			
Total					\$ 635,000
Invoiced thru 12/31/19					\$ 644,179
2nd Option-Year Term			\$ 5,000	12	\$ 60,000
Overcapacity					\$ 69,179
Proposed Amendment 2 3rd Option-Year Term	1/1/2021	12/31/2021	\$ 6,352	12	\$ 76,220
Proposed Amendment 2 Amount (rounded)					\$ 150,000
New Total					\$ 785,000

Shared micromobility devices (bike and scooter share) have been used well by Caltrain customers in the last few years. The JPB supports the use of these devices, as they transport people to and from the stations in a sustainable way that is more space efficient than taking a bike on-board the train. At times, there are many of these devices scattered around the stations. At other times, there are no devices available for people to use. The sidewalk space included in this proposed amendment will be used to address both of those concerns by organizing the devices and increasing their availability for Caltrain customers. The 715 square feet of sidewalk space (see the picture below), which is on the north side of the

Bicycle Parking Facility, currently leads to a dead end as a result of changes the City of San Francisco implemented to Townsend Street. Staff identified the sidewalk as an area that will work well for organizing shared micromobility devices, benefiting Caltrain customers and well as Caltrain, Bike Hub and shared micromobility operations, without negatively affecting pedestrian movements.



Project Manager:	Dan Provence, Principal Planner	650.339.0586
Contract Administrator:	Lawrence Leung, Manager, Rail Contracts & Budget	650.508.6328

RESOLUTION NO. 2020 –

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

* * *

AUTHORIZING THE SECOND AMENDMENT TO THE AGREEMENT TO OPERATE THE SAN FRANCISCO CALTRAIN BICYCLE PARKING FACILITY TO EXTEND THE CONTRACT TERM BY ONE YEAR, INCREASE THE AGREEMENT TOTAL AMOUNT BY \$150,000, AND ADD SIDEWALK SPACE AS PART OF THE BICYCLE PARKING FACILITY OPERATED BY BIKEHUB

WHEREAS, pursuant to Resolution No. 2013-25, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) awarded a contract to Alameda Park Street Bicycles, Inc., now operating as BikeHub, consisting of an eighteen-month transition period in an aggregate not-to-exceed amount of \$265,000 followed by a three-year base term in an aggregate not-to-exceed amount of \$245,000 with two, one-year option terms for not-to-exceed amounts of \$65,000 for the first option term and \$60,000 for the second option term; and

WHEREAS, unanticipated scope of work changes during the build-out and transition periods resulted in an increase in the compensation amount of \$69,179; and

WHEREAS, extending the Contract for an additional one-year period allows staff to work with consultants on a bike parking vendor Request for Proposals to potentially expand the scope of the current Contract, including the possibility of expanding to more stations along the Caltrain corridor; and

WHEREAS, adding 715 square feet of sidewalk space as part of the Bicycle Parking Facility operated by BikeHub will allow the more efficient organization of shared micromobility devices, making them more readily available to Caltrain

customers; and

WHEREAS, the Executive Director recommends, and the Staff Coordinating Council concurs, that the Board authorize an amendment to:

1. Increase the not-to-exceed total contract amount by \$150,000, from \$635,000 to \$785,000
2. Increase the base compensation amount by \$70,000, from \$635,000 to \$705,000.
3. Extend the Contract term for an additional one-year period with monthly amounts of \$6,351.66, for a not-to-exceed amount of \$76,220 for the third option year.
4. Add 715 square feet of sidewalk space as part of the property devoted to the Bicycle Parking Facility.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Joint Powers Board hereby authorizes an amendment to the Contract with BikeHub as detailed above; and

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director, or his designee, to execute the amendment in a form approved by legal counsel.

Regularly passed and adopted this 9th day of July, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Finance Committee

THROUGH: Jim Hartnett
Executive Director

FROM: Michelle Bouchard
Chief Operating Officer, Rail

SUBJECT: **RESOLUTION TO AUTHORIZE EXECUTIVE DIRECTOR TO ENTER INTO A FUNDING AGREEMENT WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR CLIPPER START, THE REGIONAL MEANS-BASED FARE PILOT PROGRAM**

ACTION

Staff Coordinating Council recommends the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) adopt a resolution to authorize the Executive Director, or his designee, to enter into a funding agreement with the Metropolitan Transportation Commission (MTC) to partially reimburse fare-revenue losses experienced by Caltrain as part of the regional means-based fare pilot program, Clipper START. The agreement will supplement the JPB's existing Master Agreement with MTC.

SIGNIFICANCE

An effort led by staff from MTC and regional transit operators, Clipper START will provide a discount for low-income transit riders on Caltrain as well as transit services operated by Bay Area Rapid Transit District (BART); Golden Gate Bridge, Highway and Transportation District (GGBHTD) for both its bus and ferry services; and San Francisco Municipal Transportation Agency (SFMTA).

The pilot program has long been anticipated to commence in spring 2020, but at this time, a precise launch date has not been set due to the variable conditions in the region with the coronavirus pandemic. MTC and transit operator staff continue to monitor these conditions and plan to launch Clipper START when the shelter-in-place orders have been lifted. Once the pilot program is launched, it is anticipated to run for 18 months.

The Board has taken multiple actions, detailed below, to prepare for Caltrain's involvement in Clipper START. Staff now recommends the Board take the last step required: authorizing the Executive Director, or his designee, to add a supplemental funding agreement for the Clipper START pilot program to the agency's existing Master Agreement with MTC, in a form approved by legal counsel.

Staff further recommends that Executive Director, or his designee, be authorized to execute amendments to the agreement and take other steps necessary so long as the funding agreement specifies the revenue loss reimbursement distribution from MTC to Caltrain for the pilot program, and the JPB retains the option to exit the pilot program at any point during its duration if directed by the Board.

After Clipper START launches, staff anticipates bringing updates and reports to the Board at a minimum of every six months to keep Board members apprised of the status, successes, and challenges of the region's first means-based fare pilot program.

BUDGET IMPACT

MTC has agreed to fund half of a 20 percent per trip discount on adult fares for Clipper START participants (in excess of any existing Clipper discounts). Transit agencies offering a Clipper START discount of more than 20 percent are responsible for covering all of the revenue losses above the 20 percent regional discount level. MTC estimates that about \$8 million will be available each year to offset transit agency revenue losses (with an anticipated \$12 million available over the course of the 18-month pilot program), and a mathematical formula will establish the maximum amount of funding that could be available to each agency to offset revenue losses.

BACKGROUND

In February 2019, the Board adopted a resolution of support for Caltrain's continued participation in the regional means-based fare pilot program.

At its September 2019 meeting, following a public hearing and consideration of a Title VI Equity Analysis, the Board approved a series of changes to Caltrain's Fare Structure, including a 20 percent discount off of One-way Adult Clipper Card fares for eligible participants in the regional means-based fare pilot program. At its June 2020 meeting, the Board increased Caltrain's Clipper START discount from 20 percent to 50 percent.

Additional information is set forth in the attached presentation and in materials provided for prior Board discussions, available at the website links below.

- August 2019 JPB Meeting – Item 3 (page 9 of the PDF):
http://www.caltrain.com/Assets/_Agendas+and+Minutes/JPB/2019/2019-08-01+JPB+Board+packet.pdf
- February 2019 JPB Meeting – Item 10 (page 72 of the PDF):
http://www.caltrain.com/Assets/_Agendas+and+Minutes/JPB/2019/2019-02-07+JPB+BOD+Agenda+Packet.pdf
- June 2020 JPB Meeting – Item 10:
<https://www.caltrain.com/Assets/10ab.2020-06-04+-+Clipper+START+Staff+Report+Draft+6-2-29.pdf>

RESOLUTION NO. 2020-

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

**AUTHORIZING EXECUTION OF A
FUNDING AGREEMENT WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR
CLIPPER START, THE REGIONAL MEANS-BASED FARE PILOT PROGRAM**

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, transit affordability has been highlighted as a regional issue in MTC's Coordinated Plan, Plan Bay Area, and other plans; and

WHEREAS, MTC has conducted a Regional Means-Based Fare Pricing Study, and on May 23, 2018, approved the implementation of a regional means-based fare pilot program, known now as "Clipper START," which would offer discounted transit rides to eligible low-income adults on participating transit systems in the Bay Area during the pilot period; and

WHEREAS, MTC has allocated approximately \$11 million per year for Clipper START to first cover administrative costs and then defray participating transit operators' revenue losses, drawing on funds from the State Transit Assistance through SB-1, the Road Repair and Accountability Act of 2017, and funds from the Low Carbon Transit Operators Program; and

WHEREAS, the participating agencies in Clipper START, as planned by MTC, are the Golden Gate Bridge, Highway and Transportation District; Bay Area Rapid Transit District; Peninsula Corridor Joint Powers Board (JPB); and San Francisco Municipal Transportation Agency, with each agency's participation subject to its governing board's approval; and

WHEREAS, Clipper START, which will be centrally-administered on behalf of all participating agencies, is expected to begin in summer 2020, depending on regional conditions related to the coronavirus pandemic, and will then run for 18 months; and

WHEREAS, the Board of Directors (Board) adopted Resolution 2019-30, supporting the Caltrain's participation in Clipper START in February 2019; and

WHEREAS, following a public hearing and completion of a Title VI equity analysis, the Board adopted Caltrain fare changes by Resolution 2019-32, including a discount for Clipper START-eligible participants at 20 percent off of single-ride adult Clipper® Card fares; and

WHEREAS, on June 4, 2020, the Board adopted Resolution 2020-30 to increase the Caltrain discount associated with the Clipper START from 20 percent to 50 percent off single-ride adult Clipper fares; and

WHEREAS, Staff Coordinating Council recommends, and the Executive Director concurs, that, in order to participate in the regional means-based fare program, the Executive Director be authorized to enter into a Clipper START supplement to the JPB's Master Agreement with MTC.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director, or his designee, to enter into a funding agreement with MTC for the JPB to participate in Clipper START, which agreement will supplement the JPB's existing Master Agreement with MTC for the duration of Clipper START, subject to the following conditions:

1. the agreement will provide for MTC to distribute revenue loss reimbursements to the JPB;

2. the agreement must provide the JPB with the option to exit the Clipper START program if the Board determines that it is necessary to do so at any point during the duration of the Clipper START program; and
3. the funding agreement is in a form approved by legal counsel.

BE IT FURTHER RESOLVED, that the Executive Director, or his designee, is authorized to revise the funding agreement for the Clipper START program as needed during the duration of the Clipper START program, subject to the previously stated conditions, and to take any other actions that may be necessary to give effect to this resolution.

Regularly passed and adopted this 9th day of July, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary



Update on Clipper START, the Bay Area's Means-Based Fare Pilot Program

June 22, 2020

Means-Based Fare Pilot Program

- Growing need for discounted transit fares for low-income adults
- 2015 MTC study determined desirability and viability of a means-based pilot
- Commitment to develop a discounted fare program making Bay Area public transit more accessible to low-income adults
- **Launching soon in 2020 as Clipper START!***

CLIPPER.
START ▶▶▶



*The precise launch date for Clipper START will depend on regional conditions related to the coronavirus pandemic.



Clipper START Overview

PARTICIPATING AGENCIES AND DISCOUNT OFFERED*

- BART (20% discount)
- Caltrain (50% discount)
- Golden Gate Transit (50% discount)
- SFMTA (50% discount)
- *Discount applies to single-ride Clipper fares for adults

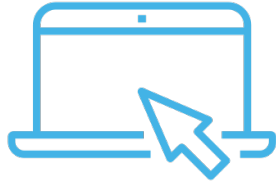
ELIGIBILITY

- Adults earning < 200% Federal Poverty Level (~\$50k Annual income for household of 4)

IMPLEMENTATION

- Offered through Clipper and applied to Clipper Card single-ride fares only
- Pilot duration: 18 Months
- Centrally administered for the region

How Do Individuals Apply?



DESKTOP

OR



MOBILE

OR



BROCHURE

Requirements



PROOF OF
IDENTITY



PROOF OF
INCOME



BAY AREA
MAILING
ADDRESS



ANSWER SURVEY
QUESTIONS

Once Enrolled...



RECEIVE CLIPPER START CARD

Each enrolled individual will receive their own Clipper START Card in the mail.



ADD CASH VALUE

Once they receive their Clipper START Card, individuals must add cash value to their card.



RIDE!

Individuals should use Clipper START like any other Clipper Card on BART, Caltrain, Golden Gate Bus/Ferry, and SFMTA.

On Caltrain, individuals must tag on and tag off with their Clipper START Card to receive the single-ride discount off of the regular adult Clipper fare.

Centralized Customer Service



Contact Clipper START Customer Service!

Forthcoming ways to contact customer service:
www.clipperstartcard.com, phone number,
email address, etc. *(anticipated to be available
in coming weeks)*

Comprehensive Outreach Approach



Caltrain's Efforts to Promote Clipper START

- Along with other participating operators, Caltrain is promoting Clipper START with the following marketing outreach efforts:
 - Boosted organic social media post cross all platforms + retweet MTC posts
 - On Caltrain's website
 - Posters at Central Reception Desk
 - Brochures in English, Spanish and Chinese at stations and possibly onboard train (If space is available)
 - Outreach material at all upcoming senior events with Accessible Services

MTC's Evaluation of Pilot Program

IMPLEMENTATION

AWARENESS



Customers aware of program

POSITIVE EXPERIENCE



Easily accessible

FINANCIAL VIABILITY



Feasible for operators and region

ADMINISTRATIVE FEASIBILITY



Management feasible

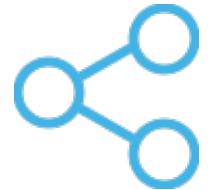
IMPACT

AFFORDABILITY



Participants less burdened

INCREASED ACCESS



Access to opportunities

Caltrain's Evaluation of Pilot Program

- Caltrain will complete its own evaluation of Clipper START at end of pilot period, using data gathered by MTC for its evaluation and Clipper data, to assess impacts to Caltrain, such as the following:
 - Enrollees
 - For example: total number of enrollees who are current Caltrain users, total number of new Caltrain users
 - Enrollees' Caltrain Ridership
 - For example: weekday and weekend ridership from enrollees, frequency of Caltrain use, share of total ridership
 - Enrollees' Caltrain Trips
 - For example: top stations for boardings and alightings
 - Annual Revenue Impact for Caltrain
 - For example: gross revenue loss from enrollees' trips, subsidy provided by MTC, net revenue impact from enrollees' trips

To Finalize Caltrain's Participation...

- The JPB adopted a Resolution of Support for Caltrain's participation in the pilot program in February 2019
- Two actions were identified to finalize JPB participation:
 - Adopt fare changes to include the regional means-based fare discount in Caltrain's Fare Structure – *completed in September 2019, and discount was increased to 50% in June 2020.*
 - Enter into funding agreement with MTC for pilot program – *proposed today.*

Resolution Proposed for Adoption Today

- Authorizes the Executive Director to enter into a funding agreement with MTC for the regional means-based fare pilot program, Clipper START, which will supplement the agency's Master Agreement with MTC.
- Specifies that the authorization will be valid for pilot program's duration (to ensure that the JPB can expediently complete routine updates to the funding agreement each fiscal year, a known MTC requirement).
- Specifies that the funding agreement must include the revenue loss reimbursement distribution from MTC to the JPB.
- Specifies that the funding agreement must provide the JPB with the option to exit pilot program if the Board determines that is necessary.

Next Steps

- Complete last step to finalize Caltrain's participation in pilot program – adopt Resolution
- Continue promoting Clipper START with our partners
- Launch soon in 2020 (depending on coronavirus pandemic):
 - Launch Clipper START enrollment process and begin accepting applications for enrollment (could be before discount goes live)
 - Launch discount live on transit operators, so Clipper START users can receive their discount on Caltrain, BART, Golden Gate Bus/Ferry, and SFMTA (could be after applications begin being accepted)

Thank you!

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Finance Committee

THROUGH: Jim Hartnett
Executive Director

FROM: Carter Mau
Deputy GM/CEO

SUBJECT: **AUTHORIZE EXECUTION OF AMENDMENT 2 OF THE AMENDED AND RESTATED
CLIPPER® MEMORANDUM OF UNDERSTANDING**

ACTION

The Staff Coordinating Council recommends the Board authorize the Executive Director, or his designee, to execute Amendment 2 of the Amended and Restated Clipper® Memorandum of Understanding (MOU) with the Metropolitan Transportation Commission (MTC) and other Bay Area transit operators who accept Clipper fare payment (Operators).

SIGNIFICANCE

Amendment 2 extends the term of the MOU through February 2026 and updates the regional cost-sharing agreement between MTC and the Operators for Clipper Operations and Maintenance (O&M) consistent with MTC's contracts with Cubic for the remaining years of the current Clipper card system, and for the development and operation of a new account-based Clipper system, known as Clipper Next Generation. Clipper Next Generation is expected to launch in 2023, with certain features, such as a mobile application, rolling out starting in late 2020 (Accelerated Deployment).

While MTC bears the capital costs of the current and Next Generation Clipper program, MTC and the Operators share responsibility for O&M costs based on a formula set forth in the MOU.

Amendment 2 adds new formulas for cost-sharing:

- during the third through fifth years of the current extension of the MTC-Cubic contract for the card-based Clipper system (starting November 2021)
- when MTC issues a notice-to-proceed for launch of the Clipper mobile app; and
- when MTC issues a notice-to-proceed for Cubic to procure and install equipment for Clipper Next Generation.

Under the new formulas, MTC will pay for 50 percent of its share of O&M costs and the Operators will pay for the other half. Each Operator's share will be based 50 percent on its percentage of unique cards used and 50 percent on its percentage of fee-generating transactions.

O&M costs for Next Generation Clipper equipment will be split in largely the same fashion, except that BART's fee-generating transactions will be excluded from the total count as BART will not receive the same equipment upgrades as the other Operators.

Additionally, Amendment 2 provides that Operators will bear a portion of the fees associated with the use of virtual Clipper cards, based on each Operator's percentage of unique virtual cards used.

BUDGET IMPACT

Assuming that the market penetration of Clipper fare payment is similar to pre-COVID-19 levels, the Peninsula Corridor Joint Powers Board (JPB) will spend an estimated additional \$94,000 annually on O&M costs for the Clipper mobile application, Clipper Next Generation equipment, and fees associated with the use of virtual cards. These expenses will be included in the Fiscal Year 2021 and future operating budgets.

BACKGROUND

The Clipper automated regional fare payment system administered by MTC was used by more than 20 million riders a month on 22 transit systems prior to the shelter in place orders issued in response to COVID-19.

MTC's original 1999 Clipper contract, issued to ERG, Ltd., was set to expire on November 2, 2019. The contract was assigned to Cubic Transportation Systems, Inc. in 2009, when Cubic purchased the Clipper-related assets of ERG. The contract was extended by two years to allow MTC to let a new contract for Clipper Next Generation. In September 2018, the Clipper Next Generation contract was awarded to Cubic.

MTC and seven transit agencies entered into the MOU effective November 10, 2011, under which MTC manages the Clipper electronic fare payment system. The MOU was amended and restated on February 19, 2016 to restructure the parties' roles and responsibilities. The amended and restated MOU establishes and defines the roles for a Clipper Executive Board, a Clipper Executive Director, and a Contracting Agency, in addition to clarifying the roles of MTC and the participating transit agencies. The MOU also revises the cost allocation formula and provides for review of the formula to ensure successful operation and maintenance of Clipper. The JPB's Executive Director, or his designee, serves on the Clipper Executive Board. The MOU was amended on April 17, 2017 (Amendment 1) to update the procedures manual and the terms of the Clipper Executive Board's chair and vice-chair.

MTC and the Operators will reconvene before the launch of Clipper Next Generation to establish an allocation formula for the new system's O&M costs.

Prepared by: Christiane Kwok, Manager, Fare Program Operations

650.508.7926

RESOLUTION NO. 2020 – 35

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

**AUTHORIZING EXECUTION OF AMENDMENT 2 TO THE AMENDED AND RESTATED CLIPPER®
MEMORANDUM OF UNDERSTANDING WITH THE METROPOLITAN TRANSPORTATION
COMMISSION AND BAY AREA TRANSIT OPERATORS**

WHEREAS, Clipper® is the automated fare payment system for intra- and inter-operator transit trips in the San Francisco Bay Area that has been implemented and is currently being operated on 22 transit systems (Transit Operators); and

WHEREAS, the Metropolitan Transportation Commission (MTC) extended a contract with Cubic Transportation Systems, Inc. (Cubic) for the current Clipper card-based fare payment system through November 2, 2024; and

WHEREAS, the MTC entered into a contract in September 2018 with Cubic to design, develop, test, install, transition, and operate and maintain the Clipper Next-Generation account-based fare payment system; and

WHEREAS, in March 2016, an Amended and Restated Memorandum of Understanding (MOU) was developed between MTC and the Transit Operators, which MOU has since been amended once; and

WHEREAS, Amendment 2 of the Amended and Restated MOU adds new formulas for cost-sharing associated with:

1. the third through fifth years of the MTC-Cubic contract extension for the card-based Clipper system (starting November 2021);
2. a notice-to-proceed to be issued by MTC for launch of the Clipper mobile application; and

3. a notice-to-proceed to be issued by MTC for Cubic to procure and install equipment for Clipper Next Generation; and

WHEREAS, the Executive Director recommends, and the Staff Coordinating Council concurs, that the Board of Directors authorize the Executive Director, or his designee, to execute Amendment 2 to the Amended and Restated Clipper MOU, in a form approved by legal counsel, at an estimated additional cost to the Peninsula Corridor Joint Powers Board (JPB) of \$94,000 per year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board (JPB) hereby approves and authorizes the Executive Director, or his designee, to execute Amendment 2 to the Amended and Restated MOU with the MTC and Bay Area transit operators also using the Clipper fare payment system; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to take all necessary actions to implement the terms and conditions of Amendment 2 to the Amended and Restated MOU, consistent with the role of the JPB as a participating Transit Operator.

Regularly passed and adopted this 9th day of July, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers

Board

ATTEST:

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Finance Committee

THROUGH: Jim Hartnett
Executive Director

FROM: Derek Hansel
Chief Financial Officer

SUBJECT: **APPROVAL AND RATIFICATION OF THE FISCAL YEAR 2021 INSURANCE PROGRAM**

ACTION

Staff Coordinating Council (SCC) recommends the Board approve and ratify the binding of commitments for the Peninsula Corridor Joint Powers Board's (JPB) insurance program for Fiscal Year (FY) 2021 including:

- Purchase of \$198 million of coverage for Railroad Liability, Commercial General Liability and Excess Automobile Liability, including terrorism coverage, with a \$2 million self-insured retention at a premium of \$3,648,900;
- Renewal of the Environmental insurance policy for a new two-year term at a \$10 million limit with a \$50,000 deductible at a premium of \$78,981;
- Purchase of property insurance for real and personal property for limits of \$400 million with a \$100,000 deductible for an annual premium of \$1,479,612, including coverage for Centralized Equipment Maintenance and Operations Facility (CEMOF) property, stations, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock. This insurance also continues to provide coverage against terrorism, as well as boiler and machinery perils for real property and CEMOF sufficient to meet the State of California inspection requirements;
- Renewal of the \$15 million Public Officials Liability policy at an annual premium of \$128,721;
- Purchase of an annual Special Events and Emergency Drill Liability policy with a \$2 million limit and deductible of \$25,000 for a premium of \$30,933; and
- Purchase of Railroad Protective Liability coverage at an annual premium of \$44,941.

SIGNIFICANCE

Despite the very hard insurance market and uncertainty surrounding Covid-19, the FY2021 insurance program provides the JPB with coverage levels similar to those in the FY2020 insurance program. Railroad Liability, Commercial General Liability and Excess Automobile Liability coverage will remain the same at \$198 million with a \$2 million self-insured retention.

While the JPB is experiencing lower estimated ridership due to Covid-19, securing coverage has proven to be a challenge due to certain carriers dropping out of the market entirely and remaining carriers decreasing limits. With fewer carriers to place coverage with and reluctance from the remaining carriers to increase capacity to make up the difference, obtaining coverage has never been more difficult or expensive. A premium adjustment by carriers at year-end may be necessary depending on actual ridership numbers.

Limits on the JPB's Public Officials Liability program remain the same with limits of \$15 million and a self-insured deductible of \$75,000. The JPB was able to renew an annual Special Events and Emergency Drill Liability policy with a limit of \$2 million. This coverage includes a \$25,000 self-insured retention and protects the JPB during what are sometimes higher hazard operations for its annual special train events and emergency training exercises. The JPB maintains the blanket Railroad Protective Liability program with the same program limits.

The property insurance market has also proven to be very challenging with insurers reducing capacity while at the same time increasing premiums. Property catastrophes nationwide have been substantial in recent years, causing this market change. Consequently, some of the older JPB rolling stock will be insured at actual cash value rather than replacement cost, and the JPB has had to secure additional insurers to meet the \$400 million limit.

Below is an overview of the JPB's FY2020 premiums and updates on the FY2021 premiums we have as of publication of this report:

<u>Premium Element</u>	<u>FY2020</u>	<u>FY2021</u>
Liability: Railroad, Commercial General, Excess Automobile	\$3,247,412	\$3,648,900
Liability: Environmental (2-year premium for FY2021)	\$ 0	\$ 78,981
Property Insurance	\$ 886,758	\$1,479,612
Public Officials, Special Events & Railroad Protective Liability	<u>\$ 191,779</u>	<u>\$ 204,595</u>
Totals	\$4,325,949	\$5,412,088

BUDGET IMPACT

Funding for the payment of premiums associated with the recommended program are included in the FY2021 Operating Budget for the first quarter adopted at the June 4, 2020 Board meeting.

BACKGROUND

The JPB's liability limits will remain at \$200 million with an additional \$100 million provided by Transit America Services, Inc. (TASI) for a total of \$300 million in FY2021. Underwriters continue to focus on risk selection, adjusting pricing to reflect exposures and claims.

Prepared by: Marshall Rush, Insurance & Claims Administrator

650.508.7742

RESOLUTION NO. 2020-

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

* * *

**APPROVING AND RATIFYING THE INSURANCE PROGRAM FOR
FISCAL YEAR 2021**

WHEREAS, the Executive Director of the Peninsula Corridor Joint Powers Board (JPB) has approved an insurance program for Fiscal Year (FY) 2021 with premiums totaling \$5,412,088, which program was presented to the Staff Coordinating Council (SCC); and

WHEREAS, in conjunction with the expiration of the JPB's existing insurance program on June 30, 2020, JPB staff renewed its insurance program for FY2021 based on the plan approved by the Executive Director, with the following significant elements:

1. A self-insured retention in the amount of \$2 million;
2. Railroad Liability, Commercial General Liability and Excess Automobile Liability policies, including Terrorism (TRIA) coverage, with a total limit of \$198 million, in excess of the \$2 million self-insured retention, at an annual premium of \$3,648,900,
3. Property insurance, including Special Risk property policies, at an annual premium of \$1,479,612 with limits of \$400 million to cover real and personal property, including stations, the Centralized Equipment Maintenance and Operations Facility, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock, as well as Boiler and Machinery insurance sufficient to meet the State of California inspection requirements;
4. Public Officials Liability coverage with \$15 million limits at an annual premium of \$128,721;

5. Annual Special Events and Emergency Drill liability with a \$2 million limit at a premium of \$30,933;
6. Railroad Protective Liability coverage with an annual premium of \$44,941;
7. Pollution Liability insurance at a \$10 million limit for a new two-year term for a premium of \$78,981; and

WHEREAS, SCC recommends that the Board approve and ratify the renewal of the JPB's insurance program for FY2021, as delineated above.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board hereby approves and ratifies the renewal of the JPB's insurance program for FY2021, including the types of coverage, limits and premiums recited above.

Regularly passed and adopted this 9th day of July, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Board of Directors

ATTEST:

JPB Secretary