



**BOARD OF DIRECTORS 2021**

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EXECUTIVE DIRECTOR

# AGENDA

## PENINSULA CORRIDOR JOINT POWERS BOARD

**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/91412776292?pwd=cVdKa01PK2FKdm1CSUwwZXR3RmlkUT09>

or by entering Webinar ID: **914 1277 6292**, Passcode: **909765** in the Zoom app for audio/visual capability or by calling 1-669-900-6833 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at

<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](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 [http://www.caltrain.com/about/bod/Board\\_of\\_Directors\\_Meeting\\_Calendar.html](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 and press \*6 to accept being unmuted when recognized to speak for two minutes or less. 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.

### **April 1, 2021 – Thursday**

#### **PART I OF MEETING (PUBLIC HEARING): 9:00 am**

1. Call to Order / Pledge of Allegiance
2. Roll Call
3. Public Hearing for Updated Fee Schedule
  - a. Open Public Hearing
  - b. Present Staff Report
  - c. Hear Public Comment
  - d. Close Public Hearing
  - e. Board Discussion

f. Approve Updated Property Conveyance Policy and Fee Schedule RESOLUTION

**PART II OF MEETING (CLOSED SESSION): 9:15 am estimated**

4. General Counsel Report – Closed Session:

- a. Conference with Legal Counsel – Anticipated Litigation Initiation of litigation pursuant to Government Code Section 54956.9(d)(4):  
One potential case

**PART III OF MEETING (REGULAR SESSION): 9:45 10:15 am estimated**

5. General Counsel Report – Report Out from Current Closed Session INFORMATIONAL

6. Public Comment for Items Not on the Agenda

Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff reply.

7. Consent Calendar

Members of the Board may request that an item under the Consent Calendar be considered separately

- a. Approve Regular Meeting Minutes of March 4, 2021 and Special Meeting Minutes of March 19, 2021 MOTION
- b. Receive Key Caltrain Performance Statistics – February 2021 MOTION
- c. Authorizing the Quitclaim and Release of Rights to Certain Unused Easements in the City And County of San Francisco and the City of Brisbane in Exchange for Rights to Access the Caltrain Rail Corridor Through Property Owned by Universal Paragon Corporation RESOLUTION

**Approved by the Finance Committee**

- d. Approve 2021 Finance Committee Calendar MOTION
- e. Accept Statement of Revenues and Expenses for the Period Ended February 28, 2021 MOTION
- f. Authorize an Amendment to the Agreement with Rail Surveyors & Engineers, Inc. for Engineering Consultant Design Services to Increase the Maximum Aggregate Not-To-Exceed Amount by \$2,650,000 and Extend the Contract Term through March 31, 2022 RESOLUTION
- g. On-Call Transportation Planning and Consultant Support Services Update INFORMATIONAL

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

- h. State and Federal Legislative Update And Approvals of Legislative Proposals: Support SB 339 (Wiener) MOTION
- i. South San Francisco Caltrain Station Improvement Project Update INFORMATIONAL

8. Reports

- a. Report of the Citizens Advisory Committee INFORMATIONAL
- b. Report of the Chair INFORMATIONAL
  - i. Resolution of Appreciation for Jim Hartnett RESOLUTION
  - ii. Report of the Local Policy Maker Group (LPMG) INFORMATIONAL
  - iii. Report on Governance
    - 1. Summary of Special Meeting #1 March 19, 2021 INFORMATIONAL
    - 2. Reprise of the Special Counsel Report – Olson Remcho INFORMATIONAL
- c. Report of the Executive Director INFORMATIONAL
  - i. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report – February INFORMATIONAL

9. Correspondence

10. Board Member Requests
11. General Counsel Report
12. Date/Time of Next Regular Meeting: Thursday, May 6, 2021 at 9:00  
am via Zoom
13. Adjourn

## **INFORMATION FOR THE PUBLIC**

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

If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at [www.caltrain.com](http://www.caltrain.com). Communications to the Board of Directors can be e-mailed to [board@caltrain.com](mailto:board@caltrain.com).

*Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电 1.800.660.4287*

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

JPB Board: First Thursday of the month, 9:00 am; JPB Finance Committee: Fourth Monday of the month, 2:30 pm; JPB WPLP Committee: Fourth Wednesday of the month, 3:00 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.** \*Should Zoom not be operational, please check online at [http://www.caltrain.com/about/bod/Board\\_of\\_Directors\\_Meeting\\_Calendar.html](http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html) for any updates or further instruction.

### **Public Comment\***

Members of the public are encouraged to participate remotely. 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 [http://www.caltrain.com/about/bod/Board\\_of\\_Directors\\_Meeting\\_Calendar.html](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](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 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**  
**STAFF REPORT**

TO: JPB Board of Directors

THROUGH: Jim Hartnett  
Executive Director

FROM: April Chan  
Chief Officer, Planning, Grants, and Transportation Authority

SUBJECT: **PUBLIC HEARING ON FEE SCHEDULE AND APPROVAL OF UPDATED PROPERTY CONVEYANCE POLICY AND FEE SCHEDULE**

**ACTION**

Staff proposes the Board:

1. Hold a public hearing on updates to the Fee Schedule for use of property owned by the Peninsula Corridor Joint Powers Board (JPB);
2. Following the public hearing on the Fee Schedule, approve the updated Policy Regarding Conveyance of Property Interests Involving Property Owned by the Peninsula Corridor Joint Powers Board (Policy) and Fee Schedule, both attached.

**SIGNIFICANCE**

The proposed Policy and Fee Schedule would promote administrative efficiencies and higher fee collections, which will serve to offset staff costs associated with processing agreements for access to Peninsula Corridor Joint Powers Board (JPB) property. Additional revenues realized will be reflected in future JPB budgets.

The JPB receives numerous requests from utilities to cross, or otherwise traverse, the Caltrain Corridor, as well as various other third party requests to use JPB property for uses unrelated to railroad operations. In addition, properties that are not currently required to support Caltrain operations are often leased to generate revenue to offset the cost of operating Caltrain.

The Board of Directors (Board) adopted the Caltrain Rail Corridor Use Policy (RCUP) on February 6, 2020 via Resolution 2020-05. The RCUP is intended to provide a process to facilitate agency review of potential uses of JPB property to ensure they are compatible with the railroad's current and future needs. The Policy, with proposed updates, would describe the agency's process and terms for issuing Property Access Agreements to third parties to access and/or use JPB property. Proposed Policy modifications include a role of the RCUP and update terms and procedures for other aspects of the process for reviewing proposed third-party uses of JPB property.

The updated Policy includes several policy changes. The changes are intended to help staff facilitate the generation of more revenue from property not currently being used for rail operations. For example, the Policy updates would:

- Require that property be leased for market value;
- Encourage longer lease terms to maximize revenue;
- Require advertisement of all potential leases where the lease terms are over five years and the properties are not landlocked; and
- Set forth which agreements can be approved by the Executive Director and which must be approved by the Board.

The Fee Schedule sets forth charges to third parties to utilize JPB property. These fees cover administrative expenses associated with the review and approval of property entry requests and oversight of projects on JPB property. The current Fee Schedule is outdated, as it is more than 10 years old. The proposed updated Fee Schedule reflects actual expenses associated with processing such requests and current property values. Key proposed changes to the Fee Schedule would:

- Increase the property access agreement processing fee from \$1,500 to \$2,100 (or \$1,000 for limited Encroachment Permits);
- Increase annual fees for Licenses and Right of Entry Permits from \$1,500 to \$5,000;
- Require prospective users of agency property to pay fees before requests to use agency property are processed; and
- Incorporate fees associated with implementing the RCUP process.

### **BUDGET IMPACT**

The proposed updates to the Fee Schedule would generate additional revenues to offset administrative expenses associated with processing agreements for access to JPB property.

### **BACKGROUND**

The Board originally adopted a fee schedule in April 1992 and originally approved a policy for access to JPB property in April 1994. Both were subsequently updated October 7, 2010. The WPLP Committee has recommended that the board adopt the updated Policy and Fee Schedule.

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

650.508.7781

**RESOLUTION NO. 2021-**

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

**\* \* \***

**ADOPTING AN UPDATED POLICY REGARDING THE PROCESSING OF REQUESTS FOR  
CONVEYANCE OF PROPERTY INTERESTS AND ASSOCIATED FEE SCHEDULE**

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB), owns various properties, including the Caltrain right of way, which are the subject of numerous requests for use by various public and private parties; and

**WHEREAS**, in order to respond to third-party requests to enter or use JPB property, on October 7, 2010, pursuant to Resolution 2010-45, the Board of Directors (Board) adopted a Policy Regarding Processing of Requests for Conveyance of Property Interests Involving the Property Owned by JPB (Policy); and

**WHEREAS**, the Policy includes a Fee Schedule to allow the JPB to recoup costs associated with handling such requests and to generate revenue from the use of JPB property by third parties; and

**WHEREAS**, on February 6, 2020, pursuant to Resolution 2020-05, the Board adopted the Caltrain Rail Corridor Use Policy (RCUP) to facilitate agency review of potential uses of JPB property to ensure they are compatible with the railroad's current and future needs; and

**WHEREAS**, staff has updated the Policy to describe the JPB's current process and terms for issuing Property Access Agreements to third parties to access and/or use JPB property; be consistent with the RCUP; and update terms and procedures for other aspects of the process for reviewing proposed third-party uses of JPB property; and

**WHEREAS**, staff also has updated the associated Fee Schedule to reflect current costs of processing requests to access and/or use JPB property, and to reflect current market values; and

**WHEREAS**, on April 1, 2021, the Board held a public hearing to seek and consider input on the revised Fee Schedule.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approves the updated "Policy Regarding Process of Requests for Conveyance of Property interests Involving Property Owned by the Peninsula Corridor Joint Powers Board" and associated Fee Schedule, attached hereto; and

**BE IT FURTHER RESOLVED** that the Executive Director is authorized to approve or deny requests for access to, or use of, JPB property in accordance with the attached policy.

Regularly passed and adopted this 1<sup>st</sup> day of April, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
Chair, Peninsula Corridor Joint Powers Board

\_\_\_\_\_  
JPB Secretary



# PENINSULA CORRIDOR JOINT POWERS BOARD

## FEE SCHEDULE

### FEES BY REAL ESTATE AGREEMENT TYPE

Note: The below agreement types are defined in the Peninsula Corridor Joint Powers Board's (PCJPB) "Policy Regarding Third Party Requests to Use Property Owned by the Peninsula Corridor Joint Powers Board"

#### **Right of Entry Permit Agreement**

Real Estate Processing Fee: \$2,100

Annual Permit Payment: \$5,000, if the total area is 2,000 or less

Annual Permit Payment: fair market value (not less than \$5000) if the area is greater than 2,000 sq. ft.

#### **License Agreement**

Real Estate Processing Fee: \$2,100

Annual Permit Payment: \$5,000, if the total area is 2,000 or less

Annual Permit Payment: fair market value (not less than \$5000) if the area is greater than 2,000 sq. ft.

#### **Encroachment Permit**

Real Estate Processing Fee: \$1,000

#### **Lease Agreement**

Real Estate Processing Fee: None

Monthly Rent: fair market value (as determined by staff), but not less than \$800/mo.

#### **Easement Agreement**

Real Estate Processing Fee: \$2,100

Payment of lump sum fair market value of the easement as determined by staff

### SERVICE AGREEMENTS AND ASSOCIATED FEES

#### **Purpose**

If staff determines that staff review of a request to access property will require more than 8 hours of staff time and/or more than 3 hours of the Attorney's time, which costs are covered by the various Real Estate Processing Fees above, the applicant shall enter into a Service Agreement with PCJPB. The Service Agreement sets forth the terms and conditions under which the applicant will reimburse PCJPB for all actual costs of providing the services and materials required to support the applicant's proposed project (including applicable general and administrative overhead costs) and for costs associated with processing the Property Access Agreement. A Service Agreement conveys neither property rights nor right to use property.

#### **Payment Policy**

##### Service Agreements Valued under \$50,000:

Service Agreements with an estimated cost of less than \$50,000 or Service Agreements that will be completed in 120 days or less require full prepayment.

##### Service Agreements Valued over \$50,000:

If the Service Agreement has an estimated total project cost of more than \$50,000 or will last more than 120 days, a payment option may be pre-arranged on a case-by-case basis. A minimum 10% deposit with monthly progress billings or a deposit based on a cash flow analysis with monthly progress billings (whichever is greater) may be arranged and approved at the discretion of staff. Payments under a progress billing are due 30

days following the date of invoice. All overdue balances due to PCJPB not contested in writing, by the due date shall bear interest at the rate of 1.5% per month, compounded monthly, from the due date. Additionally, PCJPB may require that all work cease until all payments are received in full.

### **RAIL CORRIDOR USE POLICY – USE VARIANCE FEE**

All proposed non-railroad uses of JPB property must be determined to be compatible with the railroad’s current and future uses, as demonstrated through compliance with the Board-adopted Rail Corridor Use Policy, or the “RCUP” (adopted February 6, 2020 as Resolution 2020-05).

The RCUP review process does not charge a fee for the initial compatibility review(s) of proposed uses.

For uses that are determined to be not compatible with the railroad’s current and future needs after the initial compatibility review, third parties may opt to request an RCUP Use Variance. A Base Fee of \$2500 is charged for all proposed uses of PCJPB property that enter into the RCUP Use Variance process. This nonrefundable Base Fee must be fully paid by the applicant at the time of submitting the RCUP Use Variance application. The Base Fee is charged to cover PCJPB costs for reviewing and processing the RCUP Use Variance application, inclusive of up to 12 hours of staff time and up to 3 hours of the Attorney’s time.

The RCUP Use Variance Review Base Fee is likely to cover PCJPB costs for reviewing *most* Use Variance applications; however, there may be some instances in which the complex nature of the proposed use or its location on the corridor requires a more extensive review of the Use Variance application. In these instances, the Base Fee may not be adequate for covering PCJPB costs for processing and reviewing, and additional staff and/or Attorney time may be required. Therefore, on a case-by-case basis, the PCJPB may charge an Additional Fee (on top of the Base Fee) to seek reimbursement for PCJPB costs for Use Variance applications requiring extensive review. Staff will determine if an Additional Fee is required to cover PCJPB costs for processing a complex Use Variance application after receipt of the application, and as soon as a determination is made, staff will notify the applicant of any Additional Fee as soon as possible. The Additional Fee to process complex Use Variance applications is to be issued and paid using a Service Agreement, under the terms and conditions described for Service Agreements above. The Additional Fee is nonrefundable and must be fully prepaid by the applicant before staff may process a complex Use Variance application.

Notes:

- Payment of the RCUP Use Variance Fee neither conveys PCJPB’s approval of the compatibility of the proposed use, nor provides authorization to use property.
- Additional information about the RCUP review process, including the Use Variance process, can be found in the adopted Rail Corridor Use Policy, available on Caltrain’s website.

### **REASON FOR FEES**

The Purpose of the Real Estate Processing Fee and the RCUP Use Variance Fee is to recoup costs associated with staff time to negotiate and draft the real estate document or review the Use Variance, legal time for review of documents and staff time to set up and monitor the project, as necessary. The Annual License Payment and Annual Permit Payment represent the value of the encumbrance to the property created by the agreement.

### **REGULAR REVIEW OF FEES**

All fees shall be reviewed regularly by staff and updated as PCJPB’s cost of processing permits increases. Annual License Payments and Annual Permit Payments shall be reviewed regularly by staff and updated to reflect current property values.

## **PENINSULA CORRIDOR JOINT POWERS BOARD**

### **POLICY REGARDING THIRD PARTY REQUESTS TO USE PROPERTY OWNED BY THE PENINSULA CORRIDOR JOINT POWERS BOARD**

#### **Overview, Background, and Purpose**

The Peninsula Corridor Joint Powers Board (“PCJPB”) owns a railroad right-of-way running from San Francisco down through San Jose, the Caltrain Rail Corridor (“Corridor”) for the purposes of operating the Caltrain passenger rail service. Within San Mateo County, Corridor ownership is shared with the San Mateo County Transit District. Additionally, PCJPB separately owns property near 26 Caltrain stations, as well as other property purchased in support of various capital projects. It is intended that, as additional property is purchased by PCJPB, third party use of that property shall be governed by this Policy. As of 2021, the PCJPB’s property holdings (“PCJPB property”) total approximately 690 acres, a substantial portion of which is dedicated to transportation uses.

Due to the Corridor's location along the Peninsula, and the historic economic development that it triggered, the Corridor runs through the middle of many communities between San Francisco and San Jose. As a result, the PCJPB receives numerous requests from utilities to cross, or otherwise occupy, portions of the Corridor, as well as various other third party requests to use PCJPB property for uses unrelated to railroad operations. In addition, properties that are not currently required to support Caltrain operations may be leased to generate revenue to offset the cost of operating Caltrain.

PCJPB, and its predecessor Southern Pacific Railroad, have had a long history of allowing third-party utilities to operate within the Corridor and has entered into numerous revenue-generating leases of PCJPB Property. The process for reviewing and approving both types of requests is currently governed by the “Policy Regarding Processing of Requests For Conveyance of Property Interests Involving Property Owned by the PCJPB” which was adopted in 2010 via Resolution 2010-45. Following Board adoption, this updated policy will supersede that previous policy.

PCJPB recognized a need to update its property use process in response to the PCJPB Board of Directors’ adoption of an ambitious Long-Range Service Vision for the railroad on October 3, 2019. As such, the PCJPB Board of Directors adopted the Caltrain Rail Corridor Use Policy on February 6, 2020 via Resolution 2020-05 (“RCUP”) to guide the use of the agency’s property and support delivery of Caltrain’s Long-Term Service Vision

The RCUP is intended to provide a process to facilitate agency review of requested uses of PCJPB property to ensure they are compatible with the railroad’s current and future needs. Following approval through the RCUP compatibility review process, a proposed use is required to undergo additional review for engineering, operational, and regulatory compliance before the agency will issue an agreement to allow a third party the right to use PCJPB property. The types of agreement issued by PCJPB are listed below and are hereafter referred to as “Property Access Agreements.”

This updated policy describes the agency's process and terms for granting Property Access Agreements to third parties to access and/or use PCJPB property. It has been updated to include and clarify the role of the RCUP in the process, as well as update terms and procedures for other aspects of the review process for proposed uses.

The contents of this updated policy are as follows:

- Summary of Property Access Agreements
- Staff review process and terms for non-lease agreements
- Staff review process and terms for lease agreements
- Final approval process for all agreements

### **Summary of Property Access Agreements**

Below is a list of the types of agreements most frequently issued by the PCJPB and a brief description of each, including required conditions.

#### **Service Agreement**

Purpose: Sets forth the terms and conditions under which the applicant will reimburse the PCJPB for all actual costs incurred in providing the services and materials required to review the applicant's proposed use (including applicable general and administrative overhead costs), for costs associated with processing the Property Access Agreement, and for costs required to support the implementation of the use of agency property, as appropriate. A Service Agreement does not convey any rights to use property.

#### **Right of Entry Permit Agreement**

Purpose: Allows third party access to PCJPB Property for a specified period to accomplish a specific activity, which generally involves construction work on an existing facility. No facilities may be constructed on PCJPB Property.

Other Conditions: Permittee (or agency contracting with Permittee) shall sign a Service Agreement to reimburse PCJPB for its costs and expenses, as necessary.

#### **License Agreement**

Purpose: Allows third party access to PCJPB Property for a specified period to accomplish a specific activity, which generally involves construction work and allows an applicant's semi-permanent facility to remain on PCJPB Property.

Other Conditions: Licensee shall sign a Service Agreement to reimburse PCJPB for its costs and expenses, as necessary.

#### **Encroachment Permit**

Purpose: Allows third parties access to PCJPB Property for a specific purpose and a limited duration when a Right of Entry Permit, License Agreement or Lease is not appropriate, when no construction is to occur on the property and when the property is outside of the Operating Use Zone as defined in RCUP.

#### **Lease Agreement**

Purpose: Allows a third party to use PCJPB Property not currently required for rail operations for a defined period. This agreement is typically used when the third party is a commercial business leasing PCJPB property for Fair Market Rent.

### **Easement Agreement**

Purpose: Provides permanent property rights to the grantee for a specific purpose.

Other Conditions: Licensee shall sign a Service Agreement to reimburse PCJPB for its costs and expenses, as necessary. Requires Board approval.

## **Staff Review Process and Terms for Non-Lease Agreements**

This section describes the review process and terms for all agreements that are not leases. Non-lease agreements are typically issued for utility crossings, but may be used in other circumstances when a lease agreement is not appropriate.

After receipt of an application form, staff will analyze each request in accordance with this Policy and, if the request warrants further review, will present the applicant with an estimate of PCJPB's processing and oversight costs ("Processing Costs"), as applicable. Only after the applicant has paid a non-refundable processing fee (the "Real Estate Processing Fee") and, if required, signed a Service Agreement to reimburse PCJPB for its actual cost of reviewing the request, will staff analyze the request to ensure the following, which shall be hereafter referred to as "Baseline Conditions":

- The request is determined to be compatible with current and anticipated future operational requirements and potential railroad uses of the property, and is consistent with RCUP; and
- The applicant's improvements are designed to be compatible with the broadest range of possible transportation alternatives for the entire width of the right-of-way, to minimize disruption of current service and the necessity for later relocation; and
- All facilities constructed on PCJPB Property are constructed in a manner consistent with all applicable general engineering standards, Caltrain standards and California Public Utilities Commission regulations; and
- The request is in full compliance with the requirements of applicable federal and state laws including any conditions embodied in grants and conditions of financing for the property acquisition by the PCJPB or its predecessors in interest.

Once the review is completed, staff will process the appropriate Property Access Agreement, typically based upon PCJPB's standard forms, and will forward the agreement and a staff recommendation to the Executive Director of the PCJPB (or his/her designee) for consideration. The Property Access Agreement will require the applicant to agree, at the minimum, to the following conditions ("Required Conditions"):

- The Applicant must agree to relocate applicant's facilities (at applicant's expense) if necessary to accommodate the use of the Property for public transportation purposes or real estate development, as determined by PCJPB, its successors or assigns; and
- The applicant must maintain and repair its improvements at its sole expense; and

- The applicant must indemnify the PCJPB against liability (including for the release of hazardous materials) arising out of permittee’s use of the property; and
- The agreement will include a reservation of a right in favor of PCJPB to terminate for breach; and
- The agreement will require that the applicant (and/or its contractor) provide adequate insurance for the benefit of PCJPB, its successors and assigns, including, when necessary Railroad Protective Liability Insurance (RPLI).
  - PCJPB shall obtain RPLI in its own name, at the sole cost and expense of the applicant. An applicant may provide its own RPLI by demonstrating that it can provide coverage that is equivalent to, or better than, the RPLI available to PCJPB.

### **Staff Review Process and Terms for Lease Agreements**

This section describes the review process and terms for all lease agreements, for which there are two general types of sites:

- **Independently Usable Sites:** In certain locations, especially along commercial corridors, commercial demand exists for use of PCJPB Property that is not currently required to support Caltrain operations. Such properties are typically accessible from the public street system and can be used independently, without reliance upon use of property owned by entities than other the PCJPB (“Independently Usable Sites”).
- **Landlocked Sites:** In other instances, property not currently required to support Caltrain operations is landlocked, meaning it has no means of access other than from the Caltrain corridor or though the contiguous site, but may have commercial value to the contiguous property owners (“Landlocked Sites”).

In both such cases, PCJPB may seek to lease property to generate revenue, and all potential leases must be analyzed and approved in accordance with the terms and process described below.

**Requirement for Fair Market Rent:** All property shall be leased at market value unless otherwise approved by the Board in its sole and complete discretion. Market value will be evaluated in consideration of current market conditions, the proposed use, the site’s physical characteristics (including location, size, access and shape of the property), and taking into account all rights and limitations created by the lease agreement, and shall be referred to throughout as “Fair Market Rent.”

**RCUP Compatibility and Determination of the Lease Term:** Before any site is made available for lease, staff shall ensure that use of the site by a third party is compatible with the railroad’s current and future needs for its property and is compliant with RCUP. Real Estate staff shall also review the site with other departments, including Planning and Engineering, to determine if and when the site will be needed to support future rail activities or capital projects. For revenue-generating commercial leases, staff shall seek to make the site available for the longest possible duration that does not conflict with potential PCJPB uses of the property, it being understood that longer lease terms generally lead to more lucrative financial return.

The review and approval process and terms for leases are different for independently usable sites and landlocked sites, as described below.

**Independently Usable Sites:** When property with independent commercial potential is identified as available for lease, and the proposed use will be for more than five years, staff shall seek to competitively market the site, either through a commercial broker or directly by staff, to attract a pool of qualified potential tenants. Leases of less than five years are not required to be marketed but may be if staff feels it would be appropriate to do so.

Proposals will be evaluated using criteria, developed by staff to reflect the specific site, and will typically include the maximization of rent paid, compliance with the Baseline Conditions, and other conditions specific to the property itself. In no case shall rent be for less than Fair Market Rent, unless approved by the Board.

Once the review is completed and a potential tenant has been selected, staff will process the lease agreement, which will be based upon PCJPB's standard form, and will forward the agreement and a staff recommendation to the Executive Director of the PCJPB (or his/her designee) for consideration. The lease will require the applicant to agree, at a minimum, to the Required Conditions.

**Landlocked Sites:** Staff may negotiate directly with the contiguous property owner, unless other potential lessees have expressed interest in the site or staff otherwise believes that marketing the site will attract a larger pool of qualified tenants, in which case staff shall follow the procedures for marketing a non-landlocked site. When leases for landlocked property come due, staff may choose to negotiate directly with the existing tenant if the tenant has been a tenant of good standing throughout previous lease term. The lessee must comply with the Baseline Conditions and the rent must be no less than Fair Market Rent unless otherwise approved by the Board.

Once the review is completed and a potential tenant has been selected, staff will process the lease agreement, typically based upon PCJPB's standard form, and will forward the agreement and a staff recommendation to the Executive Director of the PCJPB (or his/her designee) for consideration. The lease will require the applicant to agree, at a minimum, to the Required Conditions.

## **Final Approval of Property Access Agreements**

This section describes the final approvals that are needed to issue a Property Access Agreement to a third party after staff has reviewed and recommended the request for approval.

If the Property Access Agreement is within the authority of the Executive Director, as described below, the Executive Director or his/her designee may execute the agreement. If the request falls within the Board's authority, as described below, the Executive Director may sign the agreement only being delegated authority by the Board.

## **AUTHORITY OF EXECUTIVE DIRECTOR**

The Executive Director (or his/her designee) may approve Property Access Agreements without the prior approval of the Board, provided that the request will not have an adverse impact on the use or potential future development of PCJPB-owned Property for PCJPB purposes and that the following conditions are met:

- The Property Access Agreement is for a term not more than five years
  - Exception: if the lease is an extension of a lease to an existing tenant and is for an Independently Usable Site, the new term will extend the occupancy of the same tenant for more than 5 consecutive years, the lease will require board approval; and
- The applicant has paid the appropriate amount of compensation as described in the PCJPB's Fee Schedule, or for leases, the rent is set at Fair Market Rent; and
- The Property Access Agreement includes all of the Required Conditions and staff has determined that such use is consistent with the Baseline Conditions.

## **PCJPB BOARD REVIEW**

The Board of Directors shall review and approve all conveyances of permanent property rights as well as any other requests that do not fall into the authority of the Executive Director, as outlined above. The Property Access Agreements may be issued only after the applicant pays appropriate compensation as set forth in the PCJPB's Fee Schedule or, for leases has paid the first month's rent and any security deposit.





# FEE SCHEDULE PUBLIC HEARING

JPB Board of Directors  
April 1, 2021

# PURPOSE OF FEE SCHEDULE

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- Is tied to Policy of Property Conveyance
- Policy and Fee schedule were last updated in 2010
- Updates fees to reflect current values and actual cost to process agreements

# POLICY CONTEXT

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- Policy of Property Conveyance
  - Sets framework for temporary and compatible uses of agency property. For example:
    - Utility crossings of ROW
    - Revenue generating leases
    - Other short term uses
- Fee Schedule
  - Sets fees for various types of plan review and agreements
  - Documents RCUP fees

# BACKGROUND

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- Policy and Fee Schedule were discussed in WPLP Committee in February
- The committee recommend that the board adopt the Policy and the Fee Schedule
- Board noticed a public hearing for the Fee Schedule at its March meeting

# TYPES OF USES

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## Utility Crossings

- The Caltrain Corridor runs through the middle of the Peninsula to serve both sides of the corridor
  - Approximately 500 utilities currently cross the right of way
    - Gas, electric, telecom, water, sewer lines, cable TV, storm drains
- Utility crossings are typically permitted through a License Agreement
  - Provides right to cross the ROW but does not confer a property right
  - Typically allows agency to move facility at utility owner's cost

# TYPES OF USES

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## Other Short- Term Uses

- Girl Scout Cookie Sales
- Events on Caltrain Property:
  - Bike to work, Library Awareness Events. ect
- Typically permitted through a revocable Encroachment Permit

# TYPES OF USES

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## Leases

- The agency has 160 leases that generate over \$1.1M annually
  - Lease sites are located along commercial corridors, like ECR

# HOW ARE USES APPROVED?

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- All proposed uses have been analyzed to confirm:
  - The proposed use is compatible with current and future rail needs
    - Historically, such reviews have been conducted by staff on a case by case basis
      - Now compatibility is determined by the Board- approved RCUP use zones, in addition to staff review
  - The proposed use is consistent with all relevant engineering standards



# FEE SCHEDULE

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- Updated to reflect current property values and agency costs
- Example Fees
  - Processing Fee
    - Fee associated with preparing the property use document
    - Designed to recoup staff costs
  - Review Costs
    - Cost for staff review of proposed use
    - Agency recollects cost of review through a Service Agreement
  - Annual Fee
    - Cost associated with a facility being on the right of way
    - Based on current property values

# FEE SCHEDULE

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## Leases

- Agency leases property to generate revenue
  - Rent is Fair Market Rent (FMR), typically calculated by a local broker

# MAJOR CHANGES FROM CURRENT FEE SCHEDULE

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- Agency must obtain FMR for all leases
- Increases processing fee
  - from \$1500 to \$2100, \$1000 for encroachment permits
- Increases Annual Fee
  - From \$1500 to \$5000 for Right of Entry and License Agreements
  - Market Value if greater than 2000SF
- Adds RCUP Use Variance Base Fee: \$5000
- Requires that fees be paid before a permit is processed

# NEXT STEPS

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- Board Opens Fee Schedule Hearing for comments
- Staff recommends that Board adopt Fee Schedule and Policy

# QUESTIONS?

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

**DRAFT MINUTES OF MARCH 4, 2021**

**MEMBERS PRESENT:** C. Chavez , D. Davis (Chair), J. Gee, G. Hendricks, S. Heminger (Vice Chair), D. Pine, C. Stone (arrived 9:03 am), M. Zmuda

**MEMBERS ABSENT:** S. Walton

**STAFF PRESENT:** J. Hartnett, C. Mau, J. Cassman, S. Van Hoften, M. Bouchard, J. Funghi, K. Yin, D. Hansel, R. Rios, S. Petty, B. Tietjen, P. Skinner, B. Fitzpatrick, B. Shaw, J. Sangha, R. Cheung, M. Jones, D. Seamans, S. Wong

**1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Chair Dev Davis called the meeting to order at 9:01 am and led the pledge of allegiance.

**2. ROLL CALL**

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

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

- a. **Closed Session: Conference with Legal Counsel – Anticipated Litigation**  
**Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case**
- b. **Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): San Mateo County Transit District v. Britannia Gateway II Limited Partnership, Case No. 21-CIV-00090**
- c. **Closed Session pursuant to Government Code Section 54956.8:**  
**Conference with Real Property Negotiators Property: Parcels adjacent to Caltrain right-of-way in vicinity of Bayshore Station: San Francisco Property (APN 009-5102), San Mateo County Properties (APNs 005-162-300, 005-162-320, 005-162-350, 005-162-360, 005-340-040, 005-340-090, 005-340-100, 005-350-070, 005-350-080).**

The Board convened in closed session at 9:04am  
The Board reconvened in regular session at 10:35am

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

General Counsel Joan Cassman stated that there were no reportable actions taken for Item 3a and Item 3b, For Item 3c, the Board authorized a settlement as reflected in Consent Calendar Item 6d that pertains to an agreement with Pacific Gas and Electric.

## **5. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Vaughn Wolffe, Pleasanton, commented on a vaccine booster, setting up vaccinations at the Millbrae station, and rail versus autonomous vehicles.

Roland Lebrun, San Jose, commented on the Gilroy Caltrain parking lot and increasing ridership with purchasing all parking lots from the Santa Clara Valley Transportation Authority (VTA).

Aleta Dupree, Oakland, commented on vaccines, how to get riders back on trains, advertising, and electrified railroad.

Andy Chow, Redwood City, commented on the Senate COVID relief bill, and duplicate service between Santa Clara and Diridon.

Adrian Brandt, San Mateo County, commented on placing inexpensive carbon dioxide monitors in each car to monitor if ventilation is adequate and tying Dumbarton to automated technology.

## **6. CONSENT CALENDAR**

- a. Approved Regular Meeting Minutes of February 4, 2021**
- b. Received Key Caltrain Performance Statistics – January 2021**
- c. Capital Projects Quarterly Status Report - 2nd Quarter Fiscal Year 2021**
- d. Authorize the Executive Director to Execute Amendment No. 3 to Supplemental Agreement No. 2 with Pacific Gas and Electric for Construction of 115 Kilovolt Interconnections for the Peninsula Corridor Electrification Project**
- e. Accept Statement of Revenues and Expenses for the Period Ended January 31, 2021**
- f. Authorize the Filing of Applications with the Metropolitan Transportation Commission for Programming of Federal Transit Administration Formula Funds for Caltrain Capital and Operating Projects**
- g. Authorize Execution of Agreements with the California Department of Tax and Fee Administration for Implementation of Measure RR Transactions and Use Tax and Authorizing Examination of Transactions and Use Tax Records**
- h. Clipper START Quarterly Update**
- i. Receive State and Federal Legislative Update**
- j. Review Proposed Revisions to Property Conveyance Policy and Call for Public Hearing on Updated Fee Schedule**

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding running below expenses, an unbalanced budget (page 81 in the packet), including CARES funding, and indicating two additional sources of funds between rows 50-51.

Motion/Second: Hendricks/Stone

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

Noes: None

Absent: Walton

Public Comment

Aleta Dupree commented on putting Clipper START on the front page of the website, and helping lower income individuals get Clipper START.

**7. REPORTS**

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

Brian Shaw, CAC Chair, reported on their February 17 meeting where the public commented on Caltrain timetables availability. He stated that committee members commented on paying attention to Redwood City Sequoia Station redevelopment project, updating the Caltrain website, accessibility of different languages, mobile application parking purchases, videos on how to use Clipper Card, and placing Caltrain signage on bridges to promote ridership.

**b. Report of the Chair**

Chair Davis noted that the Governance Process Ad Hoc Committee (consisting of Directors Stone, Walton, Chavez and Chair Davis) meets monthly and there will be four Board workshops. The Committee has been working on a structured process, draft roadmap, and establishing governance criteria. The General Counsel Ad Hoc Committee will be interviewing candidates in March and April; there will be a recommendation to the Board in either May or June.

**i. Resolution of Appreciation for former Chair Dave Pine**

Chair Davis expressed appreciation for former Chair Dave Pine and his leadership and successes in 2020 on many fronts (the business plan, governance, electrification, service changes) and his unprecedented success in getting seven Boards to agree to place Measure RR onto three county ballots simultaneously.

Director Pine thanked his colleagues for the recognition.

Motion/Second: Stone/Chavez

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

Noes: None

Absent: Walton

**ii. Report of the Local Policy Maker Group (LPMG)**

Director Jeff Gee reported that they met February 25 and had an orientation for new members. He said they discussed constant warning time, and exploring a change in the draft-engineering standard for Caltrain to include grade separations higher than one percent, which would reduce construction costs.

**c. Report of the Executive Director**

Jim Hartnett, Executive Director, stated that the written report was available in the packet. He reported that with the second tranche of federal funding, based on the Metropolitan Transportation Commission (MTC) Programming & Allocations Committee calculations, Caltrain would receive approximately \$39.6 million.

Mr. Hartnett announced that Caltrain is temporarily reducing its monthly pass price by 20 percent; staff will be bringing back a comprehensive fare package for the Board's



consideration in the Spring, and there would be an adjusted schedule effective March 22.

**i. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report  
– December**

John Funghi, CalMod Chief Officer, provided an update on electrification infrastructure and electric multiple-unit (EMU) fabrication. He stated that over 70 percent of foundations and over 50 percent of poles were installed. Mr. Funghi said the first train set would begin routine testing in February 2022. He noted that the Federal Transportation Authority (FTA) Risk Refresh Report would be delayed and there is a \$1 million deficit at the current stage of development.

Public Comment

Adrian Brandt, San Mateo County, commented on removing zone boundaries and going to distance based fares to address fare equity and dual speed checks.

Vaughn Wolffe, Pleasanton, commented on electrification and expressed concern with completing electrification on time.

Roland Lebrun, San Jose, commented on the Chair's Report, segment four production, electrification, constant wait time and speed detection zones.

Aleta Dupree, Oakland, commented on doubling foundation production, the supply chain, and electrification goals.

Jeff Carter, Millbrae, commented on CAC alternates for San Mateo County, updating the fare system and accepting public comments after each item.

Adina Levin, Friends of Caltrain, thanked former Chair Pine for his service.

**8. CORRESPONDENCE**

Correspondence was available online.

**9. BOARD MEMBER REQUESTS**

None.

**10. GENERAL COUNSEL REPORT**

There was none.

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

Thursday, April 1, 2021 at 9:00 am via Zoom

**12. ADJOURN**

The meeting adjourned at 11:35 am.

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

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

DRAFT MINUTES OF MARCH 19, 2021  
SPECIAL MEETING #1 - GOVERNANCE

**MEMBERS PRESENT:** C. Chavez , D. Davis (Chair), J. Gee, G. Hendricks, S. Heminger (Vice Chair), D. Pine, C. Stone (arrived 9:01 am), S. Walton, M. Zmuda

**MEMBERS ABSENT:** None

**STAFF PRESENT:** J. Hartnett, C. Mau, M. Bouchard, R. Rios, S. Petty, D. Hansel , R. Johansen, J. Harrison, H. Husain, H. Permut, M. Jones, K. Miller, D. Seamans, S. Wong,

**1. CALL TO ORDER/ROLL CALL**

Chair Dev Davis called the meeting to order at 1:00pm.

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

**2. CALTRAIN GOVERNANCE SPECIAL MEETING #1 (INCLUDING BACKGROUND INTERVIEWS AND KEY THEMES, 2021 GOVERNANCE PROCESS, AND NEXT STEPS)**

Chair Davis introduced the purpose of the meeting, including taking Board action on as appropriate.

Michelle Bouchard, Interim Executive Director, introduced participating staff and meeting objectives.

Howard Permut, Governance Consultant, provided an overview of the interview process and eight key themes:

1. What is the Governance Model
2. Decision Making Process to be Followed
3. The Need to Acknowledge Past Agreements
4. Need to Position Caltrain for Future Success
5. Strong Interest in Regional Options
6. Recognition that Selection and Implementation of any Governance Option will be Complex & Costly
7. Appointment of Board Members (one year term too short, fixed 2-4 yr terms preferable)
8. Progress Made

1. The Board members had a discussion regarding **selection of a governance model**, which included the following: what a staged solution means, transparency about issues, regional options, amount of consensus, willingness to compromise, and financial implications.

2. The Board members had a discussion regarding **the decision making process**, which included the following: the need for objective criteria, an externally sound recommendation, putting trust issues on the table, having conversations in good faith, and not pre-supposing outcomes.

3. The Board members had a discussion regarding **acknowledging past agreements**, which included the following: honoring versus acknowledging past agreements, contradictory agreements, the role of the Metropolitan Transportation Commission (MTC) in uniting all parties, prioritizing Olsen Remcho's comprehensive report, what needs to be repaid, financial impacts, reconciling all past agreements, not taking comments today as final.

4. The Board members had a discussion regarding **positioning Caltrain for future success**, which included the following: this being the umbrella to operate under, cost effectiveness, implications of regional operation, focus on equity, and keeping up with ongoing changes in tax revenue, ridership, and, demographics.

5. The Board members had a discussion regarding **strong interest in regional options**, which included the following: the larger the organization, the harder it is to make change quickly, undoing Caltrain's achievements, being clear on costs and benefits, considering regional integration without governance consolidation, and the need to evaluate trade-offs.

6. The Board members had a discussion regarding **the complexity and cost of selection and implementation**, which included the following: understanding costs of changes, separating issues from cost, making SamTrans whole, needing solid numbers, not shying away from change due to costs, deciding who pays, understanding the ideal recommendation. Legal framing of partnership, ending point, authority of State Legislature, what is already in place.

7. The Board members had a discussion regarding **appointment of Board members**, which included the following: term lengths and whether this takes second priority to selection of governance model.

Ms. Bouchard discussed the current position on the decision roadmap.

#### Public Comment

Brandon Haase, commented on transit police response to an assault on an Asian American woman.

Richard Hedges, San Mateo, commented on making Caltrain fiscally whole and not taking funds from Measure RR.

Laura Tolkoff, SPUR, commented on thinking of the best outcome for riders, good value, an accountable institution, and exploring regionalize governance options.

Ian Griffith, Seamless Bay Area, commented on focusing on outcomes for riders and possible large and nimble organizations.

Roland Lebrun, San Jose, commented on going back on the 2020 agreement, Measure RR, financial implications, overhead liabilities, and freeing Caltrain. Adina Levin, Friends of Caltrain, commented on consensus of the Board to achieve business plan goals, regional transit ridership, and not using Measure RR for governance.

Joe Kunzler, commented Caltrain equity, seamless governance structure, not having agencies hold options hostage and thanked Director Chavez for her work.

Drew, San Mateo, commented on changing Caltrain's name to be more reflective of its electrification and extensions.

Jeff Carter, Millbrae, commented on making San Mateo county whole for their purchase.

David Tuzman, Peninsula Young Democrats, commented on exploring regional options.

Adrian Brandt, San Mateo County, commented on goals being rider focused and European transit.

The Board members had a robust discussion for the Proposed Objectives/Roadmap for the 2021 Governance Outcome, which included the following: detailing deliverables, Measure RR clarification, hidden participants influencing outcomes, overriding decisions, objectives not necessarily being requisites, equitable decision making, how the Executive Director is selected, benefits to ridership, and having enough time for financial and legal analysis.

Motion/Second: Hendricks/Heminger **moved to accept the 2021 Governance Roadmap for the process with the understanding that the subcommittee may come back with updates to refine the plan**

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

Noes: None

Absent: None

Motion/Second: Walton/Chavez **moved to accept the 2021 Proposed Objectives for the Governance Outcome with the amendment that 1) an additional objective be equitable decision making across the Board for all JPB member agencies and 2) be focused on improving ridership of all income levels for Caltrain**

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

Abstain: Stone

Absent: None

Chair Davis called for a break.

The meeting recessed at 3:20 pm and reconvened at at 3:30 pm.

Mr. Permut defined three structural governance options:

- A. Modify Current Structure
- B. Create New Structure
- C. Pursue Regional Options

Mr. Permut explained initial evaluation criteria.

#### Public Comment

Ian Griffith, Seamless Bay Area, commented on expanding the evaluation criteria to provide a simple rider focused system.

Jeff Carter, Millbrae, commented on consolidating, not creating another agency and increasing expenses.

The Board members had a robust discussion on structural Paths, which included the following:

- Paths A & B being interim measures not precluding Path C
- Separating Path C for a different discussion
- Needing change sooner than Path C
- Omission of impact on ridership & regional connectivity
- Pros and cons of each action
- Shared services lacking full accountability
- Trade-offs no matter which option chosen
- Supporting C6 and C3 or new C8, supporting B3, supporting B & C
- Power compared to the State Legislature
- Supporting A2 then moving to B
- Riders as an evaluation criteria
- Financial implications affecting non-riding public
- Needing rigorous financial analysis to choose between option A and B.
- Narrowing down option C before next meeting

Ms. Bouchard thanked everyone for their participation and spoke about next steps to define concurrence and define initial evaluation criteria.

### **3. ADJOURN**

The meeting adjourned at 4:26 pm.

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

**AGENDA ITEM #7b  
APRIL 1, 2021**

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Jim Hartnett  
Executive Director

FROM: Michelle Bouchard  
Chief Operating Officer, Rail

SUBJECT: **KEY CALTRAIN PERFORMANCE STATISTICS – FEBRUARY 2021**

**ACTION**

Staff Coordinating Council recommends that the Board receive the Performance Statistics Report for February 2021.

**SIGNIFICANCE**

Staff will provide monthly updates to Key Caltrain Performance Statistics, Caltrain Shuttle Ridership, Caltrain Promotions, Digital Metrics and Social Media Analytics. It should be noted that this report reflects impacts from the COVID-19 pandemic.

**BUDGET IMPACT**

There is no budget impact.

**MONTHLY UPDATE**

The coronavirus (COVID-19) pandemic continues to have drastic impacts on Caltrain ridership and revenue. Ridership estimates are developed using daily conductor counts at 14 key stations and Clipper tag-ons at all stations. This methodology has been in use since April 2020.

In February 2021, Caltrain's Average Weekday Ridership (AWR) decreased by 94.8 percent to 3,484 from February 2020 AWR of 67,218. The total number of passengers who rode Caltrain in February 2021 decreased by 94 percent to 84,311 from 1,406,951 February 2020 ridership. Even though ridership is trending at very low level, both AWR and the Total Ridership has increased in February compared to those in December 2020 and January 2021. Likely reasons of this month-to-month increase includes seasonality (end of the holiday season 2020-2021) and easing of the stay-home orders induced by improvement of COVID-19 spread.

This month ticket sales changed from February 2020 for:

- One Way tickets: -91.9 percent
- ED One Way tickets: - 82.9 percent
- Day Passes: -92 percent
- ED Day Passes: -82.5 percent
- Monthly Passes: -96.1 percent
- ED Monthly Passes: -88.7 percent

Other ticket sales and farebox revenue statistics trended as follows:

- Caltrain Mobile Ticketing accounted for 9.4 percent (7,963 rides) of the monthly ridership and 1.7 percent (\$50,496) of the monthly ticket sales revenue.
- Number of Eligible Go Pass Employees increased to 87,116 from 86,059 from February 2020.
- Number of the participating Go Pass Companies decreased to 117 in February 2021 from 120 in February 2020.
- Total Farebox Revenue decreased by 65.3 percent to \$2,944,996 from February 2020.

The decrease in farebox revenue was primarily due to the shelter-in-place orders in three counties within Caltrain service areas associated with the COVID-19 pandemic.

On-time performance (OTP) for February 2021 was 92.5 percent compared to 93.5 percent OTP for February 2020.

In February 2021, there were 200 minutes of delay due to mechanical issues compared to 819 minutes in February 2020.

Shuttle ridership for February 2021 decreased 93.4 percent from February 2020. When the Marguerite shuttle ridership is removed, the impact to ridership was a decrease of 94.2 percent. For station shuttles:

- Millbrae-Broadway shuttle: 17 average daily riders

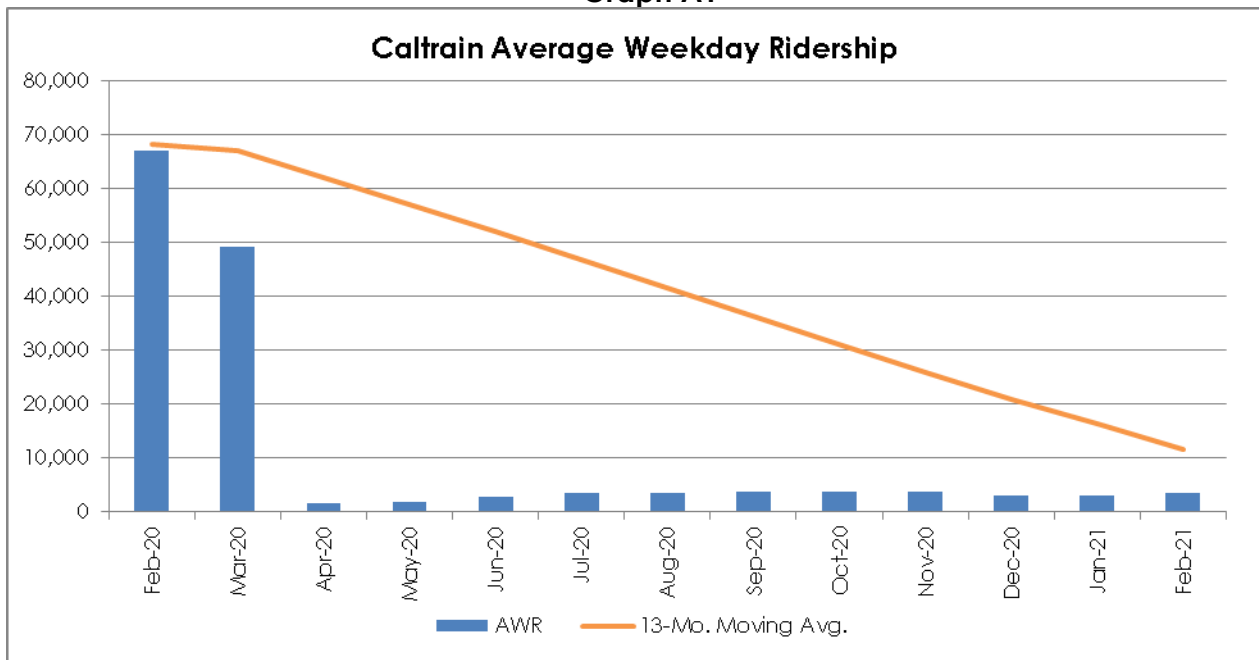
**Table A**  
**February 2021**

	<b>FY2020</b>	<b>FY2021</b>	<b>% Change</b>
Total Ridership	1,406,951	84,311	-94.0%
Average Weekday Ridership	67,218	3,484	-94.8%
Total Farebox Revenue	\$ 8,487,914	\$ 2,944,996	-65.3%
On-time Performance	93.5%	92.5%	-1.0%
Average Weekday Caltrain Shuttle Ridership	8,941	592	-93.4%

**Fiscal Year to Date**

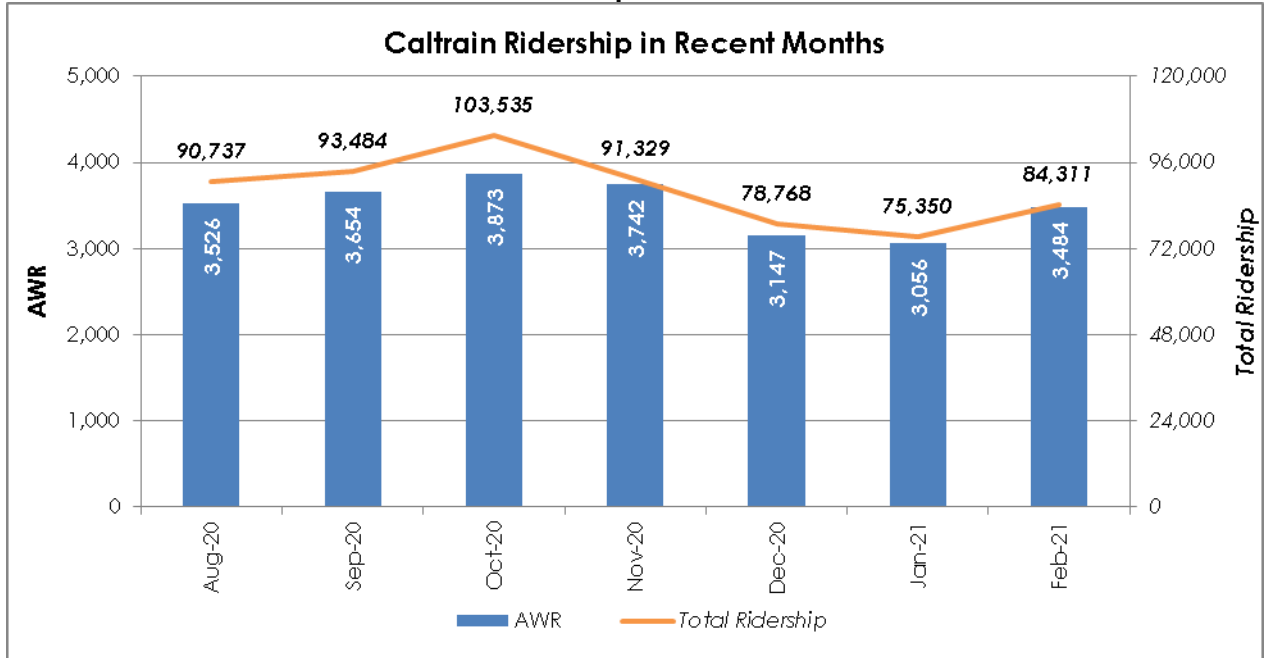
	<b>FY2020</b>	<b>FY2021</b>	<b>% Change</b>
Total Ridership	12,534,948	709,364	-94.3%
Average Weekday Ridership	68,613	3,488	-94.9%
Total Farebox Revenue	\$ 70,494,713	\$ 23,691,669	-66.4%
On-time Performance	93.6%	94.8%	1.3%
Average Weekday Caltrain Shuttle Ridership	8,480	863	-89.8%

**Graph A1**

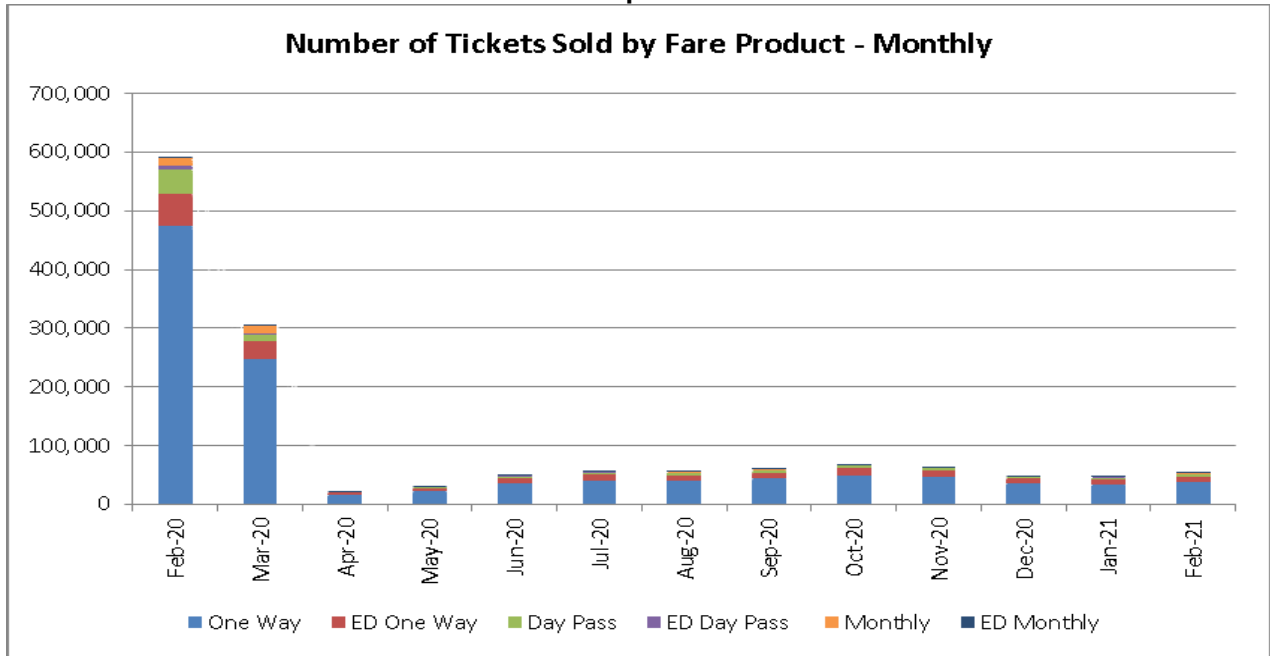




**Graph A2**

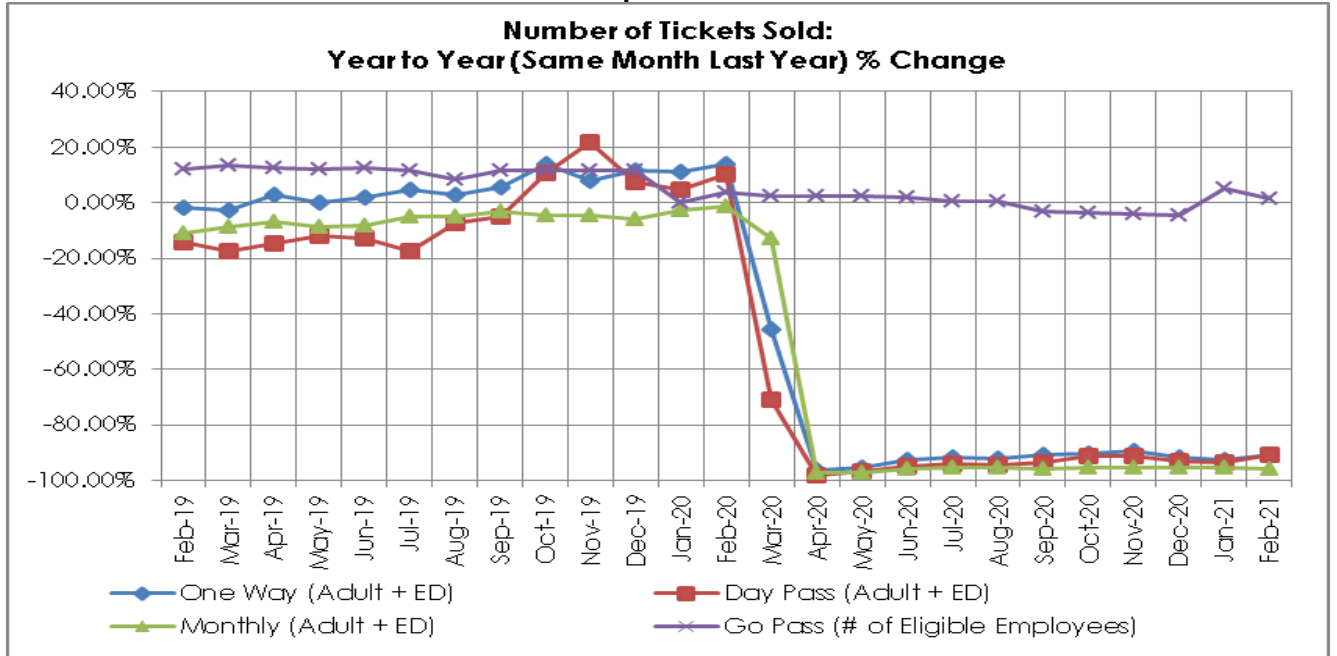


**Graph B**

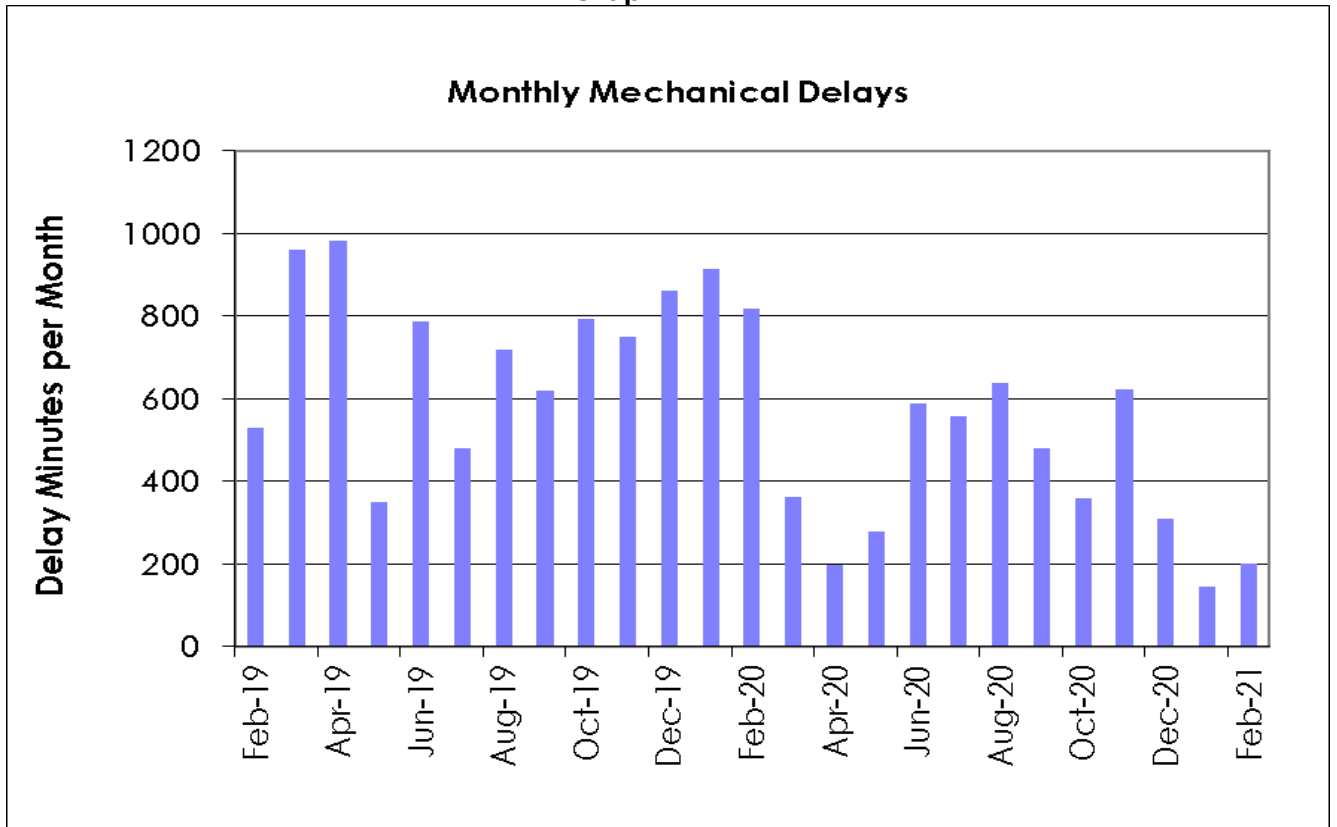


*\*Go Passes tracked by Monthly Number of Eligible Employees (not by Sales)*

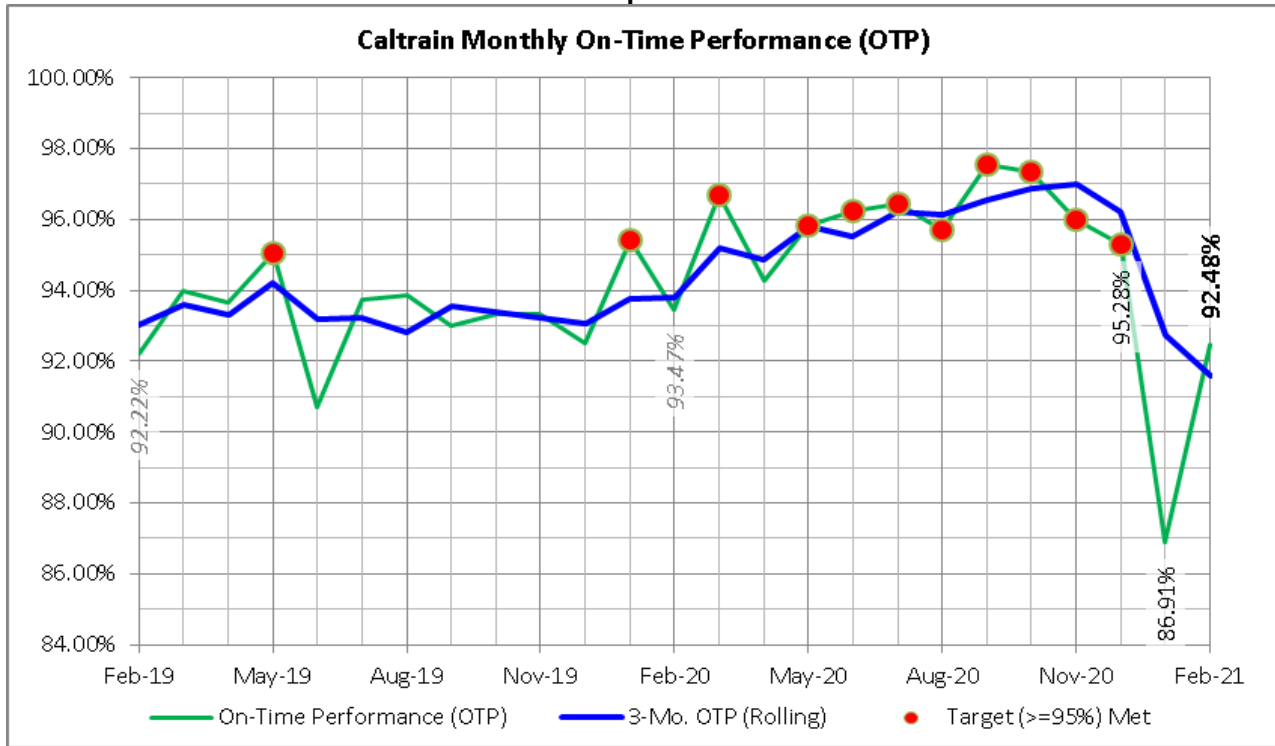
**Graph C**



**Graph D**



Graph E



**NO CALTRAIN PROMOTIONS FOR FEBRUARY 2021**

## Caltrain Digital Metrics: Feb 2021



**New Followers** -54

<b>Feb 21</b>	179,029
Jan 21	179,083
Feb 20	181,995

**Top Topics**

Electrification	92
Hillsdale	23
Compliment	20
COVID	6
Bikes	5

**Caltrain.com Sessions**

<b>Feb 21</b>	112,404
Jan 21	118,346
Feb 20	753,699

**Social Engagement**

Video Views	12,130
Impressions	1,397,738
Interactions	24,442

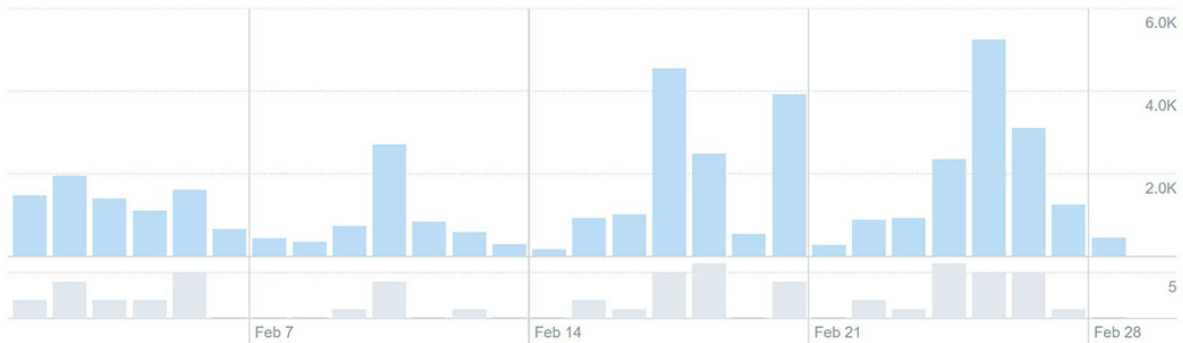
**Notes**  
EMU photos drove engagement.

**Yelp/FB Rating**

Overall	2.75
Monthly	N/A

## Twitter Impression Spikes @CaltrainAlerts account February, 2021

Your Tweets earned **42.4K impressions** over this **28 day** period



**No major service related spikes in Feb.**

Impressions of Tweets  
Tweets Sent

Impressions sometimes appear the day after an incident as Twitter users view the post the next day.

Prepared by: Patrice Givens, Administrative Analyst II 650.508.6347  
James Namba, Marketing Specialist 650.508.7924  
Jeremy Lipps, Manager, Digital Communication 650.622.7845

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

TO: JPB Board of Directors

THROUGH: Jim Hartnett  
Executive Director

FROM: April Chan  
Chief Officer, Planning, Grants, and Transportation Authority

SUBJECT: **AUTHORIZING THE QUITCLAIM AND RELEASE OF RIGHTS TO CERTAIN UNUSED EASEMENTS IN EXCHANGE FOR RIGHTS TO ACCESS THE CALTRAIN RAIL CORRIDOR THROUGH PROPERTY OWNED BY UNIVERSAL PARAGON CORPORATION**

**ACTION**

Staff proposes the Board authorize the Executive Director to quitclaim and release all property rights it may have in certain unused elements to Universal Paragon Corporation (UPC), and its related entities, in exchange for UPC granting JPB formal rights of access to the Caltrain Corridor.

**SIGNIFICANCE**

The proposed exchange of property rights will provide JPB with formal property rights to access the Caltrain Corridor through property owned by UPC. UPC has allowed JPB to access the Caltrain Corridor through its property for a number of years but JPB has not had formal rights to do so

**BUDGET IMPACT**

The proposed transaction will occur at no cost to JPB.

**BACKGROUND**

JPB acquired the Caltrain Corridor from the Southern Pacific Transportation Company (SPTC) in 1991 (the "Corridor Purchase"). As part of the Corridor Purchase, JPB acquired some, but not all, of the property rights held by SPTC in and around the Caltrain Corridor, while SPTC retained rights to other adjacent properties, including access easements through UPC's property (the "SPTC Easements").

While both UPC and the JPB agree that JPB has never owned any rights in the SPTC Easements, UPC has asked PCJPB to quitclaim and release any possible rights it might have in the SPTC Easements

A different, small signal house easement was deeded to the JPB as part of the Corridor Purchase for purposes, but is no longer required by the JPB (the "Signal House Easement")

In exchange for the JPB releasing any interest it might have in the SPTC Easements and Signal House Easement, UPC has agreed to grant JPB a series of access easements, both temporary and permanent, to formally memorialize the JPB's rights to access the Caltrain Corridor through UPC's property. In areas where temporary rights are granted, they will remain active until UPC constructs a series of public roadways to provide JPB with access to the Caltrain Corridor

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

650.508.7781

**RESOLUTION NO. 2021 –**

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

**\* \* \***

**AUTHORIZING THE QUITCLAIM AND RELEASE OF RIGHTS TO CERTAIN UNUSED EASEMENTS  
IN THE CITY AND COUNTY OF SAN FRANCISCO AND THE CITY OF BRISBANE IN EXCHANGE  
FOR RIGHTS TO ACCESS THE CALTRAIN RAIL CORRIDOR  
THROUGH PROPERTY OWNED BY UNIVERSAL PARAGON CORPORATION**

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB) is the owner of the Peninsula Corridor railroad right-of-way (the “Caltrain Corridor”), which it acquired from Southern Pacific Transportation Company (SPTC) in 1991 (the “Corridor Purchase”); and

**WHEREAS**, as part of the Corridor Purchase, the JPB acquired some, but not all, of the assets held by SPTC in and around the Caltrain Corridor, while SPTC retained other adjacent properties, including freight spurs and other interests; and

**WHEREAS**, Universal Paragon Corporation (UPC), through a number of affiliated entities, owns property in the City and County of San Francisco and the City of Brisbane that is adjacent to the Caltrain Corridor; and

**WHEREAS**, easement interests through UPC’s properties, which were reserved by the SPTC (the “SPTC Easements”) and were not part of the Corridor Purchase, have not been in use for several years; and

**WHEREAS**, UPC and the JPB agree that JPB has ever owned any rights in the SPTC Easements, but UPC has asked PCJPB to confirm that it has no interest in the SPTC Easements by quitclaiming and releasing any possible rights; and

**WHEREAS**, a separate small easement was deeded to the JPB as part of the Corridor Purchase for signal house purposes, but is no longer required by the JPB (the “Signal House Easement”); and



**WHEREAS**, the JPB has been using UPC's property to access the Caltrain Corridor for a number of years, primarily through areas outside of the SPTC Easements; and

**WHEREAS**, in exchange for the JPB releasing any interest it might have in the SPTC Easements and Signal House Easement, UPC has agreed to provide a series of access easements, both temporary and permanent, to formally memorialize the JPB's rights to access the Caltrain Corridor through UPC's property; and

**WHEREAS**, in areas where temporary rights are granted, such rights will remain active until such time as a series of dedicated public streets are available to provide the JPB with actual and formal access to the Caltrain Corridor; and

**WHEREAS**, UPC and the JPB wish to enter into an agreement whereby the JPB will quitclaim and release its rights in the SPTC Easements and the Signal House Easement in exchange for UPC's granting to the JPB formal rights to access the Caltrain Corridor through UPC property as described above.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes its Executive Director to execute all deeds and agreements necessary to enable the JPB to quitclaim and release its rights in the SPTC Easements and the Signal House Easement in exchange for UPC's grant to the JPB of formal rights to access the Caltrain Corridor across UPC property, all of which is described in more detail above.

**BE IT FURTHER RESOLVED** that the Board of Directors authorizes the Executive Director, or his designee, to take any actions necessary to implement the intent of this resolution.

Regularly passed and adopted this 4<sup>th</sup> day of March, 2021 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 Finance Committee Meeting Calendar – 2021

### REVISED/NEW START TIME Fourth Monday – 2:30 PM

Monday, January 25

Monday, February 22

Monday, March 22 (new start time at 2:30 pm)

Monday, April 26

Monday, May 24

Monday, June 28

Monday, July 26

Monday, August 23

Monday, September 27

Monday, October 25

Monday, November 22

\*Monday December 20 (3<sup>rd</sup> Monday)

Board Committee Members: Directors Monique Zmuda (Chair), Jeff Gee, Glenn Hendricks.  
Primary Staff Liaison: Derek Hansel

\*Regular meetings scheduled for monthly on the 4<sup>th</sup> Monday at 2:30 pm., unless otherwise noted.

All meetings are held via [Zoom](#) or at 1250 San Carlos Avenue, San Carlos, CA, unless scheduled and stated otherwise at

[https://www.caltrain.com/about/bod/Board\\_of\\_Directors\\_Meeting\\_Calendar.html](https://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html)

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board  
THROUGH: Jim Hartnett  
Executive Director  
FROM: Derek Hansel  
Chief Financial Officer  
SUBJECT: **STATEMENT OF REVENUES AND EXPENSES FOR THE PERIOD ENDING  
FEBRUARY 28, 2021**

**ACTION**

Staff proposes that the Board of Directors accept and enter into the record the Statement of Revenues and Expenses for the month of February 2021.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through February 28, 2021. The statement has been designed to follow the Agency-wide line item rollup as included in the approved budget. The columns have been designed to provide easy comparison of year-to-date current actuals to the budget including dollar and percentage variances.

**SIGNIFICANCE**

**Annual Forecast:** The annual forecast was updated based on actual revenue and expense trends through February 2021. The forecast was derived by analyzing trends and reviewing details with cost center managers.

**Forecast Revenues:** Total revenue (page 1, line 17) is forecast \$5.3 million higher than budget. This is driven primarily by \$6.9M phase one allocation from the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA). The phase two allocation is currently not reflected in the FY21 forecast due to uncertainty around whether funds would be distributed in fiscal year 2021. The revenue increase is partially offset by lower Farebox Revenue (page 1, line 1) which is \$1.4M lower than budget due to a 50% discount on the Go Pass program and lower than anticipated Go Pass renewals as companies continue to assess their return to work plans and by Shuttles Revenue (page 1, line 3) which is \$0.3 million lower than budget due to lower shuttle service as routes have been reduced or suspended due to low ridership.

**Forecast Expenses:** Total Expense (page 1, line 48) is \$4.4 million lower than budget. The variance is primarily due to lower expense trends. Rail Operator Service (page 1, line 23) is \$1.0 million lower than budget due to under-runs in services. Shuttles Services (page 1, line 25) is \$0.5 million lower than budget due to reduction or suspended service as result of low ridership. Facilities & Equipment Maintenance

(page 1, line 30) is lower than budget by \$0.9 million due to lower Clipper Operator Charges as a result of lower ridership and under-runs in other contract services. Managing Agency OH (page 1, line 38) is lower than budget by \$1.6 million due to the change in the cost allocation methodology effective January 1, 2021. This included an update to the basis for the cost allocations. As a result, the managing agency overhead costs allocated to the JPB Operating Budget is expected to decrease. Professional Services (page 1, line 40) is lower than budget by \$0.4 million as a result of under-runs in various planning studies and less consultant services.

**Year to Date Revenues:** As of February year-to-date actual, the Grand Total Revenue (page 1, line 17) is \$1.3 million lower than the approved budget. This is primarily driven by contributions from JPB Member Agencies (page 1, line 12).

**Year to Date Expenses:** As of February year-to-date actual, the Grand Total Expense (page 1, line 48) is \$9.6 million lower than the approved budget. This is primarily driven by Rail Operator Service (page 1, line 23), Facilities and Equipment Maintenance (page 1, line 30), Wages and Benefits (page 1, line 37), Managing Agency Admin OH Cost (page 1, line 38), Professional Services (page 1, line 40), and Other Office Expenses and Services (page 1, line 42).

**Other Information:** The Agency accounts for revenue and expenditures on a modified cash basis (only material revenues and expenses are accrued) in the monthly financial statements. Due to the impact of Covid-19 pandemic, the variance between the current year actual and the budget shows noticeable variances due to the timing of expenditures.

### **BUDGET IMPACT**

There are no budget amendments for the month of February 2021.

### **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 2021**  
**February 2021**

					% OF YEAR ELAPSED		66.7%
	JULY - FEBRUARY				ANNUAL		
	CURRENT ACTUAL	APPROVED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE
<b>REVENUE</b>							
OPERATIONS:							
1 Farebox Revenue	23,691,669	23,740,549	(48,880)	(0.2%)	32,029,149	30,630,341	(1,398,808)
2 Parking Revenue	222,518	269,518	(47,000)	(17.4%)	372,718	372,718	-
3 Shuttles	1,068,169	1,292,025	(223,856)	(17.3%)	2,031,246	1,773,647	(257,599)
4 Rental Income	735,815	746,236	(10,421)	(1.4%)	1,111,804	1,111,804	-
5 Other Income	908,869	1,129,841	(220,972)	(19.6%)	1,764,000	1,764,000	-
6							
7 TOTAL OPERATING REVENUE	<u>26,627,040</u>	<u>27,178,169</u>	<u>(551,129)</u>	<u>(2.0%)</u>	<u>37,308,917</u>	<u>35,652,510</u>	<u>(1,656,407)</u>
8							
9 CONTRIBUTIONS:							
10 AB434 Peninsula & TA Shuttle Funding	1,411,038	1,157,217	253,821	21.9%	1,737,950	1,737,950	-
11 Operating Grants	3,165,103	3,137,973	27,130	.9%	12,808,500	12,808,500	-
12 JPB Member Agencies	20,357,239	21,347,523	(990,284)	(4.6%)	28,809,434	28,809,434	-
13 CARES ACT Fund	41,509,536	41,507,983	1,553	.0%	41,507,983	48,444,610	6,936,627
14							
15 TOTAL CONTRIBUTED REVENUE	<u>66,442,916</u>	<u>67,150,696</u>	<u>(707,780)</u>	<u>(1.1%)</u>	<u>84,863,867</u>	<u>91,800,494</u>	<u>6,936,627</u>
16							
17 GRAND TOTAL REVENUE	<u>93,069,956</u>	<u>94,328,865</u>	<u>(1,258,909)</u>	<u>(1.3%)</u>	<u>122,172,784</u>	<u>127,453,004</u>	<u>5,280,220</u>
18							
19							
20 EXPENSE							
21							
22 OPERATING EXPENSE:							
23 Rail Operator Service	55,928,267	58,793,999	(2,865,732)	(4.9%)	85,109,942	84,109,942	(1,000,000)
24 Security Services	4,122,152	4,506,274	(384,122)	(8.5%)	6,746,908	6,746,908	-
25 Shuttle Services	2,450,237	2,562,470	(112,233)	(4.4%)	4,057,249	3,542,715	(514,534)
26 Fuel and Lubricants	4,122,595	4,028,187	94,408	2.3%	5,930,523	5,930,523	-
27 Timetables and Tickets	-	71,110	(71,110)	(100.0%)	110,000	110,000	-
28 Insurance	5,249,223	5,272,221	(22,998)	(0.4%)	5,410,000	5,410,000	-
29 Claims, Payments, and Reserves	290,138	639,089	(348,951)	(54.6%)	960,000	960,000	-
30 Facilities and Equipment Maintenance	1,636,697	3,183,601	(1,546,904)	(48.6%)	4,803,563	3,953,563	(850,000)
31 Utilities	1,275,119	1,794,911	(519,792)	(29.0%)	2,731,385	2,731,385	-
32 Maint & Services-Bldg & Other	685,596	1,072,342	(386,746)	(36.1%)	1,590,000	1,590,000	-
33							
34 TOTAL OPERATING EXPENSE	<u>75,760,024</u>	<u>81,924,204</u>	<u>(6,164,180)</u>	<u>(7.5%)</u>	<u>117,449,570</u>	<u>115,085,036</u>	<u>(2,364,534)</u>
35							
36 ADMINISTRATIVE EXPENSE							
37 Wages and Benefits	6,719,728	7,501,813	(782,085)	(10.4%)	10,826,318	10,826,318	-
38 Managing Agency Admin OH Cost	2,379,147	3,426,234	(1,047,087)	(30.6%)	5,139,352	3,553,099	(1,586,253)
39 Board of Directors	10,437	11,025	(588)	(5.3%)	11,025	11,025	-
40 Professional Services	2,297,894	3,336,371	(1,038,477)	(31.1%)	5,562,000	5,117,000	(445,000)
41 Communications and Marketing	55,546	109,057	(53,511)	(49.1%)	136,000	136,000	-
42 Other Office Expenses and Services	552,169	1,763,445	(1,211,276)	(68.7%)	2,982,254	2,982,254	-
43							
44 TOTAL ADMINISTRATIVE EXPENSE	<u>12,014,921</u>	<u>16,147,945</u>	<u>(4,133,024)</u>	<u>(25.6%)</u>	<u>24,656,949</u>	<u>22,625,696</u>	<u>(2,031,253)</u>
45							
46 Long Term Debt Expense	2,284,611	1,587,834	696,777	43.9%	2,381,752	2,381,752	-
47							
48 GRAND TOTAL EXPENSE	<u>90,059,556</u>	<u>99,659,983</u>	<u>(9,600,427)</u>	<u>(9.6%)</u>	<u>144,488,271</u>	<u>140,092,485</u>	<u>(4,395,786)</u>
49							
50 NET SURPLUS / (DEFICIT)	<u>3,010,400</u>	<u>(5,331,118)</u>	<u>8,341,518</u>	<u>(156.5%)</u>	<u>(22,315,487)</u>	<u>(12,639,481)</u>	<u>9,676,006</u>
51							
52 FUNDING OF SURPLUS / (DEFICIT):							
53 Draw from Reserves					7,015,487	-	
54 Short-term Borrowings					15,300,000	12,639,481	
55 FUNDED SURPLUS / (DEFICIT):					<u>-</u>	<u>-</u>	



BOARD OF DIRECTORS 2021

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

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF FEBRUARY 28, 2021

JIM HARTNETT  
 EXECUTIVE DIRECTOR

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	0.407%	35,039,230	35,039,230
County Pool (Unrestricted)		Liquid Cash	1.184%	554,964	554,964
Other (Unrestricted)		Liquid Cash	0.050%	58,432,197	58,432,197
Other (Restricted)	**	Liquid Cash	0.050%	14,052,219	14,052,219
				\$ 108,078,611	\$ 108,078,611

Interest Earnings for February 2021 \$ 2,110.52  
 Cumulative Earnings FY2021 \$ 24,483.87

\* 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: Joint Powers Board

THROUGH: Jim Hartnett  
Executive Director

FROM: Derek Hansel  
Chief Financial Officer

Michelle Bouchard  
Chief Operating Officer, Rail

SUBJECT: **AUTHORIZE AN AMENDMENT TO THE AGREEMENT WITH RAIL SURVEYORS & ENGINEERS, INC. FOR ENGINEERING CONSULTANT DESIGN SERVICES TO INCREASE THE MAXIMUM AGGREGATE NOT-TO-EXCEED AMOUNT BY \$2,650,000 AND EXTEND THE CONTRACT TERM THROUGH MARCH 31, 2022**

**ACTION**

Staff Coordinating Council recommends the Board authorize an amendment to the Engineering Consultant Design Services agreement with Rail Surveyors and Engineers, Inc. (RSE) to increase the maximum aggregate not-to-exceed amount by \$2,650,000, from \$3,398,171 to \$6,048,171, of which \$2,200,000 is for the South San Francisco Station Improvements Project and \$450,000 is for the Marin and Napoleon Rail Bridge Improvements Project (Projects), and to extend the contract term through March 31, 2022.

**SIGNIFICANCE**

The Peninsula Corridor Joint Powers Board (JPB) has engaged RSE to provide Engineering Consultant Design Services. Since the contract was executed in 2019, significant and unprecedented project delays and changes, including delays caused by the COVID-19 pandemic, have resulted in a need to extend the schedule for the Projects. In order to maintain continuity of engineering services on the Projects, to avoid the duplication of efforts and unnecessary expense required to integrate a new engineering consultant on the Projects, and to avoid further project delays, the JPB has determined that it is in the JPB's best interests to engage RSE to continue to provide the required engineering consultant design services to support the Projects through March 31, 2022.

**BUDGET IMPACT**

The Projects are funded from approved capital budgets using a variety of funding mechanisms and sources.

**BACKGROUND**

The Board of Directors, through Resolution No. 2019-23, authorized the award of an Engineering Consultant Design Services contract to RSE on June 6, 2019 for a two-year term for a maximum aggregate not-to-exceed amount of \$3,089,246. On October 22, 2020, staff extended the two projects under the Executive Director's authority through the



end of the contract term of June 30, 2021. Staff extended the contract term to allow RSE to continue work on the Projects through 2020 and then exercised the Executive Director's 10% contingency on November 24, 2020 to increase capacity for continuity of services by \$308,925 for a total not-to-exceed amount of \$3,398,171.

The COVID-19 pandemic has affected progress on these Projects over the past few months due to labor shortages as well as significant delays in product/material lead times. The Projects also experienced unexpected delays due to the Projects' shoring and rebar subcontractors being significantly impacted by the COVID-19 pandemic.

Before the pandemic, construction on the South San Francisco Station Improvements Project was delayed due to a need to relocate utilities. A construction contract for South San Francisco Station Project was awarded to ProVen Management in 2017 and construction began in November of that year. The contract was partially suspended for approximately 18 months in 2018-19 to allow for permitting, utility relocation, and similar work. Since returning to work in the last quarter of 2019, the project experienced delays due to the late mobilization of construction crews after project suspension. During the partial project suspension, RSE helped the project team relocate utilities (PG&E gas and electric, CalWater, and fiber optic) in conflict with the new pedestrian underpass. With the project ready to proceed, RSE design services are needed for continued support during construction, which is anticipated to conclude by March 2022.

During the "final design phase" for the Marin and Napoleon Streets Rail Bridge Improvements Project, the JPB required several design changes, such as the removal and replacement of a bridge under the Overhead Contact System (OCS) wires required for the Peninsula Corridor Electrification Project, and crane/sliding frame analysis for bridge replacement because of timing around the installation of OCS poles and wires by the Electrification team. Additionally, the JPB requires further support in obtaining City and County of San Francisco permits, Caltrans geotechnical review, Napoleon bridge structure revisions, and changes to plans, specifications, and design of trackwork from Cesar Chavez to Jerrold Ave. Currently, the Marin and Napoleon Rail Bridge Improvements Project is in construction phase, and RSE design services need to be continued for design support during construction until the end of 2021.

Contract Administrator:	Tomisha Young	YoungT@samtrans.com
Project Managers:	Howard Beckford	BeckfordH@samtrans.com
	Joy Sharma	SharmaJ@samtrans.com

**RESOLUTION NO. 2021 –**

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

\* \* \*

**AUTHORIZING AN AMENDMENT TO THE ENGINEERING CONSULTANT DESIGN SERVICES  
AGREEMENT WITH RAIL SURVEYORS & ENGINEERS, INC. TO INCREASE THE MAXIMUM  
AGGREGATE NOT-TO-EXCEED AMOUNT BY \$2,650,000 AND EXTEND THE CONTRACT TERM  
THROUGH MARCH 31, 2022**

**WHEREAS**, pursuant to Resolution 2019-23, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) awarded a Engineering Consultant Design Services (Contract) to Rail Surveyors & Engineers, Inc. of Belmont, California (RSE) for a two year term for a maximum aggregate not to-exceed amount of \$3,089,246; and

**WHEREAS**, under the Executive Director's authority, the JPB executed the 10% contingency to increase capacity for the continuity of services by \$308,925 for a total not-to-exceed amount of \$3,398,171, and extended RSE's services through June 2021; and

**WHEREAS**, RSE has been providing engineering design services for the Marin and Napoleon Rail Bridge Improvements Project and South San Francisco Station Improvements projects (together, "Projects"), and the JPB requires ongoing and continuous engineering design services for the Projects; and

**WHEREAS**, due to several unanticipated factors, design changes, and project delays that developed following the award of this contract, including the 18 month suspension of construction services on the South San Francisco Station Improvements Project to allow for permitting, utility relocation, and similar work and the effects of the COVID-19 (coronavirus) pandemic, the Projects experienced delays; and

**WHEREAS**, the current Contract will expire on June 30, 2021 and the Projects require additional services that will extend beyond that time; and

**WHEREAS**, should the JPB change design consultants on the Projects, the JPB would incur substantial cost, loss of quality, further project delays, and it would have difficulty attracting other firms because the Projects have been substantially designed by RSE; and

**WHEREAS**, in order to maintain continuity of services on the Projects, avoid the duplication of efforts and unnecessary expense required to integrate a new Engineering and Design Services Consultant, and avoid additional project delays, the JPB has determined that it is in the JPB's best interest for RSE to continue to provide the required services to support the JPB's Projects through March 31, 2022; and

**WHEREAS**, the Staff Coordinating Council recommends that the Board authorize amendment to the Engineering Consultant Design Services Contract with RSE, to increase the maximum aggregate not-to-exceed contract amount by \$2,650,000, from \$3,398,171 to \$6,048,171, and extend the contract term through March 31, 2022.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director, or his designee, to execute an amendment to the contract for Engineering Consultant Design Services with Rail Surveyors & Engineers, Inc. to increase the maximum not-to-exceed amount by \$2,650,000, from \$3,398,171 to \$6,048,171, and extend the contract term through March 31, 2022.

Regularly passed and adopted this 1<sup>st</sup> day of April 1, 2021 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: Joint Powers Board

THROUGH: Jim Hartnett  
Executive Director

FROM: Michelle Bouchard  
Chief Operations Officer, Rail

SUBJECT: **ON-CALL TRANSPORTATION PLANNING AND CONSULTANT SUPPORT SERVICES UPDATE**

**ACTION**

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

**SIGNIFICANCE**

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

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

The tables below provide an update of contract activities from December 8, 2020 through March 9, 2021. Table 1 summarizes the contract capacity status. Table 2 updates the percentage of capacity used against the percent time elapsed. Table 3 shows the Board approved dates and amounts. Table 4 aggregates the WD amounts issued to each of the vendors. Table 5 describes each of the WDs issued since the last reporting period.

**BUDGET IMPACT**

There is no impact on the budget.

**BACKGROUND**

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

Project Manager:	Melissa Reggiardo, Manager, Caltrain Planning	650.508.6283
Contract Administrator:	Lawrence Leung, Manager, Rail Contracts & Budget	650.508.6328

**Table 1**

<b>Contract Summary</b>	<b>Years</b>	<b>Amount</b>
Total Capacity:	7.0	\$35,000,000
Exercised:	5.0	\$25,000,000
Work Directives Issued:		\$2,947,166
Remaining Capacity:		\$22,052,834

**Table 2**

<b>Contract Days</b>	<b>Days Elapsed</b>	<b>% Time Elapsed</b>	<b>Capacity Used</b>
1825	251	14%	12%

**Table 3**

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

**Table 4**

<b>Vendor</b>	<b>Fehr &amp; Peers</b>	<b>HNTB</b>	<b>Kimley-Horn</b>	<b>ARUP</b>	<b>Mott MacDonald</b>	<b>WSP</b>
<b>Contract #</b>	20-J-P-006A	20-J-P-006B	20-J-P-006C	20-J-P-006D	20-J-P-006E	20-J-P-006F
<b>Total WDs Issued</b>	\$ 997,507	\$ 595,198	\$ 655,720	\$ 622,112	\$ -	\$ 76,628
<b>Previous Reporting Period</b>	\$ 879,666	\$ 532,888	\$ 600,720	\$ 43,854	\$ -	\$ -
<b>Current Reporting Period</b>	\$ 117,841	\$ 62,310	\$ 55,000	\$ 578,258	\$ -	\$ 76,628

**Table 5**

WD#	Title	Description (Updates in Bold)	Vendor	Updated	Start	(Revised) End	Current Value
10302	<sup>1</sup> Business Plan – Technical	Continuation and completion of Business Plan technical work including scenario planning; near-term service planning; and equity, connectivity and growth framework. <b>Decreased budget \$17,407.80 due to unanticipated billing on older contract/WD.</b>	Fehr & Peers	2/25/2021	8/1/2020	6/30/2021	\$ 338,651.19
10306	<sup>2</sup> Caltrain DTX – Operations Analysis	Rail operations technical analysis to support Caltrain and California High-Speed Rail Authority (CHSRA) to assess service and infrastructure configurations for the San Francisco Downtown Rail Extension. <b>Original amount \$227,782, but authorized \$105k. Amended amount \$65,843--&gt;\$293,625 total. Authorized additional \$55k--&gt;\$160k total and extended from 2/28/21 to 5/31/21. Remaining \$133,625 remains to be authorized.</b>	Kimley-Horn	2/12/2021	9/1/2020	5/31/2021	\$ 160,000.00
10300	<sup>1</sup> Business Plan - Project Management Support	Project management to support the continuation and completion of the Caltrain Business Plan technical work. <b>Added \$135k for additional support.</b>	Fehr & Peers	1/19/2021	7/1/2020	6/30/2021	\$ 478,742.22
10428	Refinement of Capital Project Implementation	Consultant shall be responsible for refining the decision-making process to ensure that specific decisions are being made at the correct level of the organization, defining a reporting process that is aligned with the decision-making process and provides both the appropriate information for decision-making as well as an accurate documentation of decisions made, providing COO with a program and project reporting template at the level of detail that meets her needs, and aligning staff reports with each other as well as Board reports to better inform the Board and staff as well as reduce the need to produce multiple reports.	WSP	1/11/2021	1/11/2021	9/30/2021	\$ 76,628.37
10335	<sup>1</sup> 22nd St Station ADA Access Feasibility Study	Completion of the ADA Access Feasibility study for the 22nd Street Caltrain Station including background research; stakeholder engagement; conceptual designs; constructability and funding analysis; alternative screening; and final report. <b>Extended from 1/31/21 to 4/30/21.</b>	HNTB	1/7/2021	9/1/2020	4/30/2021	\$ 133,106.00
10342	DSAP Architectural Services	Development support services including planning, land use, economic, environmental and development strategy associated with commercial development on the Caltrain-owned parcels within the Diridon Station Area Plan area in the City of San Jose	ARUP	1/6/2021	1/6/2021	6/30/2021	\$ 578,258.00
10334	<sup>1</sup> Bike Parking and Micromobility Support	Continuation of bike parking and micromobility support as Caltrain replaces and expands bike parking infrastructure throughout the Corridor; includes demand analysis, conceptual station plans and micromobility best practices. <b>Decreased budget \$395.67 due to initial budget proposal error.</b>	HNTB	12/21/2020	9/1/2020	3/31/2021	\$ 179,304.33

<sup>1</sup> Transferred from old contract #13-PCJPB-P-023

<sup>2</sup> Multi-agency Endeavor - TJPA, SFCTA, HSR, CCSF and MTC

WD#	Title	Description (Updates in Bold)	Vendor	Updated	Start	(Revised) End	Current Value
10336	San Francisquito Creek Bridge Replacement - Planning and Outreach	Planning and outreach to accompany baseline engineering assessments and earliest concept designs for the San Francisquito Creek Bridge replacement	HNTB	12/16/2020	12/16/2020	6/30/2021	\$ 62,706.00
10304	<sup>3</sup> DISC Plan – PM & Outreach Support	Technical and outreach program management for the remainder of Phase I of the Diridon Station Concept Plan. <b>Extended from 12/31/20 to 6/30/21.</b>	Kimley-Horn	12/8/2020	9/3/2020	<b>6/30/2021</b>	\$ 168,355.00

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<sup>3</sup> Multi-agency Endeavor - City of San Jose, VTA, MTC and HSR



**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: JPB Work Program-Legislative- Planning Committee

THROUGH: Jim Hartnett  
Executive Director

FROM: Rona Rios  
Acting Chief Communications Officer

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE AND APPROVALS OF LEGISLATIVE PROPOSALS: SUPPORT SB 339 (WIENER)**

**ACTION**

Staff Coordinating Council recommends the Board:

1. Receive the attached Federal and State Legislative Updates
2. Approve the recommended Peninsula Corridor Joint Powers Board positions on those pieces of legislation designated for action on the attached State Legislative Matrix.

**SIGNIFICANCE**

The 2021 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.

Prepared By: Brent Tietjen, Government and  
Community Affairs Officer

650-295-6877

March 17, 2021

TO: Peninsula Corridor Joint Powers Board Members

FROM: Mike Robson and Trent Smith, Edelstein Gilbert Robson & Smith, LLC  
Joshua W. Shaw and Matt Robinson, Shaw / Yoder / Antwih, Inc.

RE: **STATE LEGISLATIVE UPDATE – March 2021**

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### **General Update**

February 19th marked the deadline for legislators to introduce bills for the 2021 session. Around 2300 bills were introduced which is a surprisingly normal load given that the legislative committee schedule will be limited due to COVID-19 precautions. Last year, hundreds of bills failed to pass due to precautions and lack of time.

Normally bills must be in print for 30 days before the Legislature takes any action on them, including hearing the bill or amending it. To prevent time constraints seen last session, the Senate has waived this rule allowing them to hear bills immediately. The Assembly has yet to follow suit, but it is likely that policy committee Chairs will be given a lot of latitude to not hear bills. At the same time, there will likely be an unofficial limit placed on the number of bills each Assemblymember can move to the Assembly Floor.

### **American Rescue Plan Act of 2021**

On March 11, President Biden signed into law the American Rescue Plan of 2021. The emergency relief package provides \$30.5 billion in relief funding to transit agencies nationwide and \$1.7 billion to Amtrak. California's transit agencies are expected to receive approximately \$4 billion in relief funding from the package.

The transit funding included in the bill would flow as follows:

- **\$26.086 billion for grants to urbanized areas (FTA 5307)**
  - Initially, the funding amounts made available for these grants, when combined with the CARES Act and CRRSAA, shall ensure that urbanized areas receive 132 percent of their transit agencies' 2018 operating costs.
  - After making these apportionments, excess funds would flow to urbanized areas that did not receive apportionments initially, because they had received grants in excess of the 132 percent threshold between the

CARES Act and CRRSAA. These urbanized areas shall receive 25 percent of their transit agencies' 2018 operating costs.

- Finally, urbanized areas that received CARES Act and CRRSAA grants totaling 130 to 132 percent of their agencies' 2018 operating costs, shall receive from excess funds an additional 10 percent of their transit agencies' 2018 operating costs.
- **\$50 million for grants for seniors and persons with disabilities (FTA 5310)**
- **\$317.2 million for grants to rural areas (FTA 5311)**
  - States shall receive allocations on a sliding scale of 5 to 20 percent of 2018 rural operating costs, depending on the level of CARES Act and CRRSAA grants received.
- **\$100 million for grants to (FTA 5311(F))**
- **\$2.207 billion for additional assistance to maintain operations (through application to DOT Secretary)**
  - The Secretary shall evaluate grant requests based on the level of financial need demonstrated. The demonstrated need includes future financial need to maintain service as a percentage of 2018 operating costs that has not been replaced by the funds made available by the other grants of the Title, CARES Act or CRRSAA.
- **\$1.675 billion for additional Capital Investment Grant (CIG) support (FTA 5309)**
  - \$1.425 billion for [specific New Start and Core Capacity projects](#), including \$52.4M for Caltrain Electrification
  - \$250 million for Small Start projects that are a recipient of a CIG allocation or an applicant in the project development phase.

### **Vaccine Distribution**

The California Transit Association (Association) submitted a letter to Governor Newsom and several state agencies, requesting that the state include frontline transit workers in Phase 1 of the state's vaccine distribution plan. Subsequently, the California Department of Public Health's (CDPH) COVID-19 Vaccine Drafting Guidelines Workgroup took formal action to include transit frontline workers into Phase 1B – Tier 2 of the state's vaccination distribution plan. Unfortunately, on January 25, the plan Governor Gavin Newsom announced eliminated the priority for transit operators and in response, the Association raised concerns with the new plan and urged the Governor to reconsider the decision to deprioritize transit frontline workers in the state's new plan.

**On March 11, CDPH issued a new provider bulletin that allows frontline transit workers to be eligible for the COVID-19 vaccine beginning March 15.**

### **Bills with Recommended Action**

#### **SB 339 (Wiener) Road User Charge**

Existing law requires the CTC to create a Road Usage Charge (RUC) Technical Advisory Committee to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas

tax system and report its work to the Legislature. The existing authorization sunsets on January 1, 2023. This bill would extend the sunset date to January 1, 2027 because the CTC requested an extension to run another pilot with actual fee collection. **We recommend the *Peninsula Corridor Joint Powers Board* SUPPORT this bill.**

### **Bills of Interest**

**AB 339 (Lee) – Open Meetings: Translation.** This bill would require meetings of a legislative body to offer public comment via call-in or internet-based service. The instructions would need to be posted online along with the meeting agenda. Among other requirements, the bill would also require agenda and meeting access instructions to be translated into the language spoken by at least five percent of the people that live in the region governed by the local body. Similarly, the bill would require legislative bodies of local agencies to employ qualified bilingual staff to provide translation services during the meeting in regions that govern a non-English speaking population that makes up five percent of the people served by the body.

**AB 361 (R. Rivas) – Open Meetings: Teleconference.** This bill would require a local agency to use teleconferencing without complying with the Brown Act when holding a meeting to declare or ratify a local emergency when state/local health officials have required or recommended social distancing. The bill would require that teleconferenced meetings provide notice of the meeting, post agendas, and means for public comment.

### **AB 629 (Chiu) Blue Ribbon Transit Recovery Task Force**

While no substantive amendments are yet in print, this bill will serve as Assembly Member Chiu's vehicle to move proposals related to the work of the MTC Blue Ribbon Transit Recovery Task Force. The focus of the conversations so far are around a transit network manager construct.

**SB 44 (Allen) – CEQA Streamlining for Transit.** This bill would allow certain transit projects that meet environmental and labor requirements to have a streamlined judicial review period for CEQA. This is the new legislative effort after SB 757 (Allen) was vetoed last session because it was tied to SB 995. *Peninsula Corridor Joint Powers Board supported this bill in February 2021.*

**ACA 1 (Aguiar – Curry) Local Government Financing.** This constitutional amendment is a reintroduced version of ACA 1 (Aguiar-Curry) from last session, which failed to pass off the Assembly floor 44-20. The measure would reduce the voter-approval threshold from 2/3 to 55% for cities and counties to issue bonds or raise taxes for public infrastructure, affordable housing or permanent supportive housing for the homeless. *Peninsula Corridor Joint Powers Board supported this bill in February 2021.*

## **High-Speed Rail**

On March 10, the Assembly Transportation Committee and Assembly Budget Subcommittee on Climate Crisis, Resources, Energy, and Transportation held their oversight hearing on the California High-Speed Rail Authority's Draft 2020 Business Plan.

Brian Kelly, CEO of the Authority presented an overview of the business plan. The members also heard from the Chair of California High-Speed Rail Peer Review Group, the Legislative Analyst's Office, and local updates from the San Diego Association of Governments (SANDAG), Metrolink, and Altamont Corridor Express.

Highlights of the hearing included Assemblymember Friedman, Chair of the Transportation Committee, expressing concern for the legislative appropriation of \$4.1 billion in Prop 1A bond funding being sought by the Authority, citing the need to consider all available options given the uncertainty that the Central Valley Segment (CVS) gets completed given funding constraints. Assemblymember Luz Rivas and Assemblymember Nazarian, also from the Los Angeles area like the Chair, raised similar concerns regarding continuing the CVS.

The Legislative Analyst's Office, when pressed for a recommendation on use of the funding, framed the Legislature's decision as a consideration of risk without providing a concrete recommendation. The LAO representative proposed that the Legislature has two options: narrow the project scope by not pursuing electrification in the 119 miles of the CVS or assume more risk by going forward with the draft proposal and potentially needing more funding to complete the CVS segment down the road.

Brian Kelly indicated that the Authority has thoroughly studied all options and that the Merced to Bakersfield extension provides the greatest ridership benefits for the smallest cost increases.

Caltrain testified in support of the Authority's draft business plan in the public comment portion of the hearing.

The Senate plans to hold a similar hearing next on March 16, where CEO and General Manager Jim Hartnett will testify.

## **Statewide Competitive Grant Programs**

Below is a list of major competitive grant programs administered by the State from which transit and rail projects are eligible/can be funded.

### **Transit and Intercity Rail Capital Program (TIRCP)**

The TIRCP was created to fund capital improvements to modernize California's intercity rail, bus, ferry, and rail transit systems to reduce emissions, expand and improve transit service and ridership, integrate rail services and improve transit safety. Funding from this program can be used to purchase zero-emission buses. Funds available are

estimated at \$450-500 million for Cycle 4 but could change on auction proceeds and changing cash flow requirements of already awarded projects.

### **Solutions for Congested Corridors Program (SCCP)**

The SCCP provides funding to achieve a balanced set of transportation, environmental, and community access improvements to reduce congestion throughout the state. The program makes \$250 million available annually (programmed in 2-year increments) for projects that implement specific transportation performance improvements.

### **Local Partnership Program (LPP)**

The LPP is intended to provide local and regional transportation agencies that have passed sales tax measures, developer fees, or other imposed transportation fees with a continuous appropriation of \$200 million annually from the Road Maintenance and Rehabilitation Account to fund road maintenance and rehabilitation, sound walls, and other transportation improvement projects. The Competitive program is funded at \$100 million annually.

### **Trade Corridor Enhancement Program (TCEP)**

The TCEP provides funding for infrastructure improvements on federally designated Trade Corridors of National and Regional Significance, on the Primary Freight Network as identified in California Freight Mobility Plan, and along other corridors that have a high volume of freight movement. There is approximately \$300 million provided per year (programmed in 2-year increments) for the competitive program.

### **Grade Separation Funding**

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

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

**State Transportation Improvement Program** – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years (currently the 2018 STIP added \$2.2 billion in new funding). Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

**Transit and Intercity Rail Capital Program** – The TIRCP is managed by CalSTA and is available to fund rail and transit projects that reduce greenhouse gas emissions. The program receives funding from Cap and Trade and the recently created Transportation

Improvement Fee to the tune of approximately \$500 million per year. The TIRCP is programmed over 5 years, with the most recent cycle beginning in May 2018. Caltrain received \$160 million for the CalMod project.

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

# Caltrain

## State Legislative Matrix 3/12/2021

Active Bills			
Bill Number (Author)	Summary	Location	Position
<a href="#">AB 5 (Fong R)</a> Greenhouse Gas Reduction Fund: High Speed Rail Authority: K-12 education: transfer and loan.	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of those emissions the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority for certain purposes. This bill would suspend the appropriation to the High-Speed Rail Authority for the 2021-22 and 2022-23 fiscal years and would require the transfer of those amounts from moneys collected by the state board to the General Fund. The bill would specify that the transferred amounts shall be available, upon appropriation, to support K-12 education and to offset any funding reduction for K-12 education. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 12/7/2020</p>	Assembly Transportation	Watch
<a href="#">AB 339 (Lee D)</a> State and local government: open meetings.	<p>Existing law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation, as provided, and requires translation services to be provided for the 10 most-spoken languages, other than English, in California, and would require those persons commenting in a language other than English to have double the amount of time as those giving a comment in English, if time restrictions on public comment are utilized, except as specified. The bill would require instructions on how to attend the meeting to be posted at the time notice of the meeting is publicized, as specified. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 1/28/2021</p>	Assembly Print	Watch



<p><a href="#"><u>AB 361 (Rivas, Robert D)</u></a></p> <p>Open meetings: local agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote. The bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, as provided, to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/1/2021</p>	<p>Assembly Local Government</p>	<p>Watch</p>
<p><a href="#"><u>AB 464 (Mullin D)</u></a></p> <p>Enhanced Infrastructure Financing Districts: allowable facilities, projects, and costs.</p>	<p>Existing law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community, including, but not limited to, the acquisition, construction, or repair of industrial structures for private use. Existing law authorizes a district to finance the ongoing or capitalized costs to maintain facilities financed in whole or in part by the district, but prohibits the use of proceeds of bonds issued to finance maintenance of any kind. This bill would remove the prohibition on the use of proceeds of bonds issued to finance maintenance of any kind. The bill would remove, from the list of facilities and projects the district may fund, the acquisition, construction, or repair of industrial structures for private use. The bill would include in that list the acquisition,</p>	<p>Assembly Local Government</p>	<p>Watch</p>

	<p>construction, or repair of commercial structures by the small business, as defined, occupant of such structures, if certain conditions are met, and facilities in which nonprofit community organizations provide health, youth, homeless, and social services.</p> <p>Introduced: 2/8/2021</p>		
<p><a href="#">AB 629 (Chiu D)</a> Subdivisions: local ordinances.</p>	<p>The Subdivision Map Act provides that when a local ordinance requires improvements for a division of land which is not a subdivision of 5 or more lots, regulations must be limited to the dedication of rights-of-way, easements, and the construction of reasonable offsite and onsite improvements of the parcels being created. Existing law provides that a subdivider is not required to fulfill those construction requirements until a permit or other grant of approval for development of the parcel is issued, unless otherwise provided by ordinance. This bill would make nonsubstantive changes to those provisions.</p> <p>Introduced: 2/12/2021</p>	Assembly Print	Watch
<p><a href="#">AB 823 (Gray D)</a> High-Speed Rail Authority: trains powered by fossil fuel combustion engines.</p>	<p>The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law requires the high-speed rail system to be designed to use electric trains. Existing law authorizes the authority, upon receiving legislative or voter approval, to enter into contracts with private or public entities for the design, construction, and operation of high-speed trains. This bill would prohibit the authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a passenger or freight train powered by a diesel engine or other type of fossil fuel combustion engine, and from enabling such a train to operate on authority-owned rail infrastructure designed for speeds in excess of 125 miles per hour, except as specified.</p> <p>Introduced: 2/16/2021</p>	Assembly Transportation	Watch
<p><a href="#">AB 1116 (Friedman D)</a> High-Speed Rail Authority: oversight: Legislative Analyst's Office.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties related to the development and implementation of a high-speed train system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, statewide general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related rail purposes. This bill would require the Legislative Analyst's Office, for the purpose of reviewing the planning, financing, expenditures, and other elements of the statewide high-speed rail system, to review any materials submitted to the authority and documents the authority requests from contractors, consultants, or external parties, as specified, and to provide recommendations to the policy and budget committees of the Legislature regarding the statewide high-speed rail system and the development of shared mobility systems statewide. The bill would require the authority, and any entity contracting with the authority, to provide to the Legislative Analyst's Office any information that it requests and to permit representatives of the Legislative Analyst's Office to attend the authority's internal meetings. The bill would repeal</p>	Assembly Transportation	Watch

	these requirements on January 1, 2031. Introduced: 2/18/2021		
<a href="#"><u>AB 1157</u></a> <b>(Lee D)</b>  Controller: transportation funds: distribution and reporting requirements.	Existing law, for purposes of the State Transit Assistance Program, requires local transportation agencies to report to the Controller by June 15 of each year the public transportation operators within its jurisdiction that are eligible to claim specified local transportation funds. This bill would instead require local transportation agencies to report this information within 7 months after the end of each fiscal year. This bill contains other related provisions and other existing laws.  Amended: 3/15/2021	Assembly Transportation	Watch
<a href="#"><u>AB 1235</u></a> <b>(Patterson R)</b>  High-speed rail: legislative oversight.	The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law requires the authority, on or before March 1, 2017, and every 2 years thereafter, to provide a project update report, approved by the Secretary of Transportation as consistent with specified criteria, to the budget committees and the appropriate policy committees of both houses of the Legislature, on the development and implementation of intercity high-speed train service, as provided. This bill would create the Joint Legislative High-Speed Rail Oversight Committee consisting of 3 Members of the Senate and 3 Members of the Assembly to provide ongoing and independent oversight of the high-speed rail project by performing specified duties, and would require the committee to make recommendations to the appropriate standing policy and budget committees of both houses of the Legislature to guide decisions concerning the state's programs, policies, and investments related to high-speed rail. The bill would require the authority to provide the committee with certain documents and information within prescribed timelines, and would require the authority to permit the chairperson of the committee, or the chairperson's designee, to attend meetings of any internal governance committees related to project oversight, as provided.  Introduced: 2/19/2021	Assembly Print	Watch
<a href="#"><u>ACA 1</u></a> <b>(Aguiar-Curry D)</b>  Local government financing: affordable housing and public infrastructure: voter approval.	(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other	Assembly Print	Supported February 2021

	existing laws. Introduced: 12/7/2020		
<a href="#">SB 44 (Allen D)</a> California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects.	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for an environmental leadership transit project, as defined, proposed by a public or private entity or its affiliates. The bill would require the Judicial Council, on or before April 1, 2022, to adopt rules of court establishing procedures requiring actions or proceedings seeking judicial review pursuant to CEQA or the granting of project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to an environmental leadership transit project. The bill would require the environmental leadership transit project to meet certain labor requirements. This bill contains other existing laws. Amended: 3/1/2021	Senate Environmental Quality 3/15/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair	Supported February 2021
<a href="#">SB 339 (Wiener D)</a> Vehicles: road usage charge pilot program.	Existing law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of Transportation. Under existing law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Existing law requires the technical advisory committee to study RUC alternatives to the gas tax, gather public comment on issues and concerns related to the pilot program, and make recommendations to the Secretary of Transportation on the design of a pilot program, as specified. Existing law repeals these provisions on January 1, 2023. This bill would extend the operation of these provisions until January 1, 2027. The bill would require the Transportation Agency, in consultation with the California Transportation Commission, to implement a pilot program to identify and evaluate issues related to the collection of revenue for a road charge program, as specified. The bill would require the RUC Technical Advisory Committee to make recommendations to the Transportation Agency on the design of the pilot program, including the group of vehicles to participate. The bill would require that if a group of vehicles other than state-owned vehicles is selected, that participation in the program be voluntary. The	Senate Transportation 4/13/2021 9 a.m. - Senate Chambers SENATE TRANSPORTATION, GONZALEZ, LENA, Chair	Recommend support

bill would require the Transportation Agency to convene a state agency work group, as specified, to implement the pilot program and to design a process for collecting road charge revenue from vehicles. The bill would require the pilot program to be net revenue neutral, as specified. The bill would require that participants in the program be charged a mileage-based fee and receive a credit or a refund for gasoline taxes or electric vehicle fees, as specified. The bill would require that the pilot program not affect funding levels for a program or purpose supported by state gasoline tax and electric vehicle fee revenues. The bill would require the Transportation Agency to submit a report to the Legislature, as specified.

Introduced: 2/8/2021

# Holland & Knight

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Holland & Knight LLP | www.hkllaw.com

## Caltrain As of March 18, 2021 Transportation Report

### President Biden Signs Into Law \$1.9T Covid Relief Bill

- On March 11, President Joe Biden signed into law a \$1.9 trillion coronavirus relief package, the [American Rescue Plan Act of 2021](#).
- The bill includes the following for transit:
  - \$26.086 billion for Federal Transit Administration (FTA) Urbanized Area Formula Grants (Section 5307)
  - \$317 million for FTA Rural Area Formula Grants (Section 5311)
  - \$50 million for FTA Enhanced Mobility for Seniors and Individuals with Disabilities Grants (Section 5310)
  - \$100 million for non-urbanized intercity bus program recipients
  - \$25 million for Section 5307 planning grants to restore service
  - \$2.21 billion for operating assistance grants to eligible recipients that require additional support for operations, personnel, cleaning, sanitization and debt payments costs incurred to maintain operations and avoid layoffs and furloughs due to COVID-19, with grants to be evaluated by the FTA based on the level of financial need demonstrated; the FTA is required to issue a Notice of Funding Opportunity (NOFO) for these grants within 180 days after the bill is signed into law
  - \$1.675 billion for Capital Investment Grants (CIG)--**Peninsula Corridor Electrification will receive \$52,415,186**
    - \$1.425 billion for New Start and Core Capacity projects:
      - \$1.25 billion for CIG project sponsors that have an existing Full Funding Grant Agreement (FFGA) and have received a FY 2019 or FY 2020 CIG allocation.
      - \$175 million to CIG projects with an existing FFGA that received a CIG allocation prior to FY 2019
      - \$250 million for Small Start projects that are a recipient of a CIG allocation or an applicant in the project development phase
- The bill also includes \$45.57 billion in direct federal aid for municipalities with populations of at least 50,000, using a modified Community Development Block Grant (CDBG) formula

### House Democrats Set Guidelines for Return of Earmarks

- On February 26, House Appropriations Chair Rosa DeLauro (D-Conn.) [announced](#) guidance to solicit lawmakers' requests for earmarks, the system of designating funds for specific local projects that's been banned since 2011.
- House Republicans voted on March 17 to allow their members to request dedicated-spending projects, but Senate Republicans have yet to decide on whether to participate in earmarking. Senate Democrats have yet to issue guidance for their process.
- Under the House's new system, earmarks for for-profit companies would be banned. Members can request funding for state and local governments or for certain nonprofits.
  - Total earmark spending will be capped at 1% (around \$13 billion) of discretionary spending.
  - House members will only be able to request up to 10 projects across all of the appropriations bills.
- DOT [Local Transportation Priorities](#) can include the following projects:
  - Capital projects or project-specific planning/design for a capital project.
  - Supported by the state or local government that would administer the project. Inclusion on a Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) would satisfy this requirement.
  - Administered by public entities.

### **House Democrats Unveil CLEAN Future Act**

- On March 2, House Democrats on the Energy and Commerce Committee [unveiled](#) comprehensive legislation with a national goal of net-zero greenhouse gas emissions by 2050 through targeted investments in clean energy across the transportation, power and industrial sectors.
- The 10-title [bill](#), at a \$565 billion price tag over the next 10 years, would establish a federal Clean Electricity Standard (CES) to put the U.S. on an ambitious path to 100% clean electricity generation by 2035 and establish a second national target of 50% reduction in greenhouse gas pollution from 2005 levels by 2030.
- The introduction of the bill comes is timely as President Joe Biden is expected to propose a large infrastructure package as soon as this month that incorporates several clean energy and climate goals. However, the legislation at this point is Democratic-only, which could make it difficult to move through regular order or through the Senate.
- The transportation title:
  - Authorizes \$500 million to deploy electric vehicle supply equipment (EVSE).

- Directs the Secretary of Energy to conduct an assessment to determine the challenges to and opportunities for the deployment of EVSE in underserved or disadvantaged communities.
- Establishes a Department of Energy (DOE) program to support the development and accessibility of electric vehicle charging infrastructure in underserved communities by providing technical assistance and awarding grants for eligible projects.
- Revitalizes EPA’s clean school bus program and authorizes \$2.5 billion annually to accelerate the transition to zero-emission school buses and clean commutes for kids.

### **Administration Readies Infrastructure Economic Package After Virus Relief**

- Following passage of the \$1.9 trillion COVID relief bill, President Biden and lawmakers are laying the groundwork for another top legislative priority — a long-sought boost to the nation’s roads, bridges and other infrastructure that could run into Republican resistance due to a cumbersome price tag.
- During his presidential campaign, Biden pledged to spend \$2 trillion on infrastructure and clean energy, but the White House has not ruled out an even higher price tag. The upcoming proposal, which is expected to be modeled after President’s [Build Back Better plan](#), is expected to focus on job creation with investments to boost “workers that have been left behind” by closed coal mines or power plants, as well as on communities located near polluting refineries and other hazards.
- Senate Environment and Public Works (EPW) Committee Ranking Member Shelley Moore Capito (R-W.V.) said there is bipartisan support for ambitious steps on infrastructure, but that “should not extend to a multitrillion-dollar package that is stocked full with other ideologically driven, one-size-fits-all policies that tie the hands of our states and our communities.”
- The Senate EPW Committee's goal is to pass an infrastructure bill by Memorial Day.
- House T&I Committee Chairman Peter DeFazio said that he foresees a comprehensive House package that will go beyond roads, bridges and public transit, similar to the [Moving Forward Act](#) from the 116<sup>th</sup> Congress. DeFazio told reporters, “I’m totally willing to work with (Republicans) if they’re willing to recognize climate change, or if they don’t want to recognize climate change, they can just recognize that electric semis and electric vehicles are a flood on the horizon and we’ve got to get ahead of it.”
- House Transportation and Infrastructure (T&I) Committee Ranking Member Sam Graves (R-Mo.) said Republicans would be open to a larger package as long as it didn’t greatly add to the national debt.

### **Senate Public Works Panel Kicks Off 2021 Infrastructure Hearings**



- On February 24, the Senate EPW Committee conducted a hearing entitled "Investing In Transportation While Addressing Climate Change, and Fostering Economic Growth."
- Led by new Chairman Tom Carper (D-DE), the committee wrestled with important questions that will determine whether it will really be possible to pass infrastructure spending that gives States the flexibility and independence they want to improve their transportation infrastructure in a fair and equitable way. The committee also set incredibly lofty goals for future investment, including addressing climate change, improving equity, and fostering economic growth.
- The panelists for the hearing included Governor Gretchen Whitmer of Michigan; Governor Larry Hogan of Maryland; Mayor Michael Hancock of Denver, Colorado; and Victoria Sheehan, President of American Association of State Highway and Transportation Officials (AASHTO) and Commissioner of the New Hampshire Department of Transportation.
- Lawmakers questioned the witnesses on a variety of topics, ranging from investment in infrastructure projects to surface transportation reauthorization bill. The consensus amongst Senators was that the EPW Committee possesses a paramount responsibility in crafting bipartisan legislation that fosters immediate economic recovery, while dedicating adequate attention to environmental review standards.
- Much of the discussion revolved around the future of electric vehicles (EV) as a primary mode of transportation, funding for large-scale building projects, and the role that the federal government can play in providing equitable investment across rural and urban communities alike.
- The Senators and the witnesses repeatedly came back to the ideas of limiting regulations on state DOT's and improving project delivery. They wrestled with the problem of the possibility that the in-progress shift to EVs would eventually make gasoline taxes unworkable as the main revenue mechanism for the Highway Trust Fund, and whether or not to maintain the user-pay system by levying a new Vehicle Miles Traveled tax.

### **Groups Press Biden on Local Hires for Infrastructure**

- On March 1, a large group of cities, unions, transit departments and organizations from 24 states sent a [letter](#) to the President urging his administration to overturn regulation that prohibits local hire incentives on federally funded infrastructure projects.
- "Not only does local hire address the fundamental goal of having residents participate in infrastructure investments in their own towns and cities, it can also increase opportunities for workers of color, women, veterans, returning community members, and others facing barriers to employment," the groups wrote.
- In 2015, the Obama administration launched a local hiring pilot program in the Department of Transportation. Through this pilot program, agencies getting grant funding

through the FTA or the FHWA were able to include local hire provisions.

- The pilot was withdrawn in the Trump administration, reverting back to prohibiting geographic hiring preferences.
- The letter comes one week after New York Democratic Senators Chuck Schumer and Kirsten Gillibrand wrote a [letter](#) to DOT urging them to implement a new local hire pilot program, similar to the one in the Obama administration.

### **USDOT Announces FY 2021 Round of the INFRA Grant Program**

- On February 17, the DOT [announced](#) it is seeking applicants for the FY 2021 round of the Infrastructure for Rebuilding America (INFRA) discretionary grant program. The funding available for this year's grants totals approximately \$889 million.
- "As we work to recover and emerge from this devastating pandemic stronger than before, now is the time to make lasting investments in our nation's infrastructure," said Secretary Buttigieg. "We are committed to not just rebuilding our crumbling infrastructure, but building back in a way that positions American communities for success in the future—creating good paying jobs, boosting the economy, ensuring equity, and tackling our climate crisis. The INFRA grant program is a tremendous opportunity to help achieve these goals."
- The USDOT seeks INFRA projects that address climate change and environmental justice. Projects will be evaluated on whether they were planned as part of a comprehensive strategy to address climate change and whether they support strategies to reduce greenhouse gas emissions such as deploying zero-emission vehicle infrastructure or encouraging modal shift and a reduction in vehicle-miles-traveled.
- Racial equity will also be considered as a selection criterion, to the extent that project sponsors have completed equity-focused community outreach, and projects are designed to improve connections to underserved communities to reduce barriers to opportunity. The Department will also consider whether the project is located in a federally designated community development zone, including qualified Opportunity Zones, Empowerment Zones, Promise Zones, or Choice Neighborhoods.
- INFRA projects will also be rated on the extent that they apply innovative technology, delivery, or financing methods with proven outcomes to deliver projects in a cost effective manner. Additionally, DOT is specifically focused on projects in which the local sponsor is significantly invested and is positioned to proceed rapidly to construction.
- Eligible INFRA project costs may include: reconstruction, rehabilitation, acquisition of property (including land related to the project and improvements to the land), environmental mitigation, construction contingencies, equipment acquisition, and operational improvements directly related to system performance.

## **FTA Rescinds Trump Cost-Share Policy in CIG Program**

- On February 16, the FTA rescinded Trump administration [guidance](#) for how the federal government would consider applications for project funding under the CIG program.
- The policy prohibited states and local entities from using federal loans as part of their local funding match when applying for grants. Critics of the policy said it established barriers to certain transit projects from qualifying for CIG dollars.
- In a "[Dear Colleague Letter](#)," the FTA said it will now "rely on the CIG statutory framework" to ensure that projects have met federal transportation law, the Major Capital Investment Projects Final rule, and the CIG Final Interim Policy Guidance published in June 2016.
- House T&I Committee Chairman Peter DeFazio (D-Ore.) and other Democratic lawmakers had encouraged President Joe Biden's administration to rescind the FTA policy. "The Trump administration's guidance that put up artificial barriers to critical transit projects is exactly where it should be — in the trash bin," DeFazio said in a statement.

## **Grant Opportunities & Award Announcements**

- [2021 High Priority Program – Innovative Technology Deployment \(HP-ITD\)](#): \$20 million available. Applications due by March 15, 2021.
- [FY 2021 Competitive Funding Opportunity: Low or No Emission Vehicle Program](#): \$180 million available. Applications due by April 12, 2021.

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board  
THROUGH: Jim Hartnett  
Executive Director

FROM: Michelle Bouchard  
Chief Operating Officer, Rail

SUBJECT: **SOUTH SAN FRANCISCO CALTRAIN STATION IMPROVEMENT PROJECT UPDATE**

**ACTION**

Staff will present the Board an update on the South San Francisco Caltrain Station Improvement project. No action is required.

**SIGNIFICANCE**

This presentation provides an update on the South San Francisco Caltrain Station.

The South San Francisco station is one of three remaining Caltrain stations, along with Broadway and College Park, subject to a safety precaution and operational constraint known as the "hold-out rule." Because the platform configurations require passengers to cross train tracks to board their trains, a train approaching the station must "hold out" if another train is in the station, and cannot enter the station until it is clear. The hold-out rule at the South San Francisco station is being eliminated through the construction of a wider platform that meets current Caltrain standards. The project also includes construction of a pedestrian/bicycle underpass connecting the center platform from the west and east sides of the station. The South San Francisco station, with the addition of the underpass, will serve as an important component of the City's plans for downtown mixed-use development.

**BUDGET IMPACT**

There is no budget impact to receive this report.

**BACKGROUND**

The contract for Project construction was awarded to ProVen Management (PMI) in 2017 and construction began in November of that year. The contract was partially suspended for approximately 18 months in 2018-19 to allow for permitting, utility relocation, etc. The Project cost was originally estimated in 2015 at \$55.0 million. In 2018, the Project budget was increased by \$4.1 million due to negotiations concerning the UP rail yard and new scope added (and funded) by the City. In 2019, the Project budget was increased by \$12.5 million, with the TA and City providing \$11.3 million and \$1.2 million, respectively, to cover cost increases associated with utility relocations and

permit delays. Currently the project is 70% completed with at target completion of Summer 2021.

The following is a breakdown of the current project funding:

<u>Fund Source</u>	<u>Amount</u>
Measure A	\$21,572,400
City of South San Francisco	\$9,900,000
FRA Section 5337 Program	\$38,827,600
<u>JPB</u>	<u>\$1,300,000</u>
Total Project Cost	\$71,600,000

Prepared by: Howard Beckford, Project Manager, Capital Projects 650-622-7852



# South San Francisco Station Improvement Project

Joint Powers Board

April 1, 2021

# Project – 70% Complete



## Key Highlights

New Center platform

Pedestrian Underpass and West Plaza

Removal of Holdout Rule & Improved Station Access

Funding: San Mateo County Transportation Authority (TA) and City of SSF

Construction Phase: 70% completed

Total Project Budget: \$71.6 million

# Project Background

- Timing of project construction to precede Caltrain electrification
- Completing project post-electrification would cost approx. \$135M
- Utility and permitting pursued in parallel with construction
- Coordination issues related to the timing of the PCEP, the advertisement of this Project was expedited and contract was awarded in August 2017.



# Project Schedule

Activity	Date
Bid & Award	April 2017 – August 2017
Begin Construction	November 2017*
Partial Suspension	April 2018 – September 2019**
Complete Construction	Summer 2021***

\* Construction started in November 2017 and experience significant delays due to Utility relocation (PG&E & CalWater) <sup>4</sup>

\*\* Project went into suspension on April 2018 and resumed construction in September 2019.

\*\*\* JPB target date subject to contractor negotiations

# Project Update

<p>Completed Work in 2020 (Project - 70% complete)</p>	<ul style="list-style-type: none"><li>• Utility relocations</li><li>• MT2 track final alignment</li><li>• Center Platform</li><li>• Ramp2, Stair 2</li><li>• OCS foundations</li><li>• Street improvements (Poletti Way) – Phase 2</li></ul>
<p>Work in Progress</p>	<ul style="list-style-type: none"><li>• MT1 track final alignment</li><li>• Signal and Communications improvement</li><li>• Street improvements (Poletti Way) &amp; Shuttle drop off area – Phase 3</li><li>• Ramp 3 (West side)</li><li>• Ramp 1 (East side)</li></ul>
<p>Future Work</p>	<ul style="list-style-type: none"><li>• Pedestrian underpass</li><li>• Additional plaza improvements</li></ul>

# Project Budget History

Source	2015	2018	FY2019
Measure A Caltrain Program	\$10.272 M	\$10.272 M	\$21.572 M
City of South San Francisco	\$5.900 M	\$8.700 M	\$9.900 M
Federal Section 5337 Program	\$38.827 M	\$38.827 M	\$38.827 M
Rail Ops (JPB)	-	\$1.300 M	\$1.300 M
<b>Total</b>	<b>\$55.000 M</b>	<b>\$59.100 M</b>	<b>\$71.600 M</b>

**Increased by \$16.6 million (2015 – 2019)**

- **Utility Delays + Permit Delays (\$9.8M)**
- **Added Scope (UPRR + Plaza and Undercrossing enhancements (\$6.8M)**

## Project Update (Photos)



***Rendering of Center Platform – Looking North***



**New Center Platform**

## Project Update (Photos)



***Station West Access – West Plaza***



**Construction of West Station Access**

## Project Update (Photos)



***Rendering of Pedestrian Underpass***



**Construction of Ramp 2 Access to Platform**

## Project Update (Photos)



***Ramp 3 Construction (West Station Access)***



## Project Update (Photos)



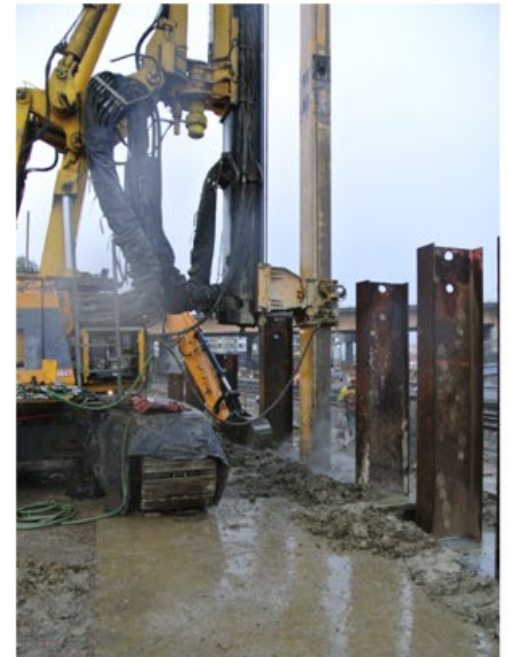
***Arch Formwork to Platform and Underpass***



**Stair 2 Access to Platform**



## Project Update (Photos)



***Ramp 1 Construction – Shoring (East Station Access)***

## Project Update (Photos)



***Ramp 1 Construction – Shoring (East Station Access)***

## Project Update (Photos)



*New MT2 Track – Looking South*

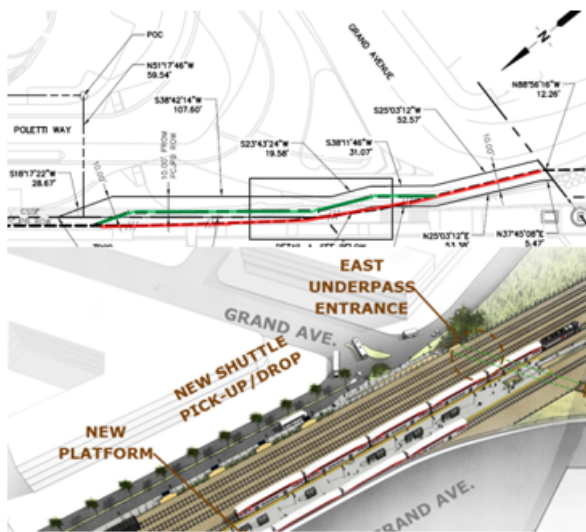


*New MT2 Track – Looking North*



*New MT2 Track – At Center Platform*

# Project Update (Photos)



Existing Joint Fiber Optic Trench Line is conflict with new East Ramp and Stairwell to new station pedestrian (Grand Ave and Poletti Way)

- Current FO Joint trench
- New FO Joint trench



Utility Relocation – UP Joint Fiber Optic Trench (August 2020)

## Project Update – Current Risks

- Contractor caused delays (remobilization, resources and productivity)
- Tunnel construction reveals additional utilities-still digging
  - February 2020 - UP Joint Fiber Optic trench conflict (Sprint, Verizon, Century Link, CVIN) redesign + encroachment permit (April 2020) + relocate
- COVID-19 impacts to construction crews (several interruptions during period)

## Next Steps

- Complete assessment of project costs, schedule to complete and funding plan
- City of SSF City Council – April 2021 meeting
- TA CAC (Citizens Advisory Committee) and TA BOD (Board) at the May 2021 meeting
- JPB Finance Committee and JPB BOD at the June 2021 meeting



# Questions



**CITIZENS ADVISORY COMMITTEE (CAC)**  
**PENINSULA CORRIDOR JOINT POWERS BOARD (JPB)**  
**SAN MATEO COUNTY TRANSIT DISTRICT ADMINISTRATIVE BUILDING**

Bacciocco Auditorium, 2<sup>nd</sup> Floor  
1250 San Carlos Avenue, San Carlos CA 94070

**MINUTES OF MARCH 17, 2021**

**MEMBERS PRESENT:** A. Brandt (Vice Chair), A. Dagum, P. Flautt, L. Klein, R. Kutler, P. Leung, N. Mathur (Alternate), K. Maxwell (Alternate), D. Tuzman, B. Shaw (Chair)

**MEMBERS ABSENT:** M. Romo

**STAFF PRESENT:** J. Le-Christensen, J. Navarrete, J. Navarro, R. Tam, B. Tietjen

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

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

**APPROVAL OF MINUTES OF FEBRUARY 17, 2021**

Motion/Second: Klein / Flautt

Ayes: Brandt, Dagum, Kutler, Leung, Shaw, Tuzman

Absent: Romo

**PUBLIC COMMENT**

Public Comment received via email at [cacsecretary@caltrain.com](mailto:cacsecretary@caltrain.com)

Jeff Carter, Millbrae:

To the JPB/Caltrain Citizens Advisory Committee, 17-March-2021

Re: Schedules in bulletin boards and trains.

Last month I wrote and spoke on lack of printed schedules in bulletin boards and on trains at request of a friend. I checked for myself on a recent Caltrain trip between Millbrae and 22 St. and SF 4th St. For the most part, there are no schedules, however 4th St did have a schedule and related information in the center station kiosk, Millbrae had one board with schedule along with BART information on southbound platform (at south end stairs/escalator) and one on the upstairs main concourse. The rest of the boards only had the notice that schedules are subject to periodic changes due to the pandemic and to check caltrain.com or call the Caltrain information number. The



boards at 23rd St. only had the periodic changes notice and no schedules as did some other stations I had observed.

Thank-You,  
Jeff Carter

Roland Lebrun, San Jose

Dear Caltrain CAC Secretary,

Further to the staff presentation to the CAC later today

([https://www.caltrain.com/Assets/\\_Agendas+and+Minutes/JPB/CAC/Presentations/2018/2021-03-17+JPB+CAC+Presentation+8.pdf](https://www.caltrain.com/Assets/_Agendas+and+Minutes/JPB/CAC/Presentations/2018/2021-03-17+JPB+CAC+Presentation+8.pdf)), please forward the following information to the Caltrain CAC and members of staff.

<https://www.welovecycling.com/wide/2017/03/13/three-electronic-devices-help-track-stolennava-bike/>

Three Electronic Devices to Help You Track Down a Stolen Bike - We Love Cycling magazine

[www.welovecycling.com](http://www.welovecycling.com)

Thank you

Roland Lebrun

CC

Caltrain Board

SFCTA CAC

VTA CAC

Caltrain BAC

VTA BPAC

### **PUBLIC COMMENT**

Jeff Carter, Millbrae, via Zoom Q&A, thanked Caltrain for the discounting the monthly pass by twenty percent and hopes it becomes permanent. He then suggested Caltrain to consider the unfairness of the current zone system and to implement distance based fares along with a discounted multi-ride ticket, such as a fifteen-ride or a twenty-ride which would benefit semi-regular riders that ride one or two days a week.

Drew, via Zoom Q&A, suggested the Zoom link on the Citizen's Advisory Committee Agenda include the passcode for easier access to attend these monthly meetings remotely.

Roland Lebrun, San Jose, via Zoom Q&A, stated that the second Public Comment via email was his and referred to Agenda Item number eight. He mentioned that he was surprised that the presentation did not mention RFID. He suggested to Google "stolen bike, RFID" prior to the presentation. He stated that the results will show how owners are notified when their bike has been stolen and how the community will be able to track the bike and location for recovery.

### **CHAIRPERSON'S REPORT**

Chair Brian Shaw shared that on Friday March 19th, 2021 at 1:00 pm, will be the start of Caltrain's governance deliberations and discussions that were required as part of

approval of measure RR. He stated that the live stream Zoom link can be found on the Caltrain website under meetings and will be available to listen or watch at a later time. He stated that it is the beginning of a process that will likely result in changes to how Caltrain is being governed and managed.

### **COMMITTEE COMMENTS**

Alternate Member Neeraj Mathur asked for an update on an incident that occurred in October 2020 as part of the November CAC meeting where it involved a Caltrain employee and a passenger. He requested a follow-up on how that matter was handled. Chair Shaw advised that the update may be provided during the Staff Report.

Vice Chair Adrian Brandt concurred with Public Comment made by Jeff Carter regarding the importance of having a posted schedule at the stations additionally, he stated that it makes it easier for passengers when each station has a yellow highlight line across the times that apply for that particular stations. He also applauded lowering the monthly pass price because, during COVID times and post COVID times, people will be riding less frequently and encourages the exploration of alternate fare products, as in the multi-ride tickets and anything to lure ridership back. He then provided a summary of the Dumbarton Rail Update meeting hosted by Carter Mau and the team. He stated that the direction the Dumbarton Rail Study is moving, is of great concern.

Member David Tuzman reported that as of Monday, March 15, 2021 Transit Workers are prioritized for vaccines and asked whether Caltrain is doing anything to provide information or resources or guidance to their Transit Workers to help them navigate that. He then mentioned that on Monday, April 19, 2021 there is a meeting of the MTC Regional Fare Integration Task Force that's looking into exploring ways to integrate fares across the twenty plus Transit Agencies in the region that could improve rider experience or cost over certain connections.

Member Rosalind Kutler asked whether the old MUNI yard near 22nd ST. that will soon be housing, be considered Transit Oriented Development as it is really close to 22nd ST. Caltrain station. She then agreed with Vice Chair Brandt's statement regarding the availability of schedule signage and printed schedules at stations. She mentioned that it may be frustrating to new users, English language learners and people not be familiar with different kinds of technology or they just may not have the money to have the technology in their pocket.

### **Public Comments:**

Roland Lebrun, San Jose, via Zoom Q&A, asked whether the Board will be taking public comment at the end of Friday's meeting. He then addressed Member Neeraj's request regarding the incident that occurred October 2020 and advised that he has a response as he requested it from staff through PRA, Public Records Act. He also stated that he has a question to the Board whether TASI is fit to operate Caltrain. Roland then stated that going forward he would be advocating for either MTC and/or Caltrain to acquire the Dumbarton Right of Way from Samtrans. Regarding fare integration, he advised to

pay attention to Google's big plans and big changes and to see what is going on the UK. Basically users will buy a ticket from point A to Point B and computers will calculate fare. Lastly he commented on the SF MUNI Yard potential housing and stated that 22nd Street station will be closed once Transbay Terminal is moved. He stated that the new Cesar Chavez station will be right next door to the potential housing and it should be advocated that the affordable housing there should be reserved for the MUNI Operators so that they do not have to deal with commuting and are safe to operate transit vehicles.

Jeff Carter, Millbrae, via Zoom Q&A, stated that 22<sup>nd</sup> ST has come a long way and went from not too many riders to lots of riders. He said that 22<sup>nd</sup> ST is an important station and with the new development at SF MUNI Yard should increase demand.

### **SALES TAX MEASURE UPDATE**

Brent Tietjen, Government & Communication Relations Officer, provided a Sales Tax Measure Update.

The full presentation can be found on [caltrain.com](http://caltrain.com)

#### Committee Comments:

Member David Tuzman stated that Mr. Tietjen mentioned the new funding tranche was distributed seventy-five percent based on the net revenue loss and asked whether Measure RR's success ended up reducing the amount of money that Caltrain was allocated. Mr. Tietjen responded that it had not. Member Tuzman then asked whether it may affect it in the future and Mr. Tietjen stated that he could look into what it means for the next the next round of funding. He then stated that Caltrain has not received Measure RR funds and has not affected the allocations today.

#### Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, expressed his appreciation for the update provided by staff.

Roland Lebrun, San Jose, via Zoom Q&A, stated that at the January Board Meeting, Michelle Bouchard allocated the next six years of measure RR to TASI and is what prompted the multiple PRA requests, including the incident with allegedly assaulting passengers, etc. and how staff will go about spending all of this money. Roland stated that he is making a business case that the time has come for Caltrain to have a train operator who focuses on transporting passengers, instead of disappointing trains. Regarding the Cares Act, Roland stated that VTA grossly exaggerated drop in sales tax revenues and as a result, they will have a surplus of \$96.8M by June and are expecting another \$69.9M. He has had serious discussions with MTC about that situation. He then stated that Caltrain did not excel in spending money in Phase One and as a result basically ran out of Cares Act in December and are now requesting to borrow \$50M against Measure RR and that VTA will be sitting with \$150M and may have to reroute some of those funds to some of the other operators.

Drew, via Zoom Q&A, asked whether the recent increased funding from Federal, allocated to electrification due to COVID, be used to purchase more rolling stock, another train set. Chair Shaw responded that it is his understanding that the Cares Act funds is primarily being used to offset operating deficits and is not something the Federal Government normally does but is doing in this case because Transit has been so decimated by COVID. Capital Expenses usually have different funding sources and are provided through different mechanisms, from his basic understanding of how that money is intended to be used. Mr. Tietjen agreed with Chair Shaw and stated that most of the funding was for operations but, in this latest update there was additional funding included for Capital Projects under the Capital Improvement Grants Program. He stated that the funds cannot be used to purchase additional rolling stock beyond what was already included.

### **PROJECT 529 UPDATE**

Jenny Le-Christensen, Management Analyst, presented the Project 529 Update.

The full presentation can be found on [caltrain.com](http://caltrain.com)

#### Committee Comments:

Member Patrick Flautt thanked Ms. Jenny Le for the presentation and although it is just one percent of the crimes being reported on Caltrain, it is one of the more crippling crimes because it may change the passenger's schedule and route. He requested to know more about this program and would like to see more literature regarding the GPS tracking, what it means to register and how this can be deployed elsewhere. Ms. Le mentioned that staff is starting to work on bringing other policing agencies, not only in the peninsula, but in the other county agencies so that all agencies are using the same system and on the same page.

Member Larry Klein also thanked Ms. Le for the presentation and glad to see the program rolling out. He then asked whether the 27 recovered bicycles on the platform are part of the 26 that were stolen and how it relates to the data. Ms. Le responded that the 27 bikes recovered is since the induction of the program and is not specific to last year's data. Ms. Le stated one of the great things staff is implementing at Transit, is bicycles held in Lost and Found after the ninety-day hold are ran through the automated property system for bicycles and through Project 529 and if staff is unable to locate the owner, these bikes will be donated to nonprofits within the region. They are being taught how to transfer ownership and are being registered. She stated that if these bikes ever get stolen, staff has the information.

Vice Chair Adrian Brandt asked whether the app is a crowd sourced app. Ms. Le confirmed and went over the process of how the community and Law Enforcement is alerted. Vice Chair Brandt suggested having a bar graph showing historical data and clearance rate, how many registered 529 bike thefts are reported and the recovery ratio on those to show a trend. Ms. Le stated that she could include that data for the next report to the CAC. Lastly, Vice Chair Brandt expressed his appreciation for the bait

bike program. Sargent Ward responded that the Special Enforcement Team has an Ops plan for next month and is unable to advertise, however stated that the program will be ongoing.

Anna Dagum thanked Ms. Le for the presentation and asked how staff partners with local bike shops. Ms. Le responded that when the program was launched, all local bike shops were contacted and asked to promote the free program and continue make contact periodically as a reminder to promote the program. Member Flautt suggested posting signage at these local shops. Ms. Le advised that pdf files have been sent to the local shops and is up to the shops to post. Ms. Le shared that during COVID they have partnered in other innovative ways as in with Social Media, Instagram Live. He then asked about incentives for signing up. Ms. Le shared that a Shield sticker is an incentive to sign up through Caltrain. Chair Shaw suggested visual displays on the new EMUs on bike cars to help promote sign-ups.

Public Comments:

Roland Lebrun, San Jose, via Zoom Q&A, compared the current 529 Program to RFID. He stated the main difference is live GPS tracking. With RFID, the user would be notified when the bike is moved more than 15ft. and has the opportunity to do something in the moment whereas Project 529 comes into play after the bike has already been stolen.

Jeff Carter, Millbrae, via Zoom Q&A, asked whether a user may register more than one bike and Ms. Le confirmed that a user may register multiple bikes.

**GRADE CROSSING IMPROVEMENTS**

Robert Tam, Manager, Technology Research & Development, presented the Grade Crossing Improvements presentation.

The full presentation can be found on [caltrain.com](http://caltrain.com)

Committee Comments:

Vice Chair Brandt asked respectfully, why does it takes so long to do the work, what accounts for those long schedules to get what is seemingly not very much work done, he asked whether it might be the funding or their difficulty. Mr. Tam responded that definitely getting the funding is a factor and secondly, the permitting from the cities takes a while and getting all the submittals from the contractors approved before the crew can put the shovel in the ground. He then stated that once the work begins, it could take a couple of weeks per crossing for the pavement markers and striping. He stated that the exit gates that involved signaling equipment is more complicated and that takes a longer time and that then there is also lead time for the materials to arrive.

Member Tuzman referred to the plan to widen the crosswalk and the waiting area for pedestrians and bicyclists and asked what is the area's current traffic assumption for where bicyclists ride, is it not in the road. He expressed his appreciation to expanding

the area, but does that imply that bikes are not meant to use space on the road where they ride. Mr. Tam stated that it is up to the bicyclists and that he has seen where half the group will be on the street and half will be on the sidewalk. He stated that the city of Palo Alto is in the process of putting a bike lane there so there will be a defined bike lane for them to use. Member Tuzman clarified that so if there is a bike lane, then it would assume the bikes wait before the intersection so they wouldn't be waiting at the gate, but this improvement also gives the option, so they could, if they had already crossed they can wait in more space. Mr. Tam confirmed.

Member Rosalind Kutler mentioned that she has heard that San Francisco residents talk about the desire for quiet, certainly at the downtown station, and she would like to see staff use the Equity Policies in distributing the quiet zones. Vice Chair Brandt clarified that the quiet zones, by law, are 100% the responsibility of the jurisdiction that they are established in.

#### Public Comments:

Roland Lebrun, San Jose, via Zoom Q&A, thanked staff for the presentation and stated that it is a good start. He then asked whether staff has data indicating that they are effective and seeing a reduction in vehicles accidentally making a right turn on to the tracks. He said that the way staff can really make crossings safer, is when they start building the foundations for the 110 miles an hour traffic, specifically with putting quad gates, as part of putting the quad gate, putting a vehicle detection to see whether there is anything in the way and with Constant Warning Time there will be the ability to stop the train avoiding impacting the train at high speeds and large amount of collateral damage.

Jeff Carter, Millbrae via Zoom Q&A, asked whether the area at 3rd and 4th Ave, in San Mateo will be a quiet zone due to the quad gates. He then asked whether any increase in speed for Caltrain, does that require quad gates.

#### **STAFF REPORT UPDATE**

Joe Navarro, Deputy Chief, Rail Operations reported:  
(The full report can be found on [caltrain.com](http://caltrain.com))

#### **On-time Performance (OTP) –**

- **February:** The February 2021 OTP was 92.5% compared to 93.5% for February 2020.
  - **Vehicle Strikes** – There was one vehicle strike on February 19.
  - **Vehicle on Tracks** – There were two days, February 17 and 22, with a vehicle on the tracks that caused train delays.

- **Mechanical Delays** – In February 2021 there were 200 minutes of delay due to mechanical issues compared to 819 minutes in February 2020.
- **January:** The January 2021 OTP was 86.9% compared to 95.4% for January 2020.
  - **Trespasser Strikes** – There was one trespasser strike on January 21, resulting in a fatality.

Mr. Navarro reviewed the Caltrain March 2021 Service Change that begin Monday, March 22, 2021. He shared that Caltrain will adjust its weekday and weekend timetables to support regional transit connections, part of the Blue Ribbon Task Force efforts.

- **Service Changes Include:**
  - Maintain BART connections at Millbrae Transit Center:
    - Departure times of weekday trains will be shifted by approximately 10 to 30 minutes.
    - The weekend service will operate on same schedule, except for two roundtrips not operating on Sundays.
  - Increase in weekday service from 68 to 70 trains.
  - Improvements to weekday morning & evening service:
    - The first trains in the morning will operate as Local trains to better serve essential workers and transit dependent riders.
    - After the evening commute peak hours, trains will operate as a Local.
  - Adjustments to weekday train departure times to improve schedule reliability.
  - Weekend service to/from Tamien station will be modified to meet ridership demand.

Mr. Navarro then shared that staff met with the San Francisco Giants Organization and will work with them to support ridership on opening day, if needed. Mr. Navarro also reported that twelve additional TVM upgrades have been completed at six stations. He also reported that the Hillsdale station is tentatively scheduled to open in April and at that time, paper schedules will be available, information boards will be installed and the "you are here" sticker will be placed on the schedule to highlight the schedule at the respective stations. Mr. Navarro also reported that there have been no incidents at the Churchill grade crossing where the turtles were installed and that the turtles have also been installed at 3<sup>rd</sup> Ave., in San Mateo. He then stated that staff is monitoring Marin and Napoleon Bridge Rehabilitation Project and scheduled to use a Bus Bridge on April 17<sup>th</sup> and April 24<sup>th</sup>. Mr. Navarro stated that staff is looking into new uniforms for the Conductors. He then mentioned that as Ms. Jenny Le reported there will be two new CSOs, Community Service Officers who will be riding the trains monitoring and coaching Conductors. The Conductors will be receiving additional training on how to work with members of the public. Mr. Navarro reported that JPB and TASI management conducted a blitz observing all work along the alignment, monitoring construction work, Conductor activity and Engineer handling. He said that the blitz was beneficial and that there are plans to continue to monitor activity along the alignment. Mr. Navarro addressed the earlier comment by Member Mathur regarding Conductor and passenger incident from October 2020 and stated that it has been handled by the

Sheriff's Department and the DA and said that he can obtain further details if needed, however he can say that it has been handled properly. He stated that staff takes those incidents very seriously. Lastly, Mr. Navarro reported that the test trains are in Colorado being tested.

The full staff report may be found on [caltrain.com](http://caltrain.com)

Committee Comments:

Vice Chair Brandt mentioned the report regarding the unfortunate attack that occurred at Diridon station and wondered whether train crews would allow passengers to sit inside the trains while waiting to depart at the end stations. Chair Shaw stated that passengers waiting on trains would be in a protected environment and less vulnerable and may prevent incidents from happening. He requested this be looked at as a Safety issue, especially with low ridership.

Member Tuzman shared that Transit Workers are now prioritized to get the COVID vaccine and wondered whether staff collects statistics of how many onboard employees have been vaccinated and whether there will be potential to enforce a requirement to get a vaccine unless there's a legitimate reason not to. Mr. Navarro responded that TASI is incentivizing their employees to get the vaccine as soon as possible and are helping to coordinate vaccine appointments.

Alternate Member Kathleen Maxwell asked how what are the expectations for Conductors to move through the train on a regular basis. Mr. Navarro responded that they should be going through the train, at least, every zone. He stated that this expectation was monitored during the blitz earlier in the month to ensure Conductor visibility.

Member Kutler shared that as a regular rider she has observed those rules being followed.

Public comments:

Roland Lebrun, San Jose, via Zoom Q&A, asked whether ridership improved with the new timetable.

Jeff Carter, Millbrae, via Zoom Q&A, agreed with Member comments regarding passengers should be able to sit on the trains while they wait to depart.

Drew, via Zoom Q&A, also agreed with passengers being able to wait on the train while they wait for the train to depart and to weigh the pros and cons to gain full understanding of what that might mean on both sides.

Mr. Navarro responded that staff will take that suggestion into consideration from all angles and will report back with resolutions. Lastly, he reported that the restrooms in San Francisco have been renovated and will be open to the public once they receive approval to do so.



## **JPB CAC Work Plan**

April 21, 2021

- EMU Testing Update
- PCEP Update

May 19, 2021

- FY 2022 JPB Operating & Capital Budgets & TASI Budget
- Industry Safe Functionality

June 16, 2021

- Fare Update
- E Locker Update
- CID2

July 21, 2021

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### **Suggested Items:**

- Send MTC means-based fare pricing study to the CAC when the MTC releases it as FYI.
- Go Pass cost per ride factors – requested by Chair, Brian Shaw on 6/19/19
- San Mateo County Climate Action Plan – requested by Member Rosalind Kutler on 10/16/19
- MTC Means-Based Discount Fare program update
- Caltrain connections with other agencies – requested by Member Rosalind Kutler on 12/18/19
- Update on grade crossing pilot six months after installation – requested by Member, Patrick Flautt on 12/18/19
- Summary video of the CAC meetings by the Social Media Officer – requested by Chair, Brian Shaw on 12/18/19
- Operating Costs – requested by Member Adrian Brandt on 2/13/20
- Rail Corridor Use Policy – requested by Member Anna Dagum on 10/21/20
- South San Francisco
- Overview of COVID19 train schedule

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

April 21, 2021 at 5:40 p.m., San Mateo County Transit District Administrative Building,  
2<sup>nd</sup> Floor Bacciocco Auditorium, 1250 San Carlos Avenue, San Carlos, CA.

Adjourned at 7:34 pm

DRAFT

PENINSULA CORRIDOR JOINT POWERS BOARD  
RESOLUTION 2021 - 21

EXPRESSING APPRECIATION TO

**JIM HARTNETT**

FOR HIS OUTSTANDING SERVICE AS EXECUTIVE DIRECTOR OF  
CALTRAIN

\*\*\*

**WHEREAS, JIM HARTNETT** was hired to serve as Executive Director of Caltrain in March 2015; and

**WHEREAS, JIM HARTNETT** has been an advocate for important transportation issues and improvements, bringing a strong sense of initiative to the organization and furthering Caltrain's goal of providing quality transportation service to improve the quality of life for the communities we serve throughout the Caltrain region; and

**WHEREAS, JIM HARTNETT** presided over a period of growth for Caltrain, steadily expanding its ridership allowing it to reach its potential at providing a mass transit alternative to the Peninsula; and

**WHEREAS, JIM HARTNETT** found himself leading the Board through the coronavirus (COVID-19) pandemic, providing composure and a pragmatic approach necessary to combat the devastating and severe impact that this public health crisis has had on transit ridership; and

**WHEREAS, JIM HARTNETT** has been significant part of the decision-making process related to the COVID-19 pandemic, including the endorsement of the Bay Area Healthy Transit Plan; a regional transit plan that outlines best practices for frequent cleaning, personal protective equipment, face coverings, physical distancing, ventilation, and touchless fares in order to ensure that public transit is safe for all Bay Area residents and transit employees; and

**WHEREAS, JIM HARTNETT** has provided the leadership that was vital to the success of many Caltrain infrastructure projects, including the Peninsula Corridor Electrification Project (PCEP), 25<sup>th</sup> Avenue Grade Separation Project and Positive Train Control (PTC); and

**WHEREAS, JIM HARTNETT** presided over the groundbreaking for the Peninsula Corridor Electrification Project, which will reinvent and revitalize Caltrain, allowing it to expand its service greatly, while also greatly reducing its carbon footprint; and

**WHEREAS, JIM HARTNETT** was vital to the creation and adoptions of the Caltrain Business Plan and Framework for Equity, Connectivity, Recovery & Growth policy, an ongoing effort to define how Caltrain service will grow to meet the evolving needs of the region; the equity policies included in the Framework will help ensure that the rail service's recovery from COVID-19 occurs in a way that expands access to low-income individuals and diverse communities of color that have historically been underrepresented in the system's ridership, while the Business Plan lays a pathway to a more comprehensive and effective service model in the decades to come; and

**WHEREAS, JIM HARTNETT** supported the adoption of Caltrain's participation in the Clipper START program, which allows lower-income adults to receive fare discounts on select transit services around the region; Clipper START offers eligible Caltrain riders a 50% discount, which the agency recently increased following the economic fallout resulting from COVID-19; and

**WHEREAS, JIM HARTNETT** was vital in getting a voter-approved dedicated funding source for Caltrain for the first time in the rail agency's history; the 30-year measure will allow Caltrain to invest in the operation and expansion of faster, more frequent electrified service with added capacity necessary to accommodate expected increases in ridership demand in the decades to come; and

**WHEREAS, JIM HARTNETT** acted at all times with a sense of integrity, honesty and competence, and ensured that those values were practiced at every level of the organization, to the benefit of everyone in the Caltrain service area; and

**NOW, THEREFORE, BE IT RESOLVED** that the Caltrain Board of Directors does hereby thank and commend **JIM HARTNETT** for his outstanding leadership as an important member of the Board of Directors. Unanimously passed and adopted this 1<sup>st</sup> day of April, 2021.

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Dev Davis, Chair  
Peninsula Corridor Joint Powers Board





## Memorandum

BOARD OF DIRECTORS 2021

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

JIM HARTNETT  
EXECUTIVE DIRECTOR

**Date:** March 23, 2021  
**To:** Board of Directors  
**From:** Jim Hartnett, Executive Director  
**Subject:** April 1, 2021 JPB Board Meeting Executive Director's Report

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- **Emergency Procurement of Executive Recruiting Services** – In the last couple of months, the Caltrain Rail Development Division has lost several key management staff members due to unexpected early retirements and resignations, leaving all Rail Development top-level Director positions vacant. The Deputy Chief of Rail Development position has recently been filled, leaving four additional management positions open: 1. Director of Engineering, 2. Director of Capital Program Delivery, 3. Director of Program Management, and 4. Deputy Director of Systems Engineering. The duties of the positions are currently being performed by a combination of contracted resources and other rail personnel. This arrangement increases workloads and puts tremendous pressure on other Rail Division management personnel, including Project Managers and the Chief Officer of Rail.

Staff determined that utilizing skilled head-hunting services would be the most effective and timely way to identify and acquire the talent required for these executive positions, especially given a fairly limited labor market. The situation falls within the statutory standard for an "emergency" procurement, permitting the retention of recruitment consultants without a comprehensive solicitation process.

The Executive Director authorized staff to solicit expedited proposals from seven executive recruitment firms. The HR Department reviewed the proposals

and selected the two firms found to offer the best value proposals. Work on the recruitments is now underway.

- **On-time Performance –**
  - **Through March 22:** The preliminary March 2021 OTP was 88.2 percent compared to 96.7 percent for March 2020.
  - **February:** The February 2021 OTP was 92.5 percent compared to 93.5 percent for February 2020.
- **Caltrain March 2021 Service Change –** Starting Monday, March 22, 2021, Caltrain adjusted its weekday and weekend timetables to support regional transit connections, part of the Blue Ribbon Task Force efforts.

Service Changes Include:

- Maintain BART connections at Millbrae Transit Center to coincide with BART's March 22 service changes:
    - Departure times of weekday trains shift by approximately 10 to 30 minutes.
    - The weekend service operate on same schedule, except for two roundtrips not operating on Sundays.
  - Increase in weekday service from 68 to 70 trains
  - Improvements to weekday morning & evening service:
    - The first trains in the morning operate as Local trains to better serve essential workers and transit dependent riders
    - After the evening commute peak hours, trains operate as a Local
  - Adjustments to weekday train departure times to improve schedule reliability
  - Weekend service to/from Tamien station modified to meet ridership demand
- **Caltrain Free Rides to Vaccination Sites Along Rail Corridor –** Beginning Monday, March 22, Caltrain provided free train rides to and from coronavirus (COVID-19) vaccination sites for people living or working along the corridor within San Francisco, San Mateo and Santa Clara counties.

Passengers going to and coming from a vaccination site must notify a conductor as soon as they board the train and must show proof of the vaccine appointment or a vaccination card. Fare payment to vaccination sites will not be required until further notice.

Caltrain and other Bay Area transit agencies are making a coordinated effort to keep essential transportation services available to the communities we serve through the Bay Area Healthy Transit Plan. Many systems, including AC Transit, BART, SamTrans, SFMTA and VTA, are offering free rides to vaccine distribution sites to ensure those without a car can easily access the locations.

- **SF Weekend Service Closure** – Construction work to perform repairs at the Marin St. Bridge and replace the Napoleon St. Bridge (which are located south of the 22<sup>nd</sup> Street station), will require two SF weekend service closures. Trains will terminate at Bayshore station. Caltrain will not operate service to 22nd Street or San Francisco stations on the following weekends:

Saturday, April 17 and Sunday, April 18, 2021  
Saturday, April 24 and Sunday, April 25, 2021

On these weekends, free SamTrans bus service will replace train service between Bayshore, 22<sup>nd</sup> St. and San Francisco stations. Buses are ADA accessible and will have limited capacity for luggage and bikes onboard. A project update is contained in the Capital Project section below.

- **CAC Meeting** – The Citizens Advisory Committee met on Wednesday, March 17, via teleconference. Brent Tietjen, Government & Community Affairs Officer, provided an update on Sales Tax Measures. Jenny Le, Management Analyst – Transit Police, provided a presentation on Project 529. Robert Tam, Manager – Technology Research & Development, provided an update & presentation on Grade Crossing Improvements. Joe Navarro, Deputy Chief – Rail Operations, provided the Staff Report. The next CAC meeting is scheduled for Wednesday, April 21, via teleconference or in San Carlos.
- **BAC Meeting** – The Bicycle Advisory Committee met on Thursday, March 18, via teleconference. Jeremy Lipps, Manager - Digital Communications, provided a presentation & update on Website Development. Jenny Le, Management Analyst – Transit Police, provided a presentation on Project 529. Dan Provence, Planning Administrator – Stations Mobility Access, provided a presentation & update on Bike E-Lockers. Lori Low, Government and Community Affairs Officer, provided the Staff Report. The next BAC meeting is scheduled for Thursday, May 20, via teleconference.

### **Special Event Service:**

- **San Jose Sharks Regular Season** – Due to the COVID-19 pandemic, the Sharks are currently playing the 2021 season without fans in the stands.
- **Warriors Regular Season** – Due to the COVID-19 pandemic, the Warriors are currently playing the 2021 season without fans in the stands.
- **SF Giants Regular Season** – With San Francisco County potentially moving from California’s Blueprint for a Safe Economy Red Tier to Orange Tier (which allows for 20 percent capacity for outdoor sporting venues), it is still to be determined by local public health officials whether the SF Giants will begin the 2021 season with limited fans in the stands. The SF Giants home opener is scheduled for Friday, April 9 at 1:35 p.m. Staff is in close coordination with the Giants to determine how service can be provided to safely support the games.

### **Capital Projects:**

The Capital Projects information is current as of March 12, 2021 and is subject to change between March 12 and April 1, 2021 (Board Meeting).

- **San Mateo 25th Avenue Grade Separation Project:** Raise the elevation of the alignment from Hillsdale Boulevard to south of the Highway 92 Overcrossing in the city of San Mateo. The project creates a grade separation at 25th Avenue, relocates the Hillsdale Station to the north, and creates two new east-west street grade-separated connections at 28th and 31st Avenues in San Mateo. The project is over 85% complete.

The temporary closure of the Hillsdale Station, to allow completion of the project, began on May 16, 2020 and will continue into early Spring to allow construction of the new grade separations. During the temporary closure trains that normally stopped at Hillsdale will stop at Belmont, and bus and shuttle service between Belmont and Hillsdale Station has been provided to minimize the temporary passenger inconvenience.





On March 1, the new 28<sup>th</sup> Avenue Roadway was opened for public traffic. Simultaneously a portion of 25<sup>th</sup> Avenue was closed and the lowering of 25<sup>th</sup> Avenue roadway was begun to provide additional vehicle height clearance. Tentatively, in April, the entirety of the 25<sup>th</sup> Avenue roadway from Palm Avenue to Delaware Street will be temporarily closed for approximately 4 months in order to complete the roadway lowering. During the closure, east-west connectivity is provided at the newly opened 28<sup>th</sup> Avenue Underpass.

Work also continued for retaining walls and underground utilities for the future roadway underpass at 31st Avenue. Work also continued for the architectural and electrical finishes for the new Hillsdale Station and connecting bridges at 28th Avenue and the Pedestrian Underpass. Also in progress is the construction of the new parking lots along Delaware Street on the east side of the alignment.

Adjacent to this project is a new contract to relocate and improve the storm drain system along Delaware Street adjacent to the new station and new parking lots on the east side of the project. This work was to be undertaken by the City of San Mateo. This work is now being performed by Caltrain at the request of the City. Construction activities continued in March and is scheduled to complete in mid-2021. Community outreach regarding upcoming construction is ongoing.

- **South San Francisco Station Improvements:** Replace the existing side platforms with a new centerboard platform, construction of a new connecting pedestrian underpass to the two new plazas in downtown South San Francisco to the west and the shuttle area to east. Upon completion, the hold-out rule at this station will be removed that currently impacts the overall system operational efficiency.

In March, the contractor (PMI) continued the construction of Ramp 3 (leading to West Plaza entrance) in addition to shoring for Ramp 1/Stair 1 (East Side entrance on Poletti Ave.) leading to the Pedestrian Underpass. Underground electrical and ground improvements for the Communications Electrical Room were in progress. Work also began for the trackwork of the realigned Main Track #1 (MT1). Currently, the project completion date is forecasted to extend from December 2020 until Summer/Fall of 2021.

Due to Utility and contractor caused delays, the overall project budget and schedule impacts are being assessed. A future Board action will be requested upon completion of the assessment and coordination with applicable partner agencies. This project was presented to WPLP Committee on March 24<sup>th</sup>, 2021.

- **Marin and Napoleon Bridge Rehabilitation Project:** This state of good repair project will perform repairs at the Marin St. Bridge and replace the Napoleon St. Bridge. Both bridges are in the City of San Francisco located south of the 22nd Street Station. The repairs at Marin Street are primarily for concrete spalling and cracks, and deficient walkways and handrails. The Napoleon St. bridge concrete spans will be removed and replaced with elevated soil berm structures and the main steel span will be replaced with a new steel span. The span replacement at Napoleon Street will require several partial weekend service outages between Bayshore and 4th & King Stations during the outages. The project will install security fencing to deter encampments, and, also include track improvements in the vicinity of the bridges.

Construction activities performed in March include work on the retaining walls of the Napoleon Bridge and the continued repairs of cracks and concrete spalling at the Marin Bridge. The contract is planned to be complete in the summer of 2021.

- **Burlingame Broadway Grade Separation Project:** This project will grade separate the railroad alignment at Broadway, between Carolan and California Avenues, in the city of Burlingame and remove the current at-grade crossing. As a part of this project, the Broadway Station will become elevated and the hold out rule at this station will be eliminated that impacts operational efficiency. Currently this project is funded for the design phase through local funds (San Mateo County Transportation Agency Measure A and City of Burlingame). The City of Burlingame is the sponsor of the project with Caltrain acting as the lead agency to implement the project.

The project will improve both traffic safety and traffic flow on Broadway. The Project will also provide improved and more efficient traffic movement along

all the adjacent streets and intersections surrounding the crossing. Pedestrian and vehicle safety will be greatly improved by creating clear separation between pedestrians/vehicles and trains, and by eliminating the potentially dangerous conflicts presented by the current at-grade crossing. Lastly, railroad operation efficiency will also be improved as there have been numerous accidents at the Broadway at-grade crossing, many involving vehicles stopped on the tracks. The Broadway at-grade crossing is currently ranked on the California Public Utilities Commission's Grade Separation Priority List as the top ranked crossing for grade separation in northern California and as the second highest ranked crossing in the state. The Project can: 1) help reduce emergency response times as the Caltrain corridor bisects the east and west sides of the City, 2) help to 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 project continues in the final design phase, which began in January 2021, to develop the issue for bid construction documents and plans for advance utility relocations and right-of-way acquisitions. The current schedule is to complete the final design for construction contract advertisement by mid-2023 and for construction to occur from early 2024 to early 2026. Advance utility relocations are expected to begin in mid-2023.

- **Ticket Vending Machine (TVM) Rehabilitation:** Upgrade the existing TVM Server and retrofit and refurbish two existing TVM machines to become prototypes for new TVM's so that the machines are capable of performing the functions planned for the current Clipper program. The new machines will be able to dispense new Clipper cards (excluding discount Clipper cards that require verification of eligibility) and have the ability of increasing the cash values of existing Clipper cards. The scope of the original contract was increased to include upgrades to the credit card reader and the database.

In early October, the first phase of the project to develop a prototype Clipper TVM has successfully completed final acceptance testing that results in completion of Phase 1. Phase 2 for the retrofitting of 12 additional TVM's continued in March with target completion of Phase 2 by early 2021. The funding for Phase 3, for the rehabilitation of an additional 21 TVM's, has now been secured and will also be added to the project. The vendor's proposal for Phase 3 was received and is under review with the award forthcoming. Additional funds for Phase 4 for another 25 TVM's are included in the FY21 Capital Budget amendment that was approved in October. Phase 4 will be

added to the project when funding becomes available. Additional phases beyond Phase 4 are required to upgrade all remaining stations (30 TVM's).

- **Mary and Evelyn Avenue Traffic Signal Preemption Project:** Perform upgrades to train approach warning systems at the Mary Avenue and Evelyn Avenue crossings in Sunnyvale. The project will improve vehicle safety at the at-grade crossings by increasing the traffic signal advance warning times for approaching trains in order to clear vehicles at the crossings. This project will mimic the previously completed traffic signal preemption project that was completed in 2014 in Redwood City, Palo Alto and Mountain View. This project is being funded through the State of California Public Utilities Commission Section 130 program to eliminate hazards at grade crossings.

The 100% crossing design by the Electrification project is still not yet available for design coordination and a timeframe for its receipt is to be determined. The project has proceeded to complete its own design without this information from the Electrification project. The 100% design is complete and the Notice to Proceed for construction, was issued to TASI on July 9. In February 2021, TASI has received materials for the work and has completed the installation of traffic signal preemption equipment that will be followed by testing that will be coordinated with the City of Sunnyvale's traffic department.

- **FY19/FY20 Grade Crossing Improvements:** This project is a continuation of the ongoing grade crossing program to improve the safety at grade crossings in accordance with Grade Crossing Hazards Analysis for the entire corridor. This analysis prioritized the crossings and we have proceeded with the work in phases based on funding availability. 10 crossings were improved in 2018 under the FY16 budget authorization. Due to budget constraints, the FY19/FY20 scope is limited to five (5) crossings to be improved. The five crossings selected to be improved in this phase are 1st, 2nd, and 3rd Avenues in San Mateo, and, Glenwood and Oak Grove Avenues in Menlo Park. Work items that are included are the installation of signals, fences, gates, curbs, lighting and signs.

The construction contract was advertised for bids on August 31 and bids were received on October 12. The construction contract was awarded at the December 2020 board meeting. The contract has been executed and the Limited Notice to Proceed was issued on February 8, 2021 to initiate the 60-day administrative period. The contractor's administrative submittals are being received and reviewed, and, the Notice to Proceed with Construction is planned to be issued in April 2021 with construction lasting until Fall of 2021.

- **Churchill Avenue Grade Crossing Improvements:** This project will make pedestrian and bicycle access improvements, and, safety improvements to the Churchill Avenue crossing in the city of Palo Alto. The project scope includes the widening of the sidewalks, associated relocation of pedestrian gates, and installing new vehicle pavement markings and markers.

The project began in December 2019. The 35% design received in March 2020 is under review including the review by the City of Palo Alto. The City of Palo Alto is rethinking the scope of work for the project and is in discussion with CPUC and Caltrans to modify the scope. The City of Palo Alto's design consultant has developed a conceptual design which is being reviewed by the City. Coordination meeting have continued between staff and the City's design consultant.

- **Bayshore Station Bridge Painting:** This project will perform rehabilitation of the coatings of the existing steel pedestrian overpass bridge at the Bayshore Station, in Brisbane. The bridge connects the southbound platform to the northbound platform and the parking lots on the east side. The bridge was originally constructed as part of the Caltrain Express project (CTX) in 2002 and has not been repainted since. The bridge's paint coatings are in need of rehabilitation with surface rust that needs to be addressed along with a complete repainting of the bridge to bring the structure to a state of good repair.

The project is continuing the final design phase in developing Issue for Bid construction documents. Coordination and outreach with the Electrification project and also with outside stakeholders such as the Cities of Brisbane and San Francisco have been conducted and continues. Advertisement for bids is forecast for early 2021 with construction in mid-2021 to early 2022.

- **Broadband Wireless Communications:** This project is to provide wireless communications system to provide enhanced capabilities for the monitoring of the railroad operations and maintenance, and, provide Wi-Fi capability for passengers. This project is funded through a grant from the Transit and Intercity Rail Capital Program (TIRCP). Currently, the project is currently only approved for the planning/design phase.

The project has completed the planning/conceptual design phase of the project requirements that began in November 2019. A stakeholder's review of planning/conceptual design phase has been completed and a recommendation has been made to proceed with the project as a Design/Build procurement. Request For Proposal documents are being developed for advertisement in the Spring and contract award by the end of 2021. Design and Construction is planned from early 2022 until mid-2023.

- **MP-36 Locomotive Mid-Life Overhaul Project:** Perform mid-life overhaul of six MP-36-3C Locomotives. The mid-life overhaul of the locomotives includes the complete disassembly of the main diesel engine, overhauling by reconditioning re-usable main frame components and re-assembly with new engine components and the replacement of the 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 shall be completed off-site at the contractor's facility location. The 6 locomotives to be overhauled are Locomotive #'s 923, 924, 925, 926, 927 & 928. In order to maintain daily service, only 1 to 2 of these locomotives will be released at a time for overhaul that is expected to take approximately 8 months per locomotive. Due to this restriction, the overall completion of this work is expected to take approximately 4 years.

The first vehicle #927 that was shipped to the vendor's facility at Mare Island (Vallejo) in July for overhauling. The return to Caltrain of vehicle #927 has been delayed from early-2021 until mid-2021 due to COVID-19 related impacts to the vendor's supply chain, availability of testing staff due to travel restrictions, and increase in the scope of needed repairs. This delay is expected to be limited to vehicle #927. A second vehicle #924 was shipped to the vendor's facility in November and is currently being overhauled.

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

TO: Joint Powers Board

THROUGH: Jim Hartnett  
Executive Director

FROM: John Funghi  
Chief Officer, Caltrain Modernization Program

SUBJECT: **PENINSULA CORRIDOR ELECTRIFICATION PROJECT MONTHLY  
PROGRESS REPORT - FEBRUARY**

**ACTION**

Staff Coordinating Council recommends the Board receive the Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report (MPR). The MPR is available online under "Reports and Presentations" at this webpage: [http://www.caltrain.com/projectsplans/CaltrainModernization/CalMod\\_Document\\_Library.html](http://www.caltrain.com/projectsplans/CaltrainModernization/CalMod_Document_Library.html). No action required.

**SIGNIFICANCE**

Staff prepares and submits a report covering the PCEP on a monthly basis.

**BUDGET IMPACT**

There is no impact on the budget.

**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.



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



# February 2021 Monthly Progress Report

February 28, 2021



## Funding Partners



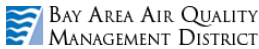
Federal Transit Administration (FTA) Core Capacity  
FTA Section 5307 (Environmental / Pre Development only)  
FTA Section 5307 (Electric Multiple Unit (EMU) only)



Prop 1B (Public Transportation Modernization & Improvement Account)  
Caltrain Low Carbon Transit Operations Cap and Trade



Proposition 1A  
California High Speed Rail Authority (CHSRA) Cap and Trade



Carl Moyer Fund



Bridge Tolls (Funds Regional Measure (RM) 1/RM2)



San Francisco  
County Transportation  
Authority



San Francisco County Transportation Authority (SFCTA)/San Francisco  
Municipal Transportation Agency (SFMTA)



San Mateo County Transportation Authority (SMCTA) Contribution  
SMCTA Measure A



Santa Clara Valley Transportation Authority (VTA) Measure A  
VTA Contribution



City and County of San Francisco (CCSF) Contribution

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## 1.0 BACKGROUND

Over the last decade, Caltrain has experienced a substantial increase in ridership and anticipates further increases in ridership demand as the San Francisco Bay Area's population grows. The Caltrain Modernization (CalMod) Program, scheduled to be implemented by 2022, will electrify and upgrade the performance, operating efficiency, capacity, safety, and reliability of Caltrain's commuter rail service.

The PCEP is a key component of the CalMod Program and consists of converting Caltrain from diesel-hauled to Electric Multiple Unit (EMU) trains for service between the San Francisco Station (at the intersection of Fourth and King Streets in San Francisco) and the Tamien Station in San Jose. Caltrain will continue Gilroy service and support existing tenants.

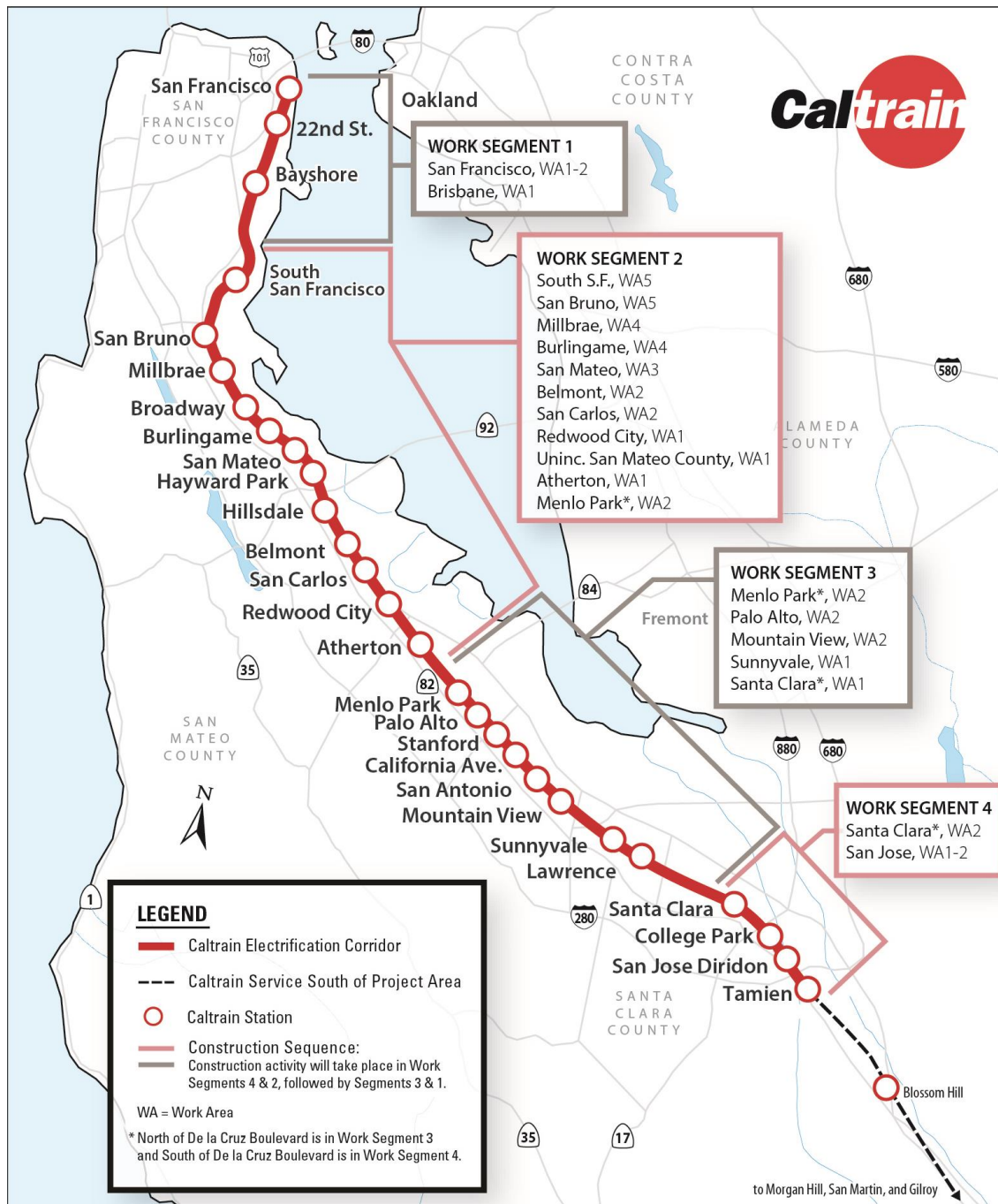
An electrified Caltrain will better address Peninsula commuters' vision of environmentally friendly, fast and reliable service. Electrification will modernize Caltrain and make it possible to increase service while offering several advantages in comparison with existing diesel power use, including:

- **Improved Train Performance, Increased Ridership Capacity and Increased Service:** Electrified trains can accelerate and decelerate more quickly than diesel-powered trains, allowing Caltrain to run more efficiently. In addition, because of their performance advantages, electrified trains will enable more frequent and/or faster train service to more riders.
- **Increased Revenue and Reduced Fuel Cost:** An electrified Caltrain will increase ridership and fare revenues while decreasing fuel costs.
- **Reduced Engine Noise Emanating from Trains:** Noise from electrified train engines is measurably less than noise from diesel train engines. Train horns will continue to be required at grade crossings, adhering to current safety regulations.
- **Improved Regional Air Quality and Reduced Greenhouse Gas Emissions:** Electrified trains will produce substantially less corridor air pollution compared with diesel trains even when the indirect emissions from electrical power generation are included. Increased ridership will reduce automobile usage, resulting in additional air quality benefits. In addition, the reduction of greenhouse gas emissions will improve our regional air quality, and will also help meet the state's emission reduction goals.

**2.0 EXECUTIVE SUMMARY**

The Monthly Progress Report is intended to provide an overview of the PCEP and provide funding partners, stakeholders, and the public an overall update on the progress of the project. This document provides information on the scope, cost, funding, schedule, and project implementation. Work along the Caltrain Electrification Corridor has been divided into four work segments and respective work areas (WA) as shown in Figure 2-1. PCEP activities are described and summarized by segments and work areas.

**Figure 2-1 PCEP Work Segments**



**Peninsula Corridor Electrification Project**  
**Monthly Progress Report**

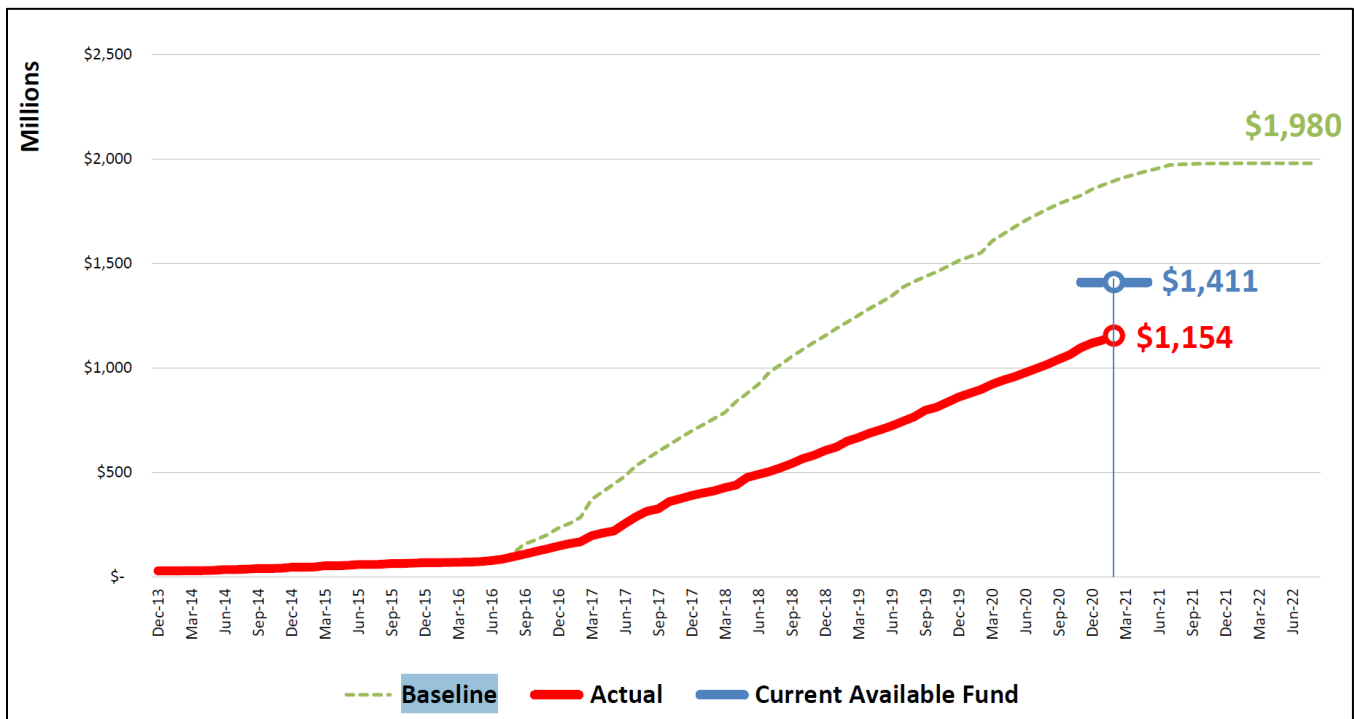
Potholing continued at proposed Overhead Catenary System foundation and utility locations in Segment 2 and CEMOF in preparation for upcoming OCS foundation installations. Crews mobilized on-track foundation equipment from Santa Clara to Burlingame to continue installing foundations in Segment 2, Work Areas 3, 4, and 5. A signal cutover was performed at Control Point (CP) Delmas to CP Alameda in San Jose.

In February, EMU Train 1 was shipped to Pueblo, Colorado for dynamic type testing. However, due to supplier bankruptcies and supplier financial difficulties, Stadler’s supply chain has been disrupted enough to likely delay delivery of all trainsets to Caltrain. At present, 70 car shells have been shipped from Stadler Switzerland with 55 in Salt Lake City and 15 in transit.

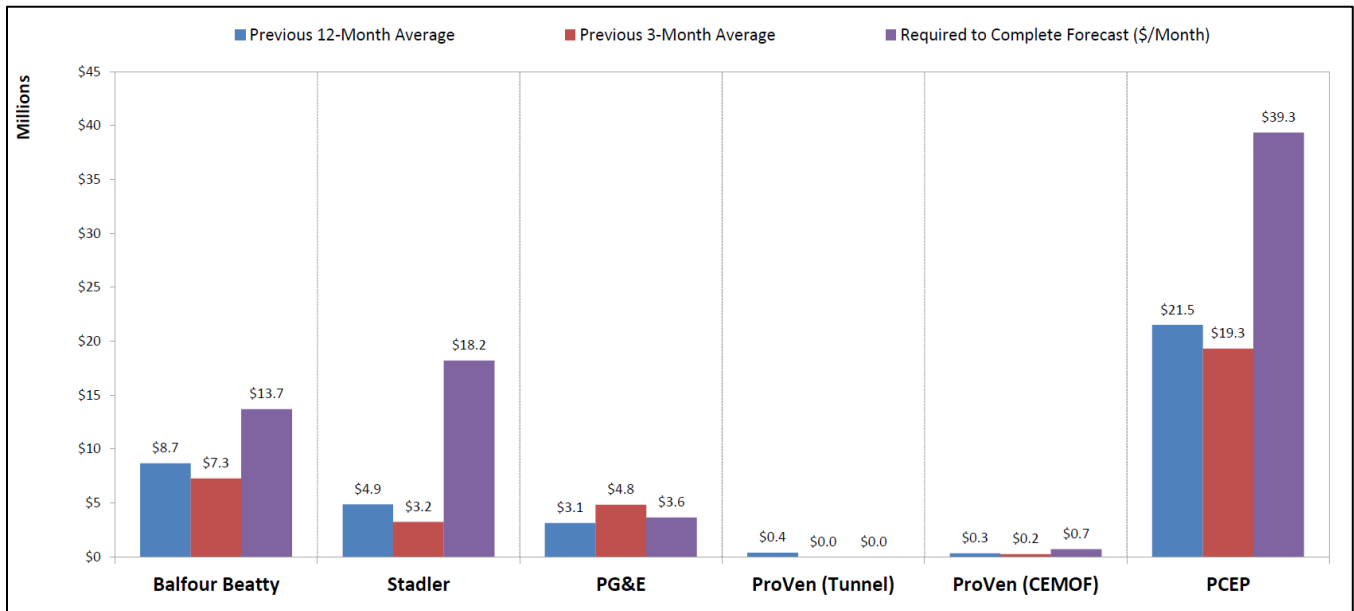
**2.1. Monthly Dashboards**

Dashboard progress charts are included below to summarize construction progress.

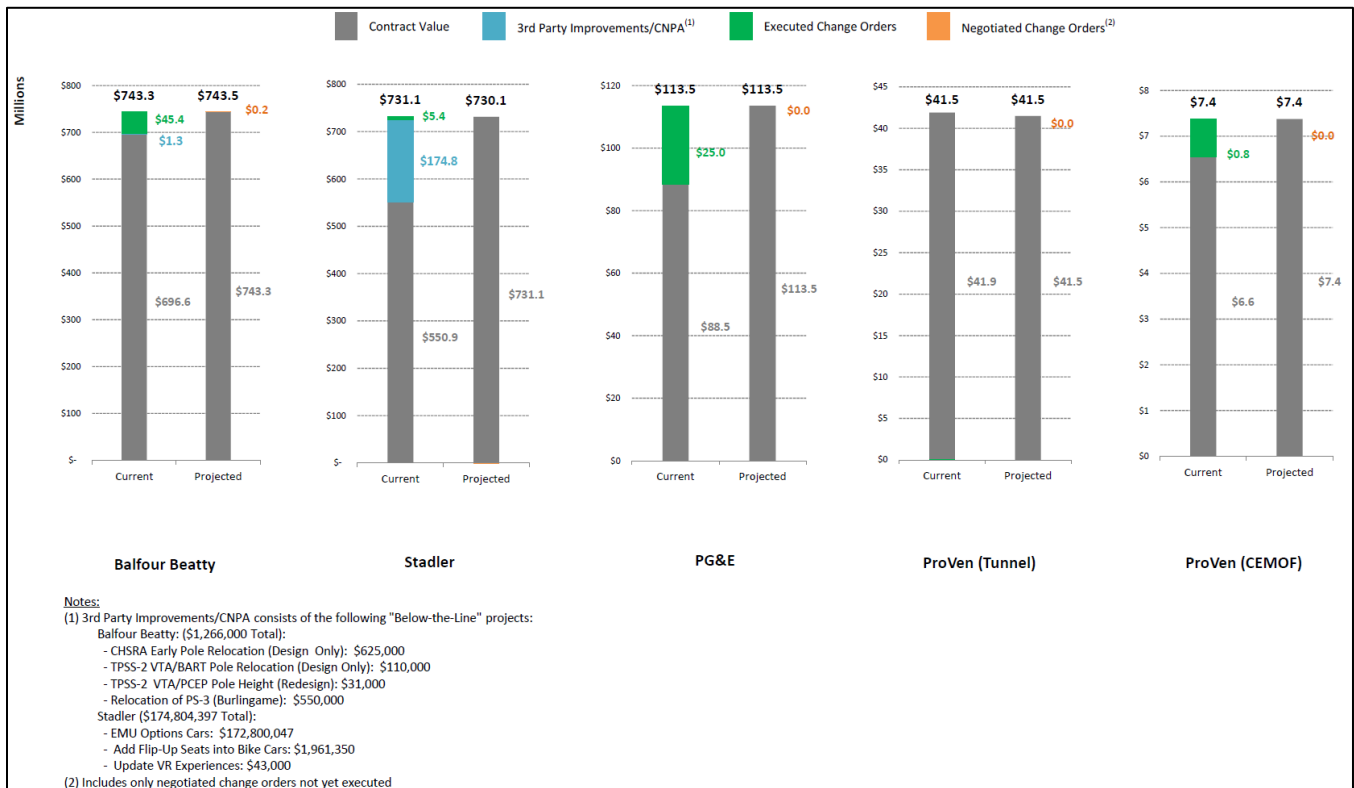
**Figure 2-2 Expenditure – Planned vs. Actual**



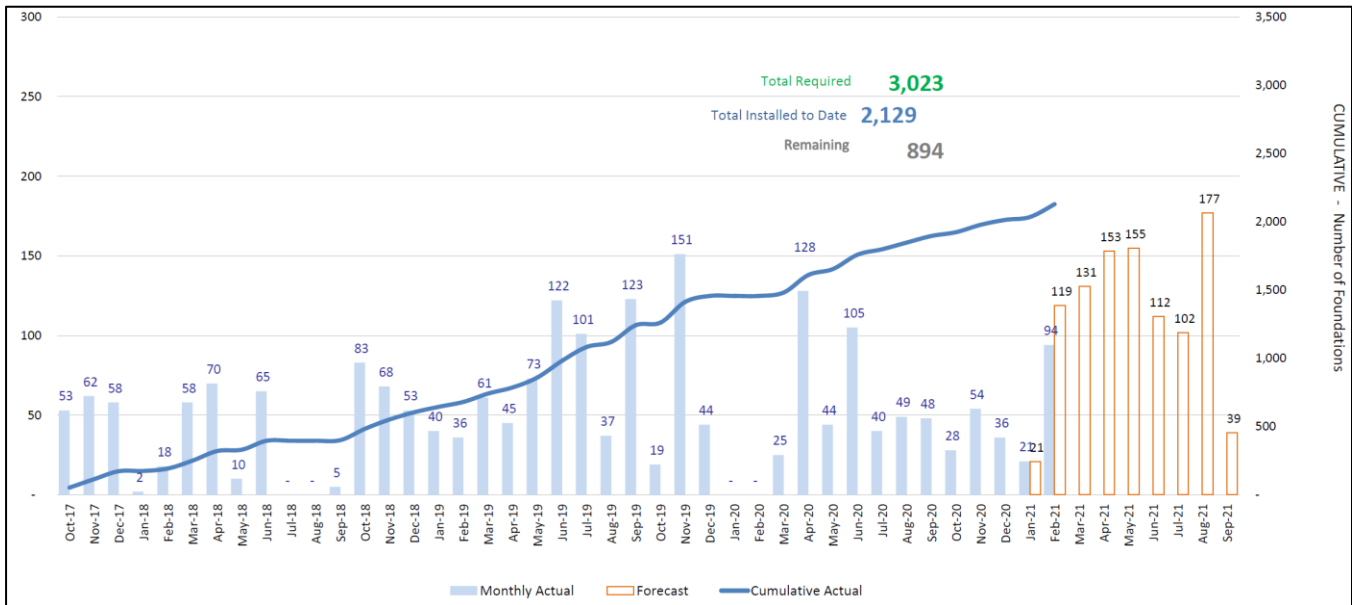
**Figure 2-3 Spending Rate vs. Required**



**Figure 2-4 Construction Contract Budgets**



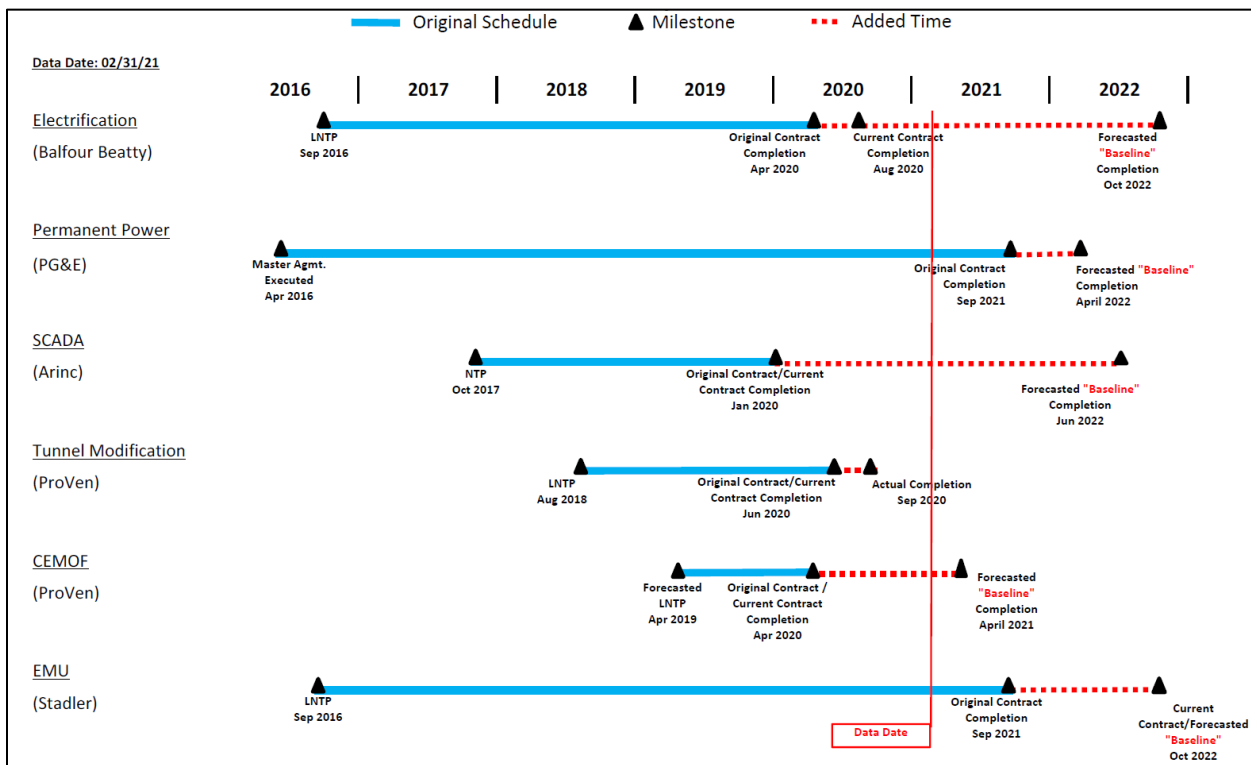
**Figure 2-5 OCS Foundation Production**



Notes regarding tables above:

- BBII is reporting a delay in the completion date for the OCS foundations from May 2021 to July 2021. PCEP's own projection of BBII's productivity estimates the completion date to be in September, reflected in Figure 2-5. The monthly forecast is revised at the end of ongoing OCS foundation workshops, which are held to determine the level of effort necessary for each of the activities prior to foundation installation. The delay to the OCS foundation completion date does not change the substantial completion date of the BBII contract.

**Figure 2-6 Contractor Completion Schedule**





## **2.2. Funding Partners Participation in PCEP**

The PCEP has a series of weekly, biweekly, monthly and quarterly meetings to coordinate all aspects of the program. The meetings are attended by project staff with participation by our funding partners in accordance with the Funding Partners Oversight Protocol. A summary of funding partner meetings and invitees can be found in Appendix B.

This section of the report provides a summary of the discussions and decisions made at the meetings and a list of funding partners who attended the meetings.

### **Electrification – Weekly Discipline-Specific Meetings**

Purpose: To replace the previous weekly Engineering Meeting with three discipline-specific meetings for the three major categories of work under the Electrification Design Build (DB) contract: Overhead Contact System (OCS) Foundation, Traction Power Facilities (TPF), and Signals. Each meeting will focus on the status, resolution and tracking of Balfour Beatty Infrastructure, Inc. (BBII) and Electrification design- and construction-related issues.

#### Activity this Month

##### **OCS Foundation Meeting**

Funding Partners: None

- Review of upcoming foundation design and installation schedule
- Discussion of open issues impacting foundations design and installation
- Discussion of outstanding Requests for Information (RFI)
- Review of foundation designs that potentially impact Right of Way (ROW)
- Review of outstanding Field Orders or Change Notices required for work to continue

##### **TPF Meeting**

Funding Partners: None

- Review of outstanding items as they relate to the design and construction of the PG&E Interconnection
- Review of PG&E Interconnection schedule
- Discuss progress and next steps for the Single-Phase Study
- Discuss outstanding comments on the interconnection agreement
- Review and resolve open issues on the construction and design of the TPFs (paralleling stations, traction power substations, switching station)

**PCEP Delivery Coordination Meeting – Bi-Weekly**

Purpose: To facilitate high-level coordination and information sharing between cross-functional groups regarding the status of the work for which they are responsible.

Activity this Month

Funding Partners: SFCTA: Luis Zurinaga; MTC: Trish Stoops; VTA: Dennis Ratcliffe; CHSRA: Sharath Murthy

A virtual community meeting was held in Burlingame to discuss construction at PS-3. The Federal Railroad Administration (FRA) was onsite to witness the cutover work in San Jose and the work was successfully completed. The next cutover is scheduled for March 26. The Request for Quotes (RFQ) for the Scissor Lift Work Platforms agreement has been fully executed, and the contractor signed is Bailey Specialty Cranes and Aerials, LLC. In Systems Integration, the Factory Acceptance Test (FAT) for the TPS-2 control building is scheduled for March. The FAT for the Supervisory Control and Data Acquisition (SCADA) is on track to occur in late March. For EMU testing and manufacturing, Train 1 has departed for TTCl in Pueblo on February 10 and testing is scheduled to begin in March. The final inspection of Trainset 2 is scheduled for the week of February 22. For CEMOF, the test room and rail for the pit will be completed in March. Lighting for the Parts Storage Warehouse is scheduled for April. In design build activities, poles and wires work is ongoing and the expected completion for Segment 3 is April and Segment 4 is June. Potholing at CEMOF continues and foundation installation is scheduled to start in March. The work for the primary fiber at the Santa Clara Valley Transportation Authority (VTA) site has been completed.

**Systems Integration Meeting – Bi-Weekly**

Purpose: To discuss and resolve issues with inter-system interfaces and to identify and assign Action Item Owners for interface points that have yet to be addressed.

Activity this Month

Funding Partners: CHSRA: Sharath Murthy

Bi-weekly PCEP System Integration meetings are held to monitor and determine appropriate resolution for systems integration issues. The Systems Integration Lead also maintains contact with the EMU procurement team. The Traction Power SCADA team also holds bi-weekly status meetings. Coordination with the EMU procurement, Positive Train Control (PTC) and Caltrain Capital Project managers responsible for other capital projects on the corridor is ongoing. There is coordination with the Tunnel Modification Project, PG&E construction of the Interconnection to TPS-2, and the CEMOF upgrades as well. The Systems Integration meeting has been arranged to have a technical discussion of the interface issues to existing Caltrain legacy systems followed by a shorter session with CalMod management for elevation of issues identified. A smaller “breakout” group is meeting to determine and track what testing and with which resources will need to be coordinated among the various contracts and suppliers. This “Testing and Commissioning Meeting” is the primary interface to the PCEP Design-Build Team at this time. Work to define dependencies for completion of Segment 4 (Intermediate Milestone #1) is ongoing with the Testing & Commissioning discussion. Work continues to develop a schedule fragnet for the achievement of

Intermediate Milestone #1. This group will report back to the System Integration meeting group with their findings.

### **Master Program Schedule (MPS) Meeting – Monthly**

Purpose: To review the status of the MPS and discuss the status of major milestones, critical and near-critical paths, upcoming Board review items, and progress with the contracts, among others.

#### Activity this Month

Funding Partners: Metropolitan Transportation Commission (MTC): Trish Stoops; VTA: Manolo Gonzalez-Estay; SFCTA: Luis Zurinaga; CHSRA: Wai-on Siu

The program's critical path was revised in February 2021 due to delays in the electrification contract. Balfour Beatty Infrastructure Inc. (BBII) continues to progress signals design and installation efforts below baseline productivity levels. The incorporation of this delay has resulted in a two-month delay to BBII's substantial completion and a shift of the program critical path from EMU to electrification.

The JPB's forecasted substantial completion date for the BBII contract in the MPS February update is October 22, 2022. JPB is working with BBII to improve progress on both signal system which lags behind baseline productivity level, and traction power facilities, which continue to progress at a slow rate.

The forecasted revenue service date (RSD) is now December 6, 2022. However, this date is subject to change in the future upon concluding the mediation process between JPB and BBII.

Stadler continues to progress in EMU assembly and testing efforts below baseline productivity levels due to Coronavirus Disease 2019 (COVID-19). This remains a fluid situation on Stadler's schedule during the upcoming months. These delays continue to be examined for potential impact on the 14<sup>th</sup> trainset conditional acceptance and Revenue Service Date (RSD). Stadler forecasted completion date of the 14<sup>th</sup> trainset conditional acceptance is still October 7, 2022.

### **Risk Assessment Meeting – Monthly**

Purpose: To identify risks and corresponding mitigation measures. For each risk on the risk register, mitigation measures have been identified and are being implemented. Progress in mitigating these risks is confirmed at the ongoing risk monitoring and monthly risk assessment meetings.

#### Activity this Month

Due to the absence of issues requiring review, no meeting was held in February.

### **Change Management Board (CMB) – Monthly**

Purpose: To review, evaluate and authorize proposed changes to PCEP over \$200,000. The CMB discusses major topics including potential changes to PCEP contracts, contingency usage, track access delays and Differing Site Conditions (DSC) field order updates. Potential contract changes will follow the PCEP Change Order Procedure. Once approved changes are executed, they will be reported in the Change Management section (Section 9) of this report.

#### Activity this Month

The CMB meeting occurred on December 2.

Funding Partners: CHSRA: Sharath Murthy and Simon Whitehorn; VTA: Dennis Radcliffe; SFCTA: Luis Zurinaga; SMCTA: Joe Hurley; MTC: Trish Stoops and Kenneth Folan

#### BBII Contract

No changes were identified for consideration.

#### CEMOF Contract

No changes were identified for consideration.

#### Stadler Contract

No changes were identified for consideration.

#### SCADA Contract

No changes were identified for consideration.

#### Tunnel Modification Contract

No changes were identified for consideration.

#### Amtrak Contract

No changes were identified for consideration.

#### Other

Two changes were approved.

### **2.3. Schedule**

The program's critical path was revised in February 2021 due to delays in the electrification contract. Balfour Beatty Infrastructure Inc. (BBII) continues to progress signals design and installation efforts below baseline productivity levels. The incorporation of this delay has resulted in a two-month delay to BBII's substantial completion and a shift of the program critical path from EMU to electrification.

The JPB’s forecasted substantial completion date for the BBII contract in the MPS February update is October 22, 2022. JPB is working with BBII to improve progress on both signal system which lags behind baseline productivity level, and traction power facilities which continue to progress at a slow rate.

The forecasted revenue service date (RSD) is now December 06, 2022. However, this date is subject to change in the future upon concluding the mediation process between JPB and BBII.

Stadler continues to progress in EMU assembly and testing efforts below baseline productivity levels due to COVID-19. This remains a fluid situation on Stadler’s schedule during the upcoming months. These delays continue to be examined for potential impact on 14<sup>th</sup> trainset conditional acceptance and Revenue Service Date (RSD). Stadler forecasted completion date of the 14<sup>th</sup> trainset conditional acceptance is still October 07, 2022.

Table 2-1 indicates major milestone dates for the MPS.

**Table 2-1 Schedule Status**

Milestones	Program Plan	Progress Schedule (February 2021) <sup>1</sup>
Arrival of First Vehicle in Pueblo, CO	N/A	02/27/2021 <sup>A</sup>
Arrival of First Vehicle at JPB	N/A	06/25/2021 <sup>2</sup>
Segment 4 Completion	11/21/2019	08/10/2021 <sup>1</sup>
○ Interconnection from PG&E Substation to Traction Power Substation (TPS)	N/A	01/29/2021 <sup>A</sup>
PG&E Provides Permanent Power	09/09/2021	04/15/2022
Acceptance of 14 <sup>th</sup> Trainset	08/20/2021	10/07/2022 <sup>2</sup>
Electrification Substantial Completion	08/10/2020	10/22/2022 <sup>*</sup>
Revenue Service Date (RSD)	12/09/2021	12/06/2022
FFGA RSD	08/22/2022	08/22/2022

Note:

- <sup>1</sup>. Dates may shift slightly in the next month’s Progress Schedule update due to additional signal cutovers in Segment 4.
  - <sup>2</sup>. These dates are expected to be delayed due to COVID-19 impacts on Stadler’s Assembly & Testing facility in Salt Lake City.
- <sup>A</sup> Completed Milestone.  
<sup>\*</sup> Pending mediation process resolution with BBII.

**Peninsula Corridor Electrification Project**  
**Monthly Progress Report**

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**2.4. Budget**

A summary of the overall budget and expenditure status for the PCEP is provided in Table 2-2 below.

**Table 2-2 Budget and Expenditure Status**

Description of Work	Budget (A)	Current Budget (B) <sup>1</sup>	Cost This Month (C) <sup>2</sup>	Cost To Date (D) <sup>3</sup>	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
Electrification Subtotal	\$1,316,125,208	\$1,316,125,208	\$16,318,174	\$884,030,229	\$432,094,979	\$1,316,125,208
EMU Subtotal	\$664,127,325	\$664,127,325	\$4,686,060	\$270,173,193	\$393,954,131	\$664,127,325
<b>PCEP TOTAL</b>	<b>\$1,980,252,533</b>	<b>\$1,980,252,533</b>	<b>\$21,004,233</b>	<b>\$1,154,203,422</b>	<b>\$826,049,110</b>	<b>\$1,980,252,533</b>

Notes regarding tables above:

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

**2.5. Board Actions**

- None

**Future anticipated board actions include:**

- Amendment No. 3 to Supplemental Agreement No. 2 with PG&E to install utilities underground at a private parcel in lieu of condemnation
- Change orders as needed

**2.6. Government and Community Affairs**

There were four outreach events this month.

### **3.0 ELECTRIFICATION – INFRASTRUCTURE**

This section reports on the progress of the Electrification, SCADA, and Tunnel Modification components. A brief description on each of the components is provided below.

#### **3.1. Electrification**

The Electrification component of the PCEP includes installation of 138 miles of wire and overhead catenary system (OCS) for the distribution of electrical power to the EMUs. The OCS will be powered from a 25 kilovolt (kV), 60-Hertz, single phase, alternating current supply system consisting of two traction power substations (TPS), one switching station (SWS), and seven paralleling stations (PS). Electrification infrastructure will be constructed using a DB delivery method.

##### **Activity This Month**

- Continued to prepare and clear foundations in Segment 2 Work Areas 5, 4, and 3.
- Mobilized on-track foundation equipment from Santa Clara to Burlingame Siding to install remaining OCS foundations in Segment 2 Work Areas 5, 4, and 3.
- Continued procurement and delivery of OCS portal beams for Segment 4.
- Continued installation of OCS poles, cantilevers, and wires in Segment 3 and 4.
- Continued regulation of OCS wires (sagging the wires) in Segment 3.
- Continued installation of shunt wires in Segment 3.
- Continued potholing at proposed OCS locations and utility locations in Segment 2 and CEMOF in preparation of upcoming foundation installations.
- Continued to resolve conflicts found during the potholing process, such as loose concrete, asphalt, and other debris, and continued designing solutions for those conflicts that cannot be avoided. The conflicts must be resolved before installation of foundations at those locations.
- Relocated signal cables and remove abandoned facilities found in conflict with planned OCS foundations as conflicts were identified.
- PS-1
  - 25kV enclosure foundations and walls poured.
  - Termination bar for 25kV enclosure installed.
  - Installed stairs.
  - Installed pipe and backfill for oil/water separator.
  - Backfilled and poured concrete ductbank for rail return.
  - Poured pad.
- PS-2
  - Installed disconnect switch handle mechanisms and hardware for main gantry.
  - Installed gantry termination cabinet and conduit supports.

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- AC/DC panel installation completed.
- PS-3
  - Coordinated IFC design draft with PGH Wong, BBII and City of Burlingame.
- PS-4
  - Drilled and installed grounding and conduits for gantry.
- PS-5
  - Installed and backfilled drainage and slump pump.
  - Excavated and backfilled for transformer and 25 KV enclosure foundations.
  - Trenched for ground grid.
  - Excavated, poured and backfilled low voltage ductbanks.
- PS-6
  - CMU wall fence installed.
- PS-7
  - Finished with fence install.
  - Backfilled finish grade and subgrade.
  - Spread drain rock for finish grade.
  - Poured concrete for 25kV stairs.
  - Backfilled ductbank.
- Continued low voltage terminations and fence installation at TPS-1.
- Continue to address low voltage drop installation at TPS-2.
- Continued to install signal ductbank, conduits, and cables in Segment 2 and Segment 1.
- Continue case installation at Control Point (CP) Center Remote.
- Performed signal cutover at CP Delmas to CP Alameda.
- Continued cable termination and staging at CP Stockton and CP Franklin.
- Performed pre-testing at CP Bird to CP Mack.
- Continued fiber optic cable installation and splicing in Segment 4 at CP Stockton and CP Franklin.
- Install overhead bridge attachments at various locations in Segment 4.
- Install bridge attachments at De la Cruz.
- Progressed the OCS design with BBII in all segments, which included submittal and review of Design Change Notices for revised foundation locations.
- Continued Right of Way acquisition process for off-track foundation installation in Segment 1.
- Continued Right of Way acquisition for TPS-1 interconnection.



- Coordinated design review with local jurisdictions for the OCS, traction power facilities, and bridge attachments design, including responses to comments from jurisdictions.
- Continued to review and coordinate signal and communication design submittals with BBII.
- Continued internal discussions about design, installation and testing of signal and communications modifications to the Caltrain system and schedule for cutover plans.
- Continued discussions with VTA on Right of Way acquisition for construction of TPS-2 interconnection.
- Worked with BBII through Site Specific Work Plans (SSWP) for upcoming field work.
- Continued model validation for the single phase study.
- PG&E continued work at East Grand and FMC substations.
- PG&E continued TPS-2 Interconnection work.

A summary of the work progress by segment is provided in Table 3-1 below.

**Table 3-1 Work Progress by Segment**

Segment	Work Area	Foundations			Poles		
		Required <sup>abc</sup>	Completed this Month	Completed to Date <sup>d</sup>	Required <sup>ab</sup>	Completed this Month	Completed to Date <sup>d</sup>
1	Tunnels	32	0	32	32	0	32
	A	303	0	0	259	0	0
	B	232	0	85	177	0	0
2	5	247	29	243	212	0	160
	4	318	44	282	253	0	190
	3	177	21	149	140	0	43
	2	239	0	78	205	0	60
	1	206	0	79	154	0	33
3	2	510	0	510	460	0	445
	1	391	0	391	311	10	304
4	A	241	0	241	180	17	153
	B	128	0	128	124	4	95
	CEMOF	96	0	0	88	0	0
<b>Total</b>		<b>3,120</b>	<b>94</b>	<b>2,218</b>	<b>2,595</b>	<b>31</b>	<b>1,515</b>

Note:

- a. Foundations required do not match poles required as guy foundations are needed in some locations for extra support.
- b. Reported number of required poles and foundations fluctuate due to Design changes.
- c. Update: To-date, 30 foundations have been installed by the South San Francisco in S2WA5 and 65 have been installed by the 25<sup>th</sup> Ave projects in S2WA3.
- d. 5 of 30 foundation installed by SSF in S2WA5 were not accounted for in the past and 3 Poles in S3WA2 unreported installed in last report.

**Activity Next Month**

- Continue on-track foundation installation in Segment 2 Work Areas 5, 4, and 3.
- Mobilize on-track foundation installation to CEMOF and begin OCS foundation installation at CEMOF.
- Continue resolution of foundation conflicts.

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- Continue to install protective steel plates for protection of utilities during foundation installation.
- Continue to install OCS poles and assemblies in all Segments where available.
- Continue wire installation and regulation in Segments 3 and 4.
- Continue shunt wire installation.
- Continue work with BBII on field investigation activities and designs, which will include the progression of the OCS, traction power, bonding and grounding, signal systems, and other civil infrastructure such as overhead bridge protections.
- Pothole and clear obstructions at proposed OCS locations.
- PS-1
  - Install and set gantry equipment and cables.
- PS-2
  - Finish gantry equipment cable installation.
- PS-3
  - Complete IFC design draft with PGH Wong, BBII and City of Burlingame.
- PS-4
  - Excavate remaining CMU wall footing.
  - Finish installing ground grid.
- PS-5
  - Install grounding for gantries.
  - Install formwork and pour 25kV enclosure stairs.
  - Install formwork and pour PG&E pad.
  - Install fence and gates.
- PS-7
  - Complete access road.
  - Install formwork and pour 400-amp foundation.
- Continue construction at TPS-1 and TPS-2.
- Continue to install conduit and foundations for signal and wayside power cubicle (WPC) units in all Segments.
- Continue cable termination at signal locations in Segment 4.
- Continue fiber installation and splicing in Segment 4.
- Continue preparation for next signal cutover in Segment 4.
- Continue conduit installations in Segments 2 and 1.
- Continue to install impedance bond connections.
- Continue to install bridge attachments.
- Continue to coordinate with stakeholders on the consistent warning time solution and advance location-specific design.

- Continue to progress location-specific design for grade crossing system.
- Continue planning process for signal cutovers.
- Review BBII work plans for upcoming construction activities.
- Coordinate with PG&E on final design and construction for PG&E infrastructure.
- Coordinate with local jurisdictions to review designs.
- Continue tree pruning and removals.
- Continue progress on Single Phase Study.

### **3.2. Supervisory Control and Data Acquisition**

SCADA is a system that monitors and controls field devices for electrification, including traction power substations (TPS), wayside power cubicles (WPC), and the OCS. SCADA will be integrated with the base operating system for Caltrain Operations and Control, which is the Rail Operations Center System (ROCS). A separate control console will be established for the Power Director.

#### **Activity This Month**

- Submitted Monthly Progress Report.
- Addressed comments to SCADA Operations User Manual.
- Completed updates and submitted Training Manual.
- Prepared Proposal for TPS-2 Points List Changes from BBII.
- Continued progress on pre-Factory Acceptance Test (FAT) change reviews.
- Completed merge with Production ROCS v2.3.7 and v2.3.8.
- Continued progress on Power Director (PD) manual.

#### **Activity Next Month**

- Prepare and deliver the Monthly Report and the Monthly Schedule Update.
- Attend project status meetings (virtually).
- Complete final revisions for Operations User Manual and for three training manuals.
- Complete final revisions of the PD manual.
- Prepare and deliver proposal for Points List Changes.
- Complete pre-FAT changes.
- Receive Notice to Proceed for TPS-2 Points List changes.
- Implement TPS-2 Point Changes.
- Commence FAT.

### **3.3. Tunnel Modification**

Tunnel modifications will be required on the four tunnels located in San Francisco. This effort is needed to accommodate the required clearance for the OCS to support electrification of the corridor. Outside of the PCEP scope, Caltrain Engineering has requested the PCEP team to manage completion of design and construction for the Tunnel 1 and Tunnel 4 Drainage and Track Rehabilitation Project. The Tunnel Drainage and Track Rehabilitation Project is funded separately from PCEP.

#### **Activity This Month**

- Letters, submittals, and Requests for Information closeout.
- Change Order reconciliation.

#### **Activity Next Month**

- Review and respond to letters.
- Change Order reconciliation.
- PMI to submit the As-Built.

### **3.4. Interconnection Construction**

The PCEP will require a 115-kV interconnection to supply power from the PG&E substations to the Caltrain substations in San Jose and South San Francisco. Construction of the interconnections will be performed by PG&E under an amendment to Supplemental Agreement No. 2.

#### **Activity This Month**

- FMC – TPS-2:
  - Relocated main fiber optic cable at VTA site.
  - Completed PG&E meter enclosure punchlist walk.
  - Poured concrete for PG&E pad.
  - Poured concrete for 25kV stairs.
  - Installed wire mesh and poured concrete for access road.
  - Installed steel grates for ground pads.
  - Completed TRC/Ferreria demobilization for the intertie work.
  - Progressed civil work for fencing around site.
- EGS – TPS-1:
  - Received formal direction from PG&E and JPB for the new design scope for the TPS-1 site and Health Peak area.
  - Coordinated between TRC and JPB Real Estate to finalize the easement at Health Peak and JPB area.

**Activity Next Month**

- FMC – TPS-2:
  - Terminate low voltage cable.
  - Complete low voltage termination.
  - Install fence and gates.
  - Work toward completion of PG&E meter enclosure punchlist items.
- EGS – TPS-1:
  - Continue the Transmission Structure Pole (TSP) redesign coordination with South San Francisco team, TRC and PG&E.
  - TRC to submit 60% redesign for final alignment.
  - PG&E construction estimated to start at EGS substation in mid-March.

## **4.0 ELECTRIC MULTIPLE UNITS**

This section reports on the progress of the Electric Multiple Units (EMU) procurement and the Centralized Equipment Maintenance and Operations Facility (CEMOF) modifications.

### **4.1. Electric Multiple Units**

The procurement of EMUs, or trainsets, from Stadler consists of a Base Order of 96 railcars, plus an Option Order of an additional 37 railcars, for a total of 133 railcars. The cars from these two orders will be combined and delivered as 19 seven-car Trainsets. The Base Order is funded from PCEP, and Option Order funded by a Transit and Intercity Rail Capital Program (TIRCP) grant. One more Option for additional cars is available.

#### **Activity This Month**

- Train 1 was shipped to TTCL in Pueblo, CO for dynamic type testing.
- COVID-19 related actions continued for the 12th month causing mixed disruptions to Stadler's activities:
  - Stadler's manufacturing facilities in Switzerland supporting the Caltrain Project have returned to normal levels of activity.
  - Stadler's manufacturing facility in Salt Lake City continued with two production shifts in order to limit the number of workers per car. This is due to the October 2020 outbreak of COVID-19 at that facility.
  - The Switzerland-based manufacturing of car shells and trucks frames is on schedule.
  - Salt Lake City-based manufacturing is delayed due to previously incurred and ongoing person-power limitations and sub-supplier parts shortages.
  - Stadler has submitted a request for an 'excusable delay' due to COVID-19. The extent of the continuing delay is being evaluated. Currently, shipping the first trainset to Pueblo, Colorado for testing has been delayed almost six months to February 2021, and the first trainset to be delivered to Caltrain delayed 3.5 months to the end of June 2021.
  - Salt Lake City-based 'Type Testing' of Trainset No. 1 is progressing slowly due to COVID-19 travel restrictions. Workarounds, including Stadler obtaining emergency visas, have allowed progress in this area. Type testing began in mid-November.
  - Type testing was delayed at the end of November 2020 due to members of the test team quarantining at home per Stadler's coronavirus contact tracing protocol. Two members tested positive and completed their quarantine while the others tested negative and were able to return to work.
  - Stadler's supply chain has been disrupted by two supplier bankruptcies. Replacement suppliers were found, but the delivery schedule was impacted. In addition, one of the replacement suppliers is now having financial issues. Due to this, Stadler submitted another request for excusable delay in February 2021. The extent of the delay is being evaluated. The results will likely be a delay in the delivery of all trainsets.

- Final Design Reviews remain to be completed for three systems. These software-based systems include 'Train Control,' 'Monitoring and Diagnostics,' and 'PTC.' For train control and MDS, completion is delayed to February 2021 and must be performed prior to the commencement of Pueblo Type Testing. For PTC, completion is anticipated in mid-2021.
- First Article Inspections (FAI) continue to have their paperwork formalized and closed out.
- 70 car shells have been shipped from Stadler Switzerland, with 55 arriving at Stadler's Salt Lake City facility (15 shells are in transit).
- Quality Assurance audits of USA-based sub-suppliers were halted in mid-March due to COVID-19 travel restriction. Audits will commence when sub-suppliers reopen and travel restrictions are lifted.
- Stadler's trainset delivery and testing schedule on Caltrain property has been re-baselined.

**Activity Next Month**

- Continue to close out system level FDRs and FAIs.
- Continue to support Caltrain/PCEP system integration and rail startup activation activities.
- Support type testing in SLC and at TTCL.

**4.2. Centralized Equipment Maintenance and Operations Facility Modifications**

The CEMOF Modifications Project will provide work areas to perform maintenance on new EMUs.

**Activity This Month**

- Poured South Pit walls and stair 70 and 71 walls.
- Worked on trench drain.
- Installed light fixture at stair 70.
- Worked on storm drain line A.
- Re-routed and re-installed the generator cable at the Component Test Room.
- Installed electrical boxes, conduit and wire at the Component Test Room.
- Frame insulated closet at the Parts Storage Warehouse.

**Activity Next Month**

- Perform megger test for the 480-volt line.
- Install remaining fire sprinkler work and aerial cable conduit at Parts Storage Warehouse.
- Install site lighting.
- Backfill at the pit walls.
- Install rail baseplates, and weld and install rail.  
Receive entry and door frame delivery and install at Component Test Room.

## **5.0 SAFETY**

Safety and Security requirements and plans are necessary to comply with applicable laws and regulations related to safety, security, and emergency response activities. Safety staff coordinates with contractors to review and plan the implementation of contract program safety requirements. Safety project coordination meetings continue to be conducted on a monthly basis to promote a clear understanding of project safety requirements as defined in contract provisions and program safety documents.

### **Activity This Month**

- Project staff provided input and continued its participation in the BBII contractor workforce safety meetings. Project incidents continue to be reviewed with project staff to reinforce the application of recommended safety mitigation measures.
- Conducted 2020 monthly employee injury reviews for BBII and its subcontractors.
- Continued to provide input and oversight of the contractor SSWP safety provisions and ongoing safety construction oversight and inspections.
- Participated with internal stakeholders in Rail Activation Committee meetings.
- Investigated project incident occurrences and worked with the contractor representatives to identify incident root causes and develop and implement safety and security mitigation measures.
- Conducted ongoing safety inspections of contractor field activities and performed pre-work site hazards assessment walks with BBII and subcontractor staff.
- Performed hi-rail vehicle safety inspections of contractor on-track equipment.
- Participated in weekly project coordination meetings with the contractor to review open issues and recommended action items.
- Continued to coordinate with JPB Safety and the project contractors with the application of mitigation measures in response to the evolving COVID-19 virus.
- Participated in several meetings with BBII contractors as a means to facilitate the development of safety and security documentation associated with the testing and commissioning process.

### **Activity Next Month**

- Monthly virtual safety communication meetings continue to be scheduled for the Project Safety and Security Certification Committee, Fire/Life Safety Committee, Rail Activation Committee, and other project-related contractor and JPB safety meetings to discuss safety priorities.
- Continue contractor coordination associated with the testing and commissioning safety and security certification documentation requirements.
- Continue focus on performing site safety inspections on the OCS foundations, pole installations, potholing, and CEMOF work activities to assess safety work practices and identify additional opportunities for improvement. Conduct contractor equipment inspections as needed.
- Reinforce the ongoing application of recommended mitigation measures in response to the evolving COVID-19 virus.



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- Investigate project incident occurrences as needed and work with the contractor representatives to identify incident root causes and develop and implement safety and security mitigation measures. Review previous incidents corrective action plans and reinforce compliance to recommended mitigations.

## **6.0 QUALITY ASSURANCE**

The Quality Assurance (QA) staff performs technical reviews for planning, implementing, evaluating, and maintaining an effective program to verify that all equipment, structures, components, systems, and facilities are designed, procured, constructed, installed, and maintained in accordance with established criteria and applicable codes and standards throughout the design, construction, startup and commissioning of the PCEP.

### **Activity This Month**

- Reviewed BBII submittals of Inspector Daily Reports (IDR) and Contractor Quality Control Report (CQCR).
- Provided QA review of BBII submittals of Material Review Reports (MRR) to ensure that purchase order quality and test document requirements are met and included in the receiving inspection document package.
- Provided QA review of BBII submittals of Certificates of Conformance (C of C) and Certificates of Analysis (C of A).
- Provided QA review of BBII Non-Conformance Reports (NCR) and Construction Discrepancy Reports (CDR) to assure that in-process discrepancies are processed as required.
- Provided review of BBII QA Audit Surveillance Reports.
- Provided QA review of Supplier Certified Test Reports (CTR), and Certified Material Tests Reports (CMTR).
- Prepared for upcoming audits for design, quality audits, quality records and training.
- Completed BBII Buy America Audit, no findings, one observation.

### **Activity Next Month**

- Work on submittal of Caltrans Source Inspection Quality Management Plan (SIQMP) for Caltrans Encroachment Permit.
- Review BBII Record Set of As-Builts to verify contract compliance.
- Review BBII quality records and prepare for upcoming audits for design, quality audits, quality records and training.

Table 6-1 below provides details on the status of audits performed through the reporting period.

**Table 6-1 Quality Assurance Audit Summary**

<b>Quality Assurance Activity</b>	<b>This Reporting Period</b>	<b>Total to Date</b>
Audits Conducted	1	130
<b>Audit Findings</b>		
Audit Findings Issued	0	81
Audit Findings Open	0	0
Audit Findings Closed	0	81
<b>Non-Conformances</b>		
Non-Conformances Issued	0	13
Non-Conformances Open	1	4
Non-Conformances Closed	0	9

**7.0 SCHEDULE**

The program's critical path was revised in February 2021 due to delays in the electrification contract. Balfour Beatty Infrastructure Inc. (BBII) continues to progress signals design and installation efforts below baseline productivity levels. The incorporation of this delay has resulted in a two-month delay to BBII's substantial completion and a shift of the program critical path from EMU to electrification.

The JPB's forecasted substantial completion date for the BBII contract in the MPS February update is October 22, 2022. JPB is working with BBII to improve progress on both signal system which lags behind baseline productivity level, and traction power facilities which continue to progress at a slow rate.

The forecasted revenue service date (RSD) is now December 06, 2022. However, this date is subject to change in the future upon concluding the mediation process between JPB and BBII.

Stadler continues to progress in EMU assembly and testing efforts below baseline productivity levels due to COVID-19. This remains a fluid situation on Stadler's schedule during the upcoming months. These delays continue to be examined for potential impact on 14<sup>th</sup> trainset conditional acceptance and Revenue Service Date (RSD). Stadler forecasted completion date of the 14<sup>th</sup> trainset conditional acceptance is still October 07, 2022.

Shown below, Table 7-1 indicates major milestone dates for the MPS.

**Table 7-1 Schedule Status**

Milestones	Program Plan	Progress Schedule (January 2021) <sup>1</sup>
Arrival of First Vehicle in Pueblo, CO	N/A	02/27/2021 <sup>A</sup>
Arrival of First Vehicle at JPB	N/A	06/25/2021 <sup>2</sup>
Segment 4 Completion	11/21/2019	08/10/2021 <sup>1</sup>
o Interconnection from PG&E Substation to Traction Power Substation (TPS-2)	N/A	01/29/2021 <sup>A</sup>
PG&E Provides Permanent Power	09/09/2021	04/15/2022
Acceptance of 14 <sup>th</sup> Trainset	08/20/2021	10/07/2022 <sup>2</sup>
Electrification Substantial Completion	08/10/2020	10/22/2022 <sup>*</sup>
Revenue Service Date (RSD)	12/09/2021	12/06/2022
FFGA RSD	08/22/2022	08/22/2022

Note:

1. Dates may shift slightly in the next month's Progress Schedule update due to additional signal cutovers in Segment 4.
  2. These dates are expected to be delayed due to COVID-19 impacts on Stadler's Assembly & Testing facility in Salt Lake City.
- <sup>A</sup> Completed Milestone.  
<sup>\*</sup> Pending mediation process resolution with BBII.

**Notable Variances**

Balfour Beatty Infrastructure Inc. (BBII) continues to progress signals design and installation efforts below baseline productivity levels. The incorporation of this delay has resulted in a two-month delay to BBII's substantial completion and a shift of the program critical path from EMU to electrification.

This delay pushed back the forecasted Revenue Service Date from 10/10/2022 to 12/06/2022.

Schedule Delays in both Electrification and EMU have resulted in a drawdown of the remaining schedule contingency. The program no longer has any schedule contingency.

**Table 7-2 Critical Path Summary**

Activity	Start	Finish
Signals System Design, Installation and Cutover	10/22/2018	07/30/2022
OCS / Comm / SCADA Acceptance Testing	07/31/2022	09/08/2022
Integrated Testing	09/09/2022	10/22/2022
Revenue Service Date (RSD)	10/23/2022	12/06/2022

**Schedule Hold Points**

Schedule Hold Points (SHP) represent key milestones on or near a schedule's critical path that are used as measurement points with respect to contingency drawdown. Delays to these key milestones have resulted in consuming program schedule contingency.

Table 7-3 below reflects the SHPs for the PCEP master program schedule. The dates indicated the planned completion dates for each SHP.

**Table 7-3 Schedule Hold Points**

Schedule Hold Point (SHP)	Date
FTA/PMOC Risk Refresh	08/30/2016 <sup>A</sup>
Begin EMU Manufacturing	12/04/2017 <sup>A</sup>
Arrival of 1 <sup>st</sup> Trainset in Salt Lake City	02/04/2019 <sup>A</sup>
Arrival of 1 <sup>st</sup> Trainset in Pueblo, CO	02/27/2020 <sup>A</sup>
Arrival of 1 <sup>st</sup> Trainset at JPB	06/25/2021
Segment 4 Completion	08/10/2021 <sup>1</sup>
Conditional Acceptance of 1 <sup>st</sup> Trainset	10/22/2021 <sup>2</sup>
Conditional Acceptance of 14th Trainset	10/07/2022 <sup>2</sup>
System Electrified	10/22/2022 <sup>*</sup>
Revenue Service Date (RSD)	12/06/2022

Note:  
<sup>1</sup> Dates may shift slightly in the next month's Progress Schedule update due to additional signal cutover in segment 4.  
<sup>2</sup> Dates may change due to COVID-19 Impact.  
<sup>A</sup> Completed Schedule Hold Point (SHP).  
<sup>\*</sup> Pending mediation process resolution with BBII.

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**8.0 BUDGET AND EXPENDITURES**

The summary of overall budget and expenditure status for the PCEP and Third-Party Improvements is shown in the following tables. Table 8-1 reflects the Electrification budget, Table 8-2 the EMU budget, Table 8-3 the overall PCEP budget, and Table 8-4 Third Party Improvements budget. Table 8-5 summarizes the budget transfers of contingency completed this month.

**Table 8-1 Electrification Budget & Expenditure Status**

Description of Work	Budget (A)	Current Budget (B) <sup>1</sup>	Cost This Month (C) <sup>2</sup>	Cost To Date (D) <sup>3</sup>	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
<b>ELECTRIFICATION</b>						
Electrification <sup>(4)</sup>	\$696,610,558	\$742,005,356	\$8,057,803	\$481,889,663	\$260,115,693	\$742,005,356
SCADA	\$0	\$3,446,917	\$0	\$1,934,371	\$1,512,546	\$3,446,917
Tunnel Modifications	\$11,029,649	\$41,469,522	\$15,651	\$41,314,390	\$155,132	\$41,469,522
Real Estate	\$28,503,369	\$28,503,369	\$70,635	\$23,168,170	\$5,335,199	\$28,503,369
Private Utilities	\$63,515,298	\$117,768,634	\$5,061,426	\$116,826,787	\$941,848	\$117,768,634
Management Oversight	\$141,506,257	\$163,537,005	\$1,559,417	\$154,606,678	\$8,930,327	\$163,537,005
Executive Management	\$7,452,866	\$9,568,427	\$49,170	\$9,200,955	\$367,472	\$9,568,427
Planning	\$7,281,997	\$6,281,997	\$8,765	\$5,932,340	\$349,657	\$6,281,997
Community Relations	\$2,789,663	\$1,789,663	\$1,428	\$1,467,793	\$321,870	\$1,789,663
Safety & Security	\$2,421,783	\$4,297,861	\$88,974	\$4,249,089	\$48,772	\$4,297,861
Project Management Services	\$19,807,994	\$17,526,725	\$165,366	\$13,530,918	\$3,995,807	\$17,526,725
Engineering & Construction	\$11,805,793	\$13,310,956	\$180,328	\$12,606,406	\$704,550	\$13,310,956
Electrification Eng & Mgmt	\$50,461,707	\$52,528,386	\$289,307	\$52,020,745	\$507,641	\$52,528,386
Construction Management	\$0	\$10,420,038	\$599,546	\$9,085,991	\$1,334,047	\$10,420,038
IT Support	\$312,080	\$407,170	\$0	\$400,132	\$7,038	\$407,170
Operations Support	\$1,445,867	\$3,337,383	\$25,564	\$2,999,105	\$338,278	\$3,337,383
General Support	\$4,166,577	\$6,963,434	\$38,888	\$6,688,561	\$274,874	\$6,963,434
Budget / Grants / Finance	\$1,229,345	\$1,626,354	\$439	\$1,620,789	\$5,565	\$1,626,354
Legal	\$2,445,646	\$4,993,672	\$(1,102)	\$4,854,437	\$139,235	\$4,993,672
Other Direct Costs	\$5,177,060	\$5,777,060	\$112,744	\$5,241,539	\$535,521	\$5,777,060
Prior Costs 2002 - 2013	\$24,707,878	\$24,707,878	\$0	\$24,707,878	\$0	\$24,707,878
TASI Support	\$55,275,084	\$58,846,403	\$1,515,122	\$53,561,466	\$5,284,936	\$58,846,403
Insurance	\$3,500,000	\$4,543,588	\$0	\$4,543,588	\$0	\$4,543,588
Environmental Mitigations	\$15,798,320	\$14,754,390	\$0	\$829,851	\$13,924,540	\$14,754,390
Required Projects	\$17,337,378	\$10,182,576	\$4,755	\$983,080	\$9,199,497	\$10,182,576
Maintenance Training	\$1,021,808	\$1,021,808	\$0	\$0	\$1,021,808	\$1,021,808
Finance Charges	\$5,056,838	\$6,137,156	\$33,365	\$4,372,186	\$1,764,970	\$6,137,156
Contingency	\$276,970,649	\$123,908,482	N/A	N/A	\$32,466,492	\$32,466,492
Forecasted Costs and Changes	\$0	\$0	N/A	N/A	\$91,441,991	\$91,441,991
<b>ELECTRIFICATION SUBTOTAL</b>	<b>\$1,316,125,208</b>	<b>\$1,316,125,208</b>	<b>\$16,318,174</b>	<b>\$884,030,229</b>	<b>\$432,094,979</b>	<b>\$1,316,125,208</b>

Notes regarding tables above:

1. Column B "Current Budget" includes executed change orders and awarded contracts.
2. Column C "Cost This Month" represents the cost of work performed this month.
3. Column D "Cost To Date" includes actuals (amount paid) and accruals (amount of work performed) to date.
4. Cost To Date for "Electrification" includes 5% for Contractor's retention until authorization of retention release.

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**Table 8-2 EMU Budget & Expenditure Status**

Description of Work	Budget (A)	Current Budget (B) <sup>1</sup>	Cost This Month (C) <sup>2</sup>	Cost To Date (D) <sup>3</sup>	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
<b>EMU</b>						
EMU	\$550,899,459	\$556,277,769	\$3,762,100	\$210,490,768	\$345,787,001	\$556,277,769
CEMOF Modifications	\$1,344,000	\$7,373,304	\$258,371	\$6,124,452	\$1,248,852	\$7,373,304
Management Oversight	\$64,139,103	\$61,869,311	\$622,242	\$49,931,750	\$11,937,561	\$61,869,311
Executive Management	\$5,022,302	\$6,263,136	\$32,651	\$5,867,734	\$395,402	\$6,263,136
Community Relations	\$1,685,614	\$985,614	\$1,466	\$683,672	\$301,942	\$985,614
Safety & Security	\$556,067	\$766,796	\$15,418	\$700,141	\$66,656	\$766,796
Project Mgmt Services	\$13,275,280	\$11,275,280	\$101,353	\$8,468,989	\$2,806,291	\$11,275,280
Eng & Construction	\$89,113	\$89,113	\$0	\$23,411	\$65,702	\$89,113
EMU Eng & Mgmt	\$32,082,556	\$29,981,014	\$320,223	\$23,524,769	\$6,456,245	\$29,981,014
Construction Management	\$0	\$1,501,543	\$44,795	\$1,263,324	\$238,219	\$1,501,543
IT Support	\$1,027,272	\$952,089	\$12,090	\$729,008	\$223,082	\$952,089
Operations Support	\$1,878,589	\$781,858	\$4,801	\$404,893	\$376,964	\$781,858
General Support	\$2,599,547	\$2,934,702	\$20,799	\$2,804,757	\$129,946	\$2,934,702
Budget / Grants / Finance	\$712,123	\$1,042,274	\$198	\$1,037,099	\$5,175	\$1,042,274
Legal	\$1,207,500	\$1,292,752	\$(0)	\$1,244,535	\$48,217	\$1,292,752
Other Direct Costs	\$4,003,139	\$4,003,139	\$68,449	\$3,179,419	\$823,720	\$4,003,139
TASI Support	\$2,740,000	\$2,789,493	\$22,897	\$369,955	\$2,419,538	\$2,789,493
Insurance	\$0	\$38,263	\$0	\$38,263	\$0	\$38,263
Required Projects	\$4,500,000	\$1,059,221	\$0	\$538,280	\$520,941	\$1,059,221
Finance Charges	\$1,941,800	\$3,761,482	\$20,450	\$2,679,727	\$1,081,755	\$3,761,482
Contingency	\$38,562,962	\$30,958,483	N/A	N/A	\$26,375,500	\$26,375,500
Forecasted Costs and Changes	\$0	\$0	N/A	N/A	\$4,582,983	\$4,582,983
<b>EMU SUBTOTAL</b>	<b>\$664,127,325</b>	<b>\$664,127,325</b>	<b>\$4,686,060</b>	<b>\$270,173,193</b>	<b>\$393,954,131</b>	<b>\$664,127,325</b>

Notes regarding tables above:

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

**Table 8-3 PCEP Budget & Expenditure Status**

Description of Work	Budget (A)	Current Budget (B) <sup>1</sup>	Cost This Month (C) <sup>2</sup>	Cost To Date (D) <sup>3</sup>	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
Electrification Subtotal	\$1,316,125,208	\$1,316,125,208	\$16,318,174	\$884,030,229	\$432,094,979	\$1,316,125,208
EMU Subtotal	\$664,127,325	\$664,127,325	\$4,686,060	\$270,173,193	\$393,954,131	\$664,127,325
<b>PCEP TOTAL</b>	<b>\$1,980,252,533</b>	<b>\$1,980,252,533</b>	<b>\$21,004,233</b>	<b>\$1,154,203,422</b>	<b>\$826,049,110</b>	<b>\$1,980,252,533</b>

Notes regarding tables above:

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



**Table 8-4 Third Party Improvements/CNPA Budget & Expenditure Status**

Description of Work	Budget (A)	Current Budget (B) <sup>1</sup>	Cost This Month (C) <sup>2</sup>	Cost To Date (D) <sup>3</sup>	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
CHSRA Early Pole Relocation	\$1,000,000	\$941,706	\$0	\$941,706	\$0	\$941,706
PS-3 Relocation (Design)	\$500,000	\$500,000	\$0	\$150,000	\$350,000	\$500,000
PS-3 Relocation (FEMA, BGSP Design Coord.)	\$50,000	\$50,000	\$0	\$0	\$50,000	\$50,000
TPSS-2 VTA/PCEP Pole Relocation (Design)	\$110,000	\$110,000	\$0	\$110,000	\$0	\$110,000
TPSS-2 VTA/PCEP Pole Height (Redesign)	\$31,000	\$31,000	\$0	\$27,900	\$3,100	\$31,000
EMU Option Cars	\$172,800,047	\$172,800,047	\$0	\$58,666,572	\$114,133,475	\$172,800,047
Add Flip-Up Seats into Bike Cars	\$1,961,350	\$1,961,350	\$0	\$980,675	\$980,675	\$1,961,350
Update Virtual Reality Experience	\$43,000	\$43,000	\$0	\$43,000	\$0	\$43,000
<b>CNPA TOTAL</b>	<b>\$176,495,397</b>	<b>\$176,437,103</b>	<b>\$0</b>	<b>\$60,919,853</b>	<b>\$115,517,250</b>	<b>\$176,437,103</b>

Notes regarding tables above:

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

Table 8-4 shows improvements outside of the scope of PCEP that are funded with non-PCEP funds. These improvements are implemented through the PCEP contracts. In FTA terminology, these efforts are categorized as Concurrent Non-Project Activities (CNPA).

**CHSRA Early Pole Relocation:** Relocation of 196 OCS poles as part of PCEP. Implementing these pole relocations minimizes future cost and construction impacts. This scope is funded by the CHSRA.

**PS-3 Relocation (Design):** Relocate PS-3 (Burlingame) as part of PCEP to avoid a future conflict with the Broadway Grade Separation Project (BGSP). This scope is funded by the BGSP.

**PS-3 Relocation (FEMA, BGSP Design Coord.):** PS-3 Relocation FEMA Update and Design Coordination: Perform incremental design effort related to the 2019 FEMA requirement update to the flood plain map and design coordination with the BGSP. This scope is funded by the BGSP.

**TPSS-2 VTA/PCEP Pole Relocation and Height (Design):** Design changes due to the relocation of VTA/BART Pole at TPSS-2 location and pole height redesign for live line clearances. This scope is funded by the VTA.

**EMU Option Cars:** Exercise Stadler Contract Option for 37 additional EMUs. This scope is funded with a combination of TIRCP and matching local funds.

**Add Flip-Up Seats into Bike Cars:** Stadler contract change order to add four additional flip-up seats in each of the two unpowered (bike) cars per trainset (eight total per trainset). This scope is funded by Caltrain outside of the PCEP.

**Update Virtual Reality Experience:** Stadler contract change order to update the virtual reality experience to reflect the latest configuration of the trainsets. This scope is funded by Caltrain outside of the PCEP.

**Table 8-5 Budget Transfers of Contingency**

Transfer	Description	Contingency <sup>1</sup>
<b>ELECTRIFICATION</b>		
BT-040A	TASI - Relocation of SM Street Light Conduit	\$90,600
BBI-053-CCO-103 REV1	Track Access Delays – 2017 Quarter 3 – additional amount	\$18,626
BBI-053-CCO-072B	Requirements for PCEP Joint System Impact Study & Single Phase Study – additional amount	\$220,000
BBI-053-CCO-047B	CEMOF Yard Slot Drains Relocation (Construction)	\$360,000
	<b>ELECTRIFICATION SUBTOTAL</b>	<b>\$689,226</b>
<b>EMU</b>		
BT-038A	Scissor Lift Work Platforms	\$131,400
STA-056-CCO-031	Bike Car Dividers	\$194,940
PRO-071-CCO-052	Acoustic Ceiling Framing at the Component Test Room	\$3,998
PRO-071-CCO-053	Temporary Sanitary Facilities During Boosted Water/Copper Line Work	\$963
	<b>EMU SUBTOTAL</b>	<b>\$331,301</b>
	<b>PCEP TOTAL</b>	<b>\$1,020,527</b>

Notes regarding tables above:

<sup>1</sup> Budget amount transferred from project contingency. A negative amount represents a credit to contingency.

Table 8-5 shows budget transfers of project contingency implemented during the current monthly reporting period. This table includes contingency transfers for both executed contract change orders as covered under Section 9.0 and uses of contingency for Program budget line items outside the five PCEP contracts.

Appendix D includes costs broken down by Standard Cost Code (SCC) format. This format is required for reporting of costs to the FTA. The overall project total in the SCC format is lower than the project costs in table 8-3. This is due to the exclusion of costs incurred prior to the project entering the Project Development phase.

## 9.0 CHANGE MANAGEMENT

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

Currently the PCEP contracts are BBII, CEMOF, Stadler, SCADA, Tunnel Modifications, and Amtrak.

A log of all executed change orders can be found in Appendix E.

### Executed Contract Change Orders (CCO) This Month

#### Electrification Contract

**Change Order Authority (5% of BBII Contract)** **5% x \$696,610,558 = \$34,830,528**

Date	Change Number	Description	CCO Amount
2/9/2021	BBI-053-CCO-025G	OCS Shunt Wire (Design)	\$0
2/11/2021	BBI-053-CCO-047B	CEMOF Yard Slot Drains Relocation (Construction)	\$360,000
2/16/2021	BBI-053-CCO-103	Track Access Delays – 2017 Quarter 3 – voided	(\$145,892)
2/16/2021	BBI-053-CCO-103 REV1	Track Access Delays – 2017 Quarter 3	\$164,518
2/23/2021	BBI-053-CCO-072A REV2	SVP Requirements for Joint SIS & SPS (Tasks 0-5) – voided	(\$300,000)
2/23/2021	BBI-053-CCO-072B	Requirements for PCEP Joint System Impact Study & Single Phase Study	\$520,000
<b>Total</b>			<b>\$598,626</b>

<sup>1</sup> (When indicated) Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.

#### EMU Contract

**Change Order Authority (5% of Stadler Contract)** **5% x \$550,899,459 = \$27,544,973**

Date	Change Number	Description	CCO Amount
2/26/2021	STA-056-CCO-031	Bike Car Dividers	\$194,940
<b>Total</b>			<b>\$194,940</b>

<sup>1</sup> (When indicated) Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.

#### SCADA Contract

**Change Order Authority (15% of ARINC Contract)** **15% x \$3,446,917 = \$517,038**

Date	Change Number	Description	CCO Amount
	None		\$0
<b>Total</b>			<b>\$0</b>

<sup>1</sup> (When indicated) Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.

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Tunnel Modification Contract

Change Order Authority (10% of ProVen Contract)<sup>2</sup>

10% x \$38,477,777 = \$3,847,778

Date	Change Number	Description	CCO Amount
	None		\$0
<b>Total</b>			<b>\$0</b>

<sup>1</sup> (When indicated) Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.

<sup>2</sup> Tunnel modification contract (\$38,477,777) includes: Notching (\$25,281,170) and Drainage (\$13,196,607).

<sup>3</sup> Third Party Improvements/CNPA Projects that are funded with non-PCEP funds.

CEMOF Contract

Change Order Authority (10% of ProVen Contract)

10% x \$6,550,777 = \$655,078

Date	Change Number	Description	CCO Amount
2/26/2021	PROV-071-CCO-052	Acoustic Ceiling Framing at the Component Test Room	\$3,998
2/26/2021	PROV-071-CCO-053	Temporary Sanitary Facilities During Boosted Water/Copper Line Work	\$963
<b>Total</b>			<b>\$4,961</b>

<sup>1</sup> (When indicated) Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.

Amtrak AEM-7 Contract

Change Order Authority (Lump Sum)

Up to \$150,000

Date	Change Number	Description	CCO Amount
	None		\$0
<b>Total</b>			<b>\$0</b>

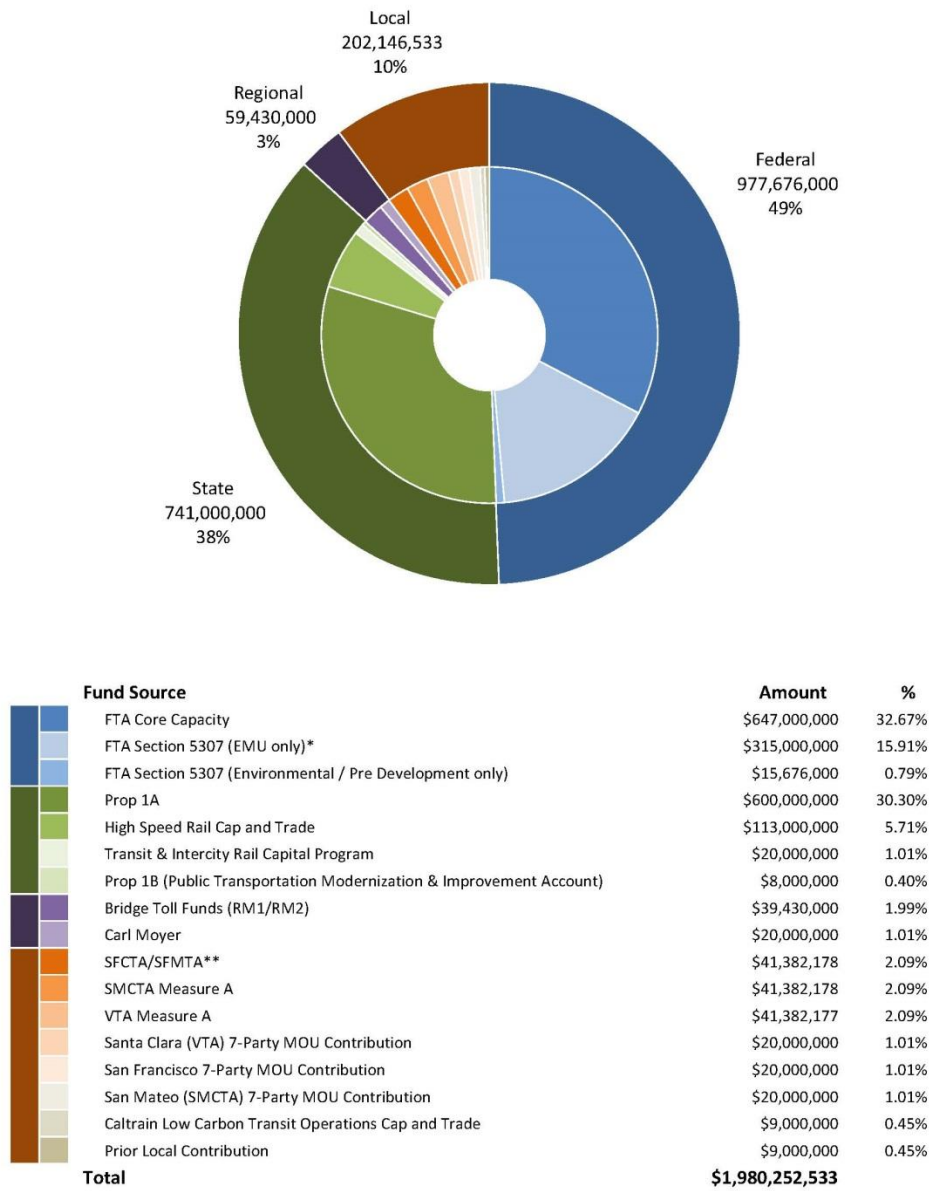
Notes:

<sup>1</sup> When the threshold of 75% is reached, staff may return to the Board to request additional authority.

**10.0 FUNDING**

Figure 10-1 depicts a summary of the funding plan for the PCEP. It provides a breakdown of the funding partners as well as the allocated funds. As previously noted, FTA awarded \$97 million in Section 5307 funding for the project and the next \$100 million in Core Capacity funding.

**Figure 10-1 Funding Plan**



Notes:

\*Includes necessary fund transfer with SMCTA

\*\*Includes \$4M CMAQ Transfer considered part of SF local contribution

## **11.0 RISK MANAGEMENT**

The risk management process is conducted in an iterative fashion throughout the life of the project. During this process, new risks are identified, other risks are resolved or managed, and potential impacts and severity modified based on the current situation. The Risk Management team's progress report includes a summary on the effectiveness of the Risk Management Plan, any unanticipated effects, and any correction needed to handle the risk appropriately.

The Risk Management team meets monthly to identify risks and corresponding mitigation measures. Each risk is graded based on the potential cost and schedule impacts they could have on the project. This collection of risks has the greatest potential to affect the outcome of the project and consequently is monitored most closely. For each of the noted risks, as well as for all risks on the risk register, mitigation measures have been identified and are being implemented. Progress in mitigating these risks is confirmed at monthly risk assessment meetings attended by project team management and through continuous monitoring of the Risk Management Lead.

The team has identified the following items as top risks for the project (see Appendix F for the complete Risk Table):

1. The contractor may not complete signal and communication design, installation and testing for the two-speed check (2SC) modifications within budget and schedule.
2. Extent of differing site conditions and associated redesign efforts results in delays to the completion of the electrification contract and increases program costs.
3. Sub-optimal contractor sequencing, when progressing design and clearing foundation locations, may result in construction inefficiencies.
4. Property not acquired in time for contractor to do work.
5. Additional property acquisition is necessitated by change in design.
6. Contractor generates hazardous materials that necessitates proper removal and disposal in excess of contract allowances and expectations.
7. Change of vehicle sub-suppliers results in additional first article inspections at cost to JPB (i.e., COVID, bankruptcy).
8. Collaboration across multiple disciplines to develop a customized rail activation program may fail to comprehensively address the full scope of issues required to operate and maintain an electrified railroad and decommission the current diesel fleet.
9. Solution to FRA concerns over bike storage impeding path to emergency exit windows path results in increased costs and potential rework.

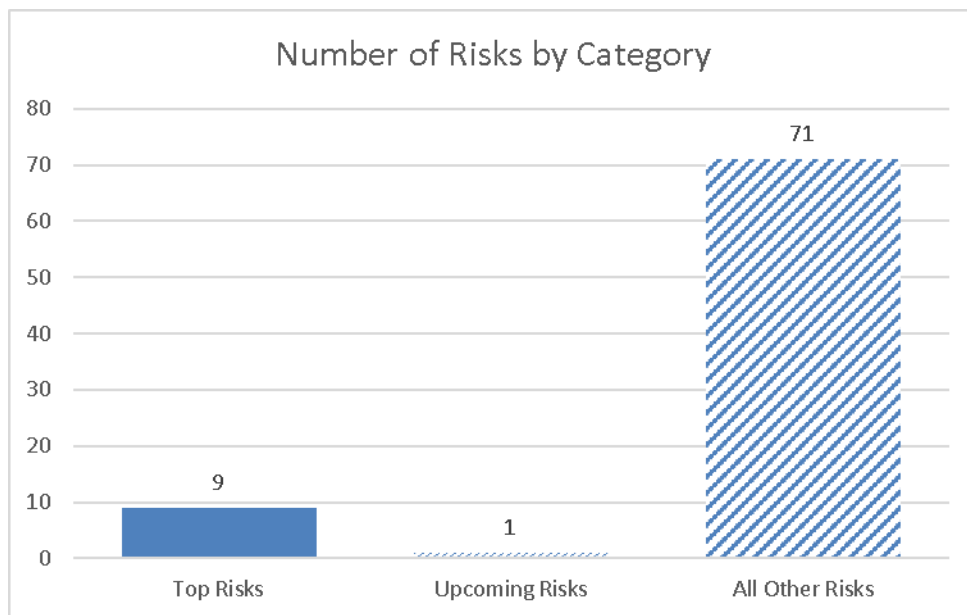
### **Activity This Month**

- Updated risk descriptions, effects, and mitigations based upon weekly input from risk owners. Monthly cycle of risk updating was completed based on schedules established in the Risk Identification and Mitigation Plan.
- Updated risk retirement dates based upon revisions to the project schedule and input from risk owners.

- Continued weekly monitoring of risk mitigation actions and publishing of the risk register.
- Continued monitoring of issues on issues log for determination of new risks.
- The Risk Management team attended Project Delivery, Vehicle Design, and Systems Integration meetings to monitor developments associated with risks and to identify new risks.
- Updated contractor-owned risks through JPB and consultant personnel.

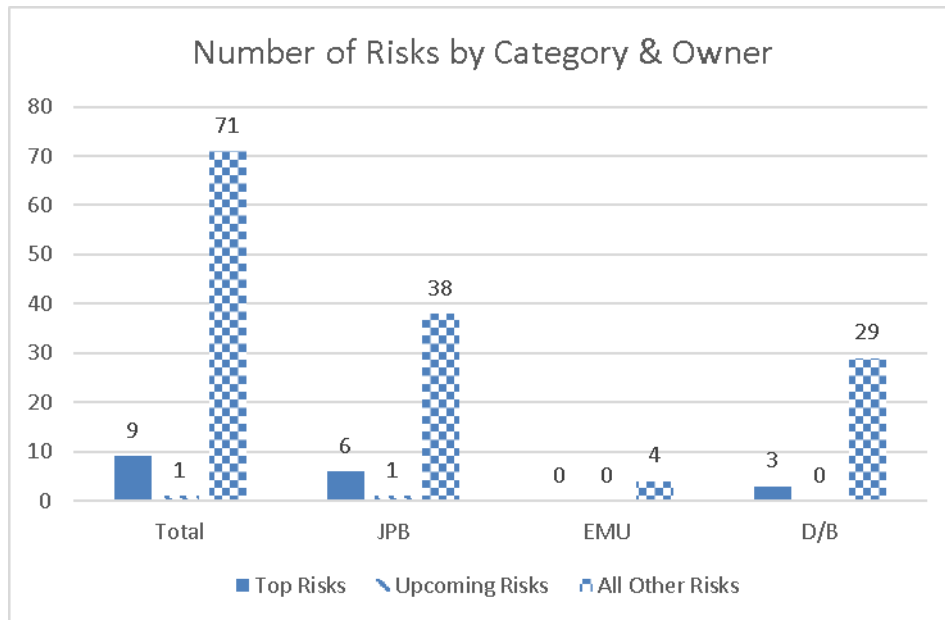
Figures 11-1 and 11-2 show the risks identified for the program. Risks are categorized as top risk, upcoming risk, and all other risks. The categories are based on a rating scale composed of schedule and cost factors. Top risks are considered to have a significantly higher than average risk grade. Upcoming risks are risks for which mitigating action must be taken within 60 days. All other risks are risks not falling into other categories.

**Figure 11-1 Monthly Status of Risks**



**Total Number of Active Risks = 81**

Figure 11-2 Risk Classification



Total Number of Active Risks = 81

### Activity Next Month

- Conduct weekly monitoring of risk mitigation actions and continue publishing risk register.
- Update risk descriptions, effects, mitigations and retirement dates based on weekly monitoring and attendance at key project meetings.
- Monitor issues on issues log for determination of potential new risks.
- Convene Risk Assessment Committee meeting.



## **12.0 ENVIRONMENTAL**

### **12.1. Permits**

The PCEP has obtained the required environmental permits from the following agencies/federal regulations: Section 106 of the National Historic Preservation Act of 1966 (NHPA), Section 7 of the Endangered Species Act (ESA), United States Army Corps of Engineers, San Francisco Bay Regional Water Quality Control Board (SFWQCB), the California Department of Fish and Wildlife, and the San Francisco Bay Conservation Development Commission.

#### **Activity This Month**

- None

#### **Activity Next Month**

- None

### **12.2. Mitigation Monitoring and Reporting Program (MMRP)**

The California Environmental Quality Act (CEQA) requires that a Lead Agency establish a program to monitor and report on mitigation measures that it has adopted as part of the environmental review process. The PCEP team has prepared a MMRP to ensure that mitigation measures identified in the PCEP Environmental Impact Report are fully implemented during project implementation. PCEP will implement the mitigation measures through its own actions, those of the DB contractor and actions taken in cooperation with other agencies and entities. The status of each mitigation measure in the MMRP is included in Appendix G.

#### **Activity This Month**

- Environmental compliance monitors were present during project activities (OCS pole foundation installation, pot holing for utility location, tree trimming/removal, conduit and fiber-optic cable installation, abandoned signal cable removal, permanent fence installation, case installation, gantry installation, etc.) occurring in areas that required environmental compliance monitoring. The monitoring was conducted in accordance with measures in the MMRP in an effort to minimize potential impacts on sensitive environmental resources.
- Noise and vibration monitoring also occurred during project activities, and non-hazardous soil was removed from the right of way (ROW).
- Environmentally Sensitive Area (ESA) delineation (staking and/or fencing) occurred to delineate jurisdictional waterways and other potentially sensitive areas that should be avoided during upcoming construction activities. Pre-construction surveys for sensitive avian species continued at previously identified potential habitat locations. Wildlife exclusion fencing installation and monitoring occurred adjacent to portions of the alignment designated for wildlife exclusion fencing.
- Best management practices (BMPs) installation and maintenance (e.g., silt fencing, straw wattles with no monofilament netting per wildlife agency permit requirements, soil covers, etc.) occurred at equipment staging areas and other

work areas throughout the alignment in accordance with the project-specific Stormwater Pollution Prevention Plan (SWPPP).

**Activity Next Month**

- Environmental compliance monitors will continue to monitor project activities (OCS pole foundation installation, pot holing for utility location, tree trimming/removal, conduit installation, abandoned signal cable removal, permanent fence installation, fiber optic cable installation, etc.) occurring in areas that require environmental compliance monitoring in an effort to minimize potential impacts on sensitive environmental resources in accordance with the MMRP.
- Noise and vibration monitoring of project activities will continue to occur and non-hazardous soil will continue to be removed.
- Biological surveyors will continue to conduct pre-construction surveys for sensitive wildlife species ahead of project activities. Pre-construction nesting bird surveys will recommence on February 1, 2021 for the 2021 season.
- BMPs installation will continue in accordance with the project-specific SWPPP, and ESA staking and fencing will continue to occur, to delineate jurisdictional waterways, and other potentially sensitive areas, that should be avoided during upcoming project activities.
- Wildlife exclusion fencing will continue to be installed and maintained prior to upcoming construction activities adjacent to potentially suitable habitat for sensitive wildlife species.

### **13.0 UTILITY RELOCATION**

Implementation of the PCEP requires relocation or rerouting of both public and private utility lines and/or facilities. Utility relocation will require coordination with many entities, including regulatory agencies, public safety agencies, federal, state, and local government agencies, private and public utilities, and other transportation agencies and companies. This section describes the progress specific to the utility relocation process.

#### **Activity This Month**

- Conducted utility coordination meeting to discuss overall status and areas of potential concern from the utilities.
- Continued relocation of Comcast and AT&T Utilities in all Segments, with a focus on Segment 3 ahead of OCS wiring.

#### **Activity Next Month**

- Coordinate with individual utility owners on the next steps of relocations, including support of any required design information.
- Update the relocation schedule as information becomes available from the utility owners.
- Continue to review relocation design from communications companies and coordinate relocation field work.
- Continue communication relocations in all Segments.

## **14.0 REAL ESTATE**

The PCEP requires the acquisition of a limited amount of real estate. In general, Caltrain uses existing Right of Way (ROW) for the PCEP, but in certain locations, will need to acquire small portions of additional real estate to expand the ROW to accommodate installation of OCS supports (fee acquisitions or railroad easements) and associated Electrical Safety Zones (ESZ) (easements). There are two larger full acquisition areas required for wayside facilities. The PCEP Real Estate team manages the acquisition of all property rights. Caltrain does not need to acquire real estate to complete the EMU procurement portion of the PCEP.

The Project has obtained possessory rights for all but one of the parcels identified at the beginning of the project.

The Real Estate team's current focus is working to identify new parcels and acquire them in conjunction with the project schedule.

- Staff has defined a process to ensure that BBII conveys new property needs (both for poles and for overhead wires) as soon as possible.
  - BBII must justify and JPB must approve all new parcels.
- Design needs to progress to enable BBII to identify exact acquisition areas.
- Staff is conducting pre-acquisition activities as appropriate.
- JPB has approved eight new parcels to date.

### **Activity This Month**

- Staff continues to review potential new pole locations and is engaging in a system-wide review of potential ESZ needs. Staff continues to meet with the internal signal team and BBII signal team to determine potential Real Estate interests.
- Staff has agreed upon general business terms under which the design of the TPS-1 Interconnect Facility will be redesigned to reflect the owner's preference for an underground design.
- Staff presented all transaction documents and a formal offer to Universal Paragon Corporation (UPC) to allow the potential for early access onto their property, a vital site for catenary pole installation.

### **Activity Next Month**

- Continued review of ESZ needs submitted by BBII compared to direction from contract.
- Continue to meet with internal signal team and BBII signal team to determine potential Real Estate needs.
- Make offers on the parcel for which appraisals have been completed.
- Continue to work with project team to identify and analyze new potential parcels.
- Continue to work with UPC to finalize early access.

**15.0 THIRD PARTY AGREEMENTS**

Third-party coordination is necessary for work impacting public infrastructure, utilities, ROW acquisitions, and others. Table 15-1 below outlines the status of necessary agreements for the PCEP.

**Table 15-1 Third-Party Agreement Status**

Type	Agreement	Third-Party	Status
Governmental Jurisdictions	Construction & Maintenance <sup>1</sup>	City & County of San Francisco	Executed
		City of Brisbane	Executed
		City of South San Francisco	Executed
		City of San Bruno	Executed
		City of Millbrae	Executed
		City of Burlingame	Executed
		City of San Mateo	Executed
		City of Belmont	Executed
		City of San Carlos	Executed
		City of Redwood City	Executed
		Town of Atherton	Not Needed
		County of San Mateo	Executed
		City of Menlo Park	Executed
		City of Palo Alto	Executed
		City of Mountain View	Executed
		City of Sunnyvale	Executed
		City of Santa Clara	Executed
	County of Santa Clara	Executed	
	City of San Jose	Executed	
Condemnation Authority	San Francisco	In Process	
	San Mateo	Executed	
	Santa Clara	Executed	
Utilities	Infrastructure	PG&E	Executed
	Operating Rules	CPUC	Executed
Transportation & Railroad	Construction & Maintenance	Bay Area Rapid Transit	Executed <sup>2</sup>
	Construction & Maintenance	California Dept. of Transportation (Caltrans)	In Process
	Trackage Rights	UPRR	Executed <sup>2</sup>

Notes regarding table above:

1. Agreements memorialize the parties' consultation and cooperation, designate respective rights and obligations and ensure cooperation between the JPB and the 17 cities and three counties along the Caltrain ROW and within the PCEP limits in connection with the design and construction of the PCEP.
2. Utilizing existing agreements.

## **16.0 GOVERNMENT AND COMMUNITY AFFAIRS**

The Community Relations and Outreach team coordinates all issues with all jurisdictions, partner agencies, government organizations, businesses, labor organizations, local agencies, residents, community members, other interested parties, and the media. In addition, the team oversees the BBII's effectiveness in implementing its Public Involvement Program.

### **Presentations/Meetings**

- San Francisco Community Meeting
- Burlingame Community Meeting
- Local Policy Makers Group
- City/County Staff Coordinating Group

### **Third Party/Stakeholder Actions**

- San Francisco Pole and Foundation Location Drawings – Issued for Construction

**17.0 DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION AND LABOR STATISTICS**

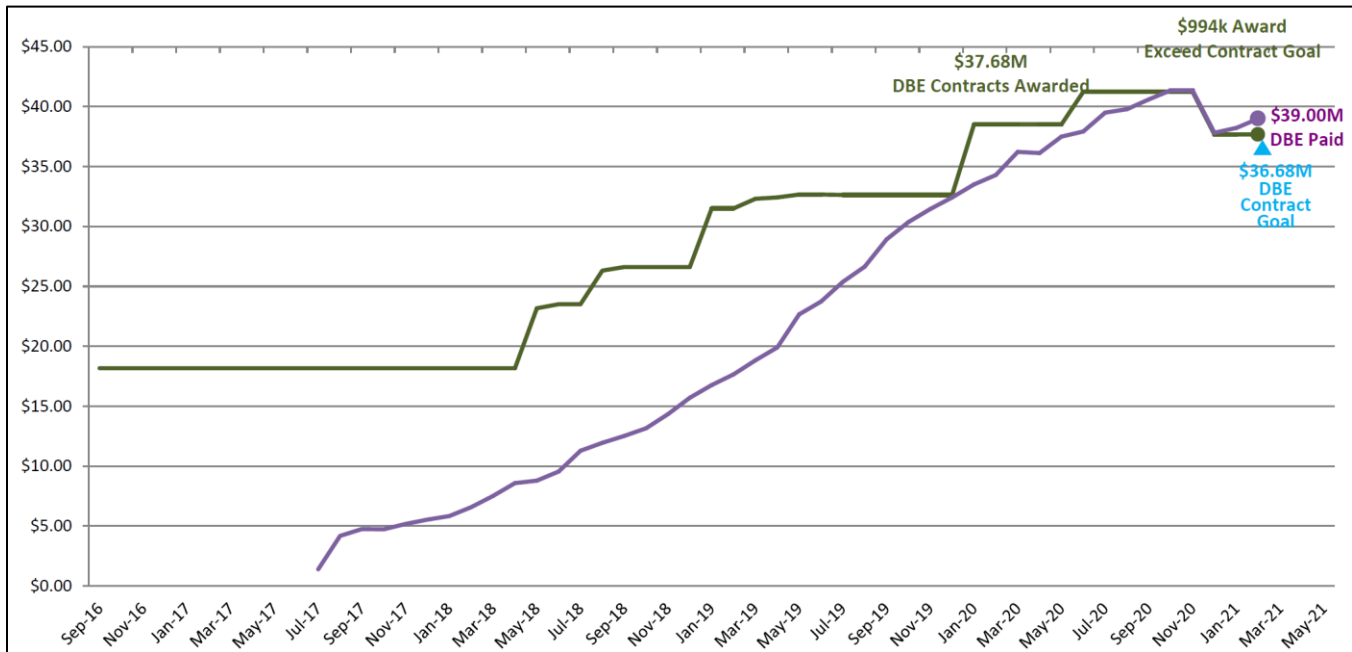
BBII proposed that 5.2% (\$36,682,248) of the DB base contract value including DBE contract change orders (\$705,427,844) would be subcontracted to DBEs.

**Activity This Month**

As expressed in Figure 17-1 below, to date BBII reports:

- **\$39,002,104** has been paid to DBE subcontractors.
- **\$37,675,908** of DBE contracts have been awarded.
- **5.53%** has been achieved.
- All reported figures are subject to verification by DBE Administrator.
- As a result of JPB’s DBE Office’s review of BBII’s DBE reports, one subcontractor was disqualified in December 2020. After removing amounts paid to the disqualified subcontractor, BBII’s reported awarded and achieved amounts show a decline from previous months. These amounts and are to be verified by JPB’s DBE Administrator.

**Figure 17-1 DBE Participation**



**Activity Next Month**

BBII has proposed the following key actions:

“We continue to anticipate increasing our DBE commitments to firms who we are currently negotiating pricing on proposed work or Professional Services Agreements. We are optimistic about the prospect of making future awards to DBE firms. We also anticipate that the existing project work will increase resulting in expanded work for current DBE subcontractors.”

## 18.0 PROCUREMENT

### **Invitation for Bids (IFB)/Request for Quotes (RFQ)/ Request for Proposals (RFP) Issued this Month:**

- None

### **Bids, Quotes, Proposals in Response to IFB/RFQ/RFP Received this Month:**

- None

### **In Process IFB/RFQ/RFP/Contract Amendments for Award:**

- None

### **Contract Awards this Month:**

- RFQ – Scissor Lift Work Platform for Peninsula Corridor Electrification Project (PCEP)

### **Work Directive (WD)/Purchase Order (PO) Awards & Amendments this Month:**

- Multiple WDs & POs issued to support the program needs

### **Upcoming Contract Awards/Contract Amendments:**

- None

### **Upcoming IFB/RFQ/RFP to be Issued:**

- None

### **Existing Contracts Amendments Issued:**

- None



## 19.0 TIMELINE OF MAJOR PROJECT ACCOMPLISHMENTS

Below is a timeline showing major project accomplishments from 2001 to 2017:

<b>Date</b>	<b>Milestone</b>
2001	Began federal National Environmental Policy Act (NEPA) Environmental Assessment (EA) / state EIR clearance process
2002	Conceptual Design completed
2004	Draft NEPA EA/EIR
2008	35% design complete
2009	Final NEPA EA/EIR and Finding of No Significant Impact (FONSI)
2014	RFQ for electrification RFI for EMU
2015	JPB approves final CEQA EIR JPB approves issuance of RFP for electrification JPB approves issuance of RFP for EMU Receipt of proposal for electrification FTA approval of Core Capacity Project Development
2016	JPB approves EIR Addendum #1: PS-7 FTA re-evaluation of 2009 FONSI Receipt of electrification best and final offers Receipt of EMU proposal Application for entry to engineering to FTA Completed the EMU Buy America Pre-Award Audit and Certification Negotiations completed with Stadler for EMU vehicles Negotiations completed with BBII, the apparent best-value electrification firm JPB approves contract award (LNTP) to BBII JPB approves contract award (LNTP) to Stadler FTA approval of entry into engineering for the Core Capacity Program Application for FFGA
2017	FTA finalized the FFGA for \$647 million in Core Capacity funding, met all regulatory requirements including end of Congressional Review Period (February) FTA FFGA executed, committing \$647 million to the project (May) JPB approves \$1.98 billion budget for PCEP (June) Issued NTP for EMUs to Stadler (June 1) Issued NTP for electrification contract to BBII (June 19) Construction began (August) EMU manufacturing began (October) Issued NTP for SCADA to Rockwell Collins (ARINC) (October) Issued NTP for CEMOF Facility Upgrades to HNTB (November)

**Peninsula Corridor Electrification Project**  
**Monthly Progress Report**

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<b>Date</b>	<b>Milestone</b>
2018	Completed all PG&E agreements JPB approves contract award to Mitsui for the purchase of electric locomotives and Amtrak for overhaul services, storage, acceptance testing, training, and shipment of locomotive to CEMOF JPB approves authorization for the Executive Director to negotiate final contract award to ProVen for tunnel modifications and track rehabilitation project JPB approves contract award (LNTP) to ProVen for tunnel modifications Issued NTP to ProVen for tunnel modifications (October) Amended contract with ProVen to include OCS in the tunnels (November)
2019	JPB approves contract award to ProVen for CEMOF modifications (February) JPB approves LNTP to ProVen for CEMOF modifications (April) JPB approves NTP to ProVen for CEMOF modifications (September)
2020	JPB approves agreement amendment to PG&E for interconnection construction JPB executes agreement with PG&E for interconnection construction (May) FRA approved the waiver for Alternative Vehicle Technology regarding crashworthiness of EMU cars
2021	The intertie between TPS-2 and FMC was completed (January 18) First EMU vehicle shipped to Pueblo, CO for testing (February 10)

**APPENDICES**

Appendix A – Acronyms

**Peninsula Corridor Electrification Project  
Monthly Progress Report**

<b>AIM</b>	<b>Advanced Information Management</b>	<b>EA</b>	<b>Environmental Assessment</b>
<b>ARINC</b>	<b>Aeronautical Radio, Inc.</b>	<b>EAC</b>	<b>Estimate at Completion</b>
<b>BAAQMD</b>	<b>Bay Area Air Quality Management District</b>	<b>EIR</b>	<b>Environmental Impact Report</b>
<b>BBII</b>	<b>Balfour Beatty Infrastructure, Inc.</b>	<b>EOR</b>	<b>Engineer of Record</b>
<b>CAISO</b>	<b>California Independent System Operator</b>	<b>EMU</b>	<b>Electric Multiple Unit</b>
<b>CalMod</b>	<b>Caltrain Modernization Program</b>	<b>ESA</b>	<b>Endangered Species Act</b>
<b>Caltrans</b>	<b>California Department of Transportation</b>	<b>ESA</b>	<b>Environmental Site Assessments</b>
<b>CDFW</b>	<b>California Department of Fish and Wildlife</b>	<b>FAI</b>	<b>First Article Inspection</b>
<b>CEMOF</b>	<b>Centralized Equipment Maintenance and Operations Facility</b>	<b>FEIR</b>	<b>Final Environmental Impact Report</b>
<b>CEQA</b>	<b>California Environmental Quality Act (State)</b>	<b>FNTF</b>	<b>Full Notice to Proceed</b>
<b>CHSRA</b>	<b>California High-Speed Rail Authority</b>	<b>FFGA</b>	<b>Full Funding Grant Agreement</b>
<b>CIP</b>	<b>Capital Improvement Plan</b>	<b>FONSI</b>	<b>Finding of No Significant Impact</b>
<b>CNPA</b>	<b>Concurrent Non-Project Activity</b>	<b>FRA</b>	<b>Federal Railroad Administration</b>
<b>CPUC</b>	<b>California Public Utilities Commission</b>	<b>FTA</b>	<b>Federal Transit Administration</b>
<b>CTC</b>	<b>Centralized Traffic Control</b>	<b>GO</b>	<b>General Order</b>
<b>DB</b>	<b>Design-Build</b>	<b>HSR</b>	<b>High Speed Rail</b>
<b>DBB</b>	<b>Design-Bid-Build</b>	<b>ICD</b>	<b>Interface Control Document</b>
<b>DBE</b>	<b>Disadvantaged Business Enterprise</b>	<b>IFC</b>	<b>Issued for Construction</b>
<b>DEMP</b>	<b>Design, Engineering, and Management Planning</b>	<b>ITS</b>	<b>Intelligent Transportation System</b>
		<b>JPB</b>	<b>Peninsula Corridor Joint Powers Board</b>
		<b>LNTF</b>	<b>Limited Notice to Proceed</b>

**Peninsula Corridor Electrification Project**  
**Monthly Progress Report**

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<b>MMRP</b>	<b>Mitigation, Monitoring, and Reporting Program</b>	<b>RFI</b>	<b>Request for Information</b>
		<b>RFP</b>	<b>Request for Proposals</b>
<b>MOU</b>	<b>Memorandum of Understanding</b>	<b>RFQ</b>	<b>Request for Qualifications</b>
<b>MPS</b>	<b>Master Program Schedule</b>	<b>ROCS</b>	<b>Rail Operations Center System</b>
<b>NCR</b>	<b>Non Conformance Report</b>	<b>ROW</b>	<b>Right of Way</b>
<b>NEPA</b>	<b>National Environmental Policy Act (Federal)</b>	<b>RRP</b>	<b>Railroad Protective Liability</b>
<b>NHPA</b>	<b>National Historic Preservation Act</b>	<b>RSD</b>	<b>Revenue Service Date</b>
<b>NMFS</b>	<b>National Marine Fisheries Service</b>	<b>RWP</b>	<b>Roadway Worker Protection</b>
<b>NTP</b>	<b>Notice to Proceed</b>	<b>SamTrans</b>	<b>San Mateo County Transit District</b>
<b>OCS</b>	<b>Overhead Contact System</b>	<b>SCADA</b>	<b>Supervisory Control and Data Acquisition</b>
<b>PCEP</b>	<b>Peninsula Corridor Electrification Project</b>	<b>SCC</b>	<b>Standard Cost Code</b>
<b>PCJPB</b>	<b>Peninsula Corridor Joint Powers Board</b>	<b>SPUR</b>	<b>San Francisco Bay Area Planning and Urban Research Association</b>
<b>PG&amp;E</b>	<b>Pacific Gas and Electric</b>	<b>SFBCDC</b>	<b>San Francisco Bay Conservation Development Commission</b>
<b>PHA</b>	<b>Preliminary Hazard Analysis</b>	<b>SFCTA</b>	<b>San Francisco County Transportation Authority</b>
<b>PMOC</b>	<b>Project Management Oversight Contractor</b>	<b>SFMTA</b>	<b>San Francisco Municipal Transportation Authority</b>
<b>PS</b>	<b>Paralleling Station</b>	<b>SFRWQCB</b>	<b>San Francisco Regional Water Quality Control Board</b>
<b>PTC</b>	<b>Positive Train Control</b>	<b>SOGR</b>	<b>State of Good Repair</b>
<b>QA</b>	<b>Quality Assurance</b>	<b>SSCP</b>	<b>Safety and Security Certification Plan</b>
<b>QC</b>	<b>Quality Control</b>	<b>SSMP</b>	<b>Safety and Security Management Plan</b>
<b>QMP</b>	<b>Quality Management Plan</b>	<b>SSWP</b>	<b>Site Specific Work Plan</b>
<b>QMS</b>	<b>Quality Management System</b>		
<b>RAMP</b>	<b>Real Estate Acquisition Management Plan</b>		
<b>RE</b>	<b>Real Estate</b>		

<b>SWS</b>	<b>Switching Station</b>
<b>TASI</b>	<b>TransitAmerica Services Inc.</b>
<b>TBD</b>	<b>To Be Determined</b>
<b>TPS</b>	<b>Traction Power Substation</b>
<b>TVA</b>	<b>Threat and Vulnerability Assessment</b>
<b>UPRR</b>	<b>Union Pacific Railroad</b>
<b>USACE</b>	<b>United States Army Corp of Engineers</b>
<b>USFWS</b>	<b>U.S. Fish and Wildlife Service</b>
<b>VTA</b>	<b>Santa Clara Valley Transportation Authority</b>

Appendix B – Funding Partner Meetings



**Funding Partner Meeting Representatives**  
Updated July 16, 2020

Agency	CHSRA	MTC	SFCTA/SFMTA/CCSF	SMCTA	VTA
<b>FTA Quarterly Meeting</b>	<ul style="list-style-type: none"> <li>• Boris Lipkin</li> <li>• Simon Whitehorn</li> <li>• Wai Siu (info only)</li> <li>• Sharath Murthy (info only)</li> </ul>	<ul style="list-style-type: none"> <li>• Anne Richman</li> </ul>	<ul style="list-style-type: none"> <li>• Luis Zurinaga</li> </ul>	<ul style="list-style-type: none"> <li>• April Chan</li> <li>• Peter Skinner</li> </ul>	<ul style="list-style-type: none"> <li>• Jim Lawson</li> </ul>
<b>Funding Partners Quarterly Meeting</b>	<ul style="list-style-type: none"> <li>• Boris Lipkin</li> <li>• Simon Whitehorn</li> <li>• John Popoff</li> <li>• Sharath Murthy (info only)</li> </ul>	<ul style="list-style-type: none"> <li>• Trish Stoops</li> </ul>	<ul style="list-style-type: none"> <li>• Luis Zurinaga</li> </ul>	<ul style="list-style-type: none"> <li>• April Chan</li> <li>• Peter Skinner</li> </ul>	<ul style="list-style-type: none"> <li>• Krishna Davey</li> <li>• Edwin Castillo</li> <li>• Franklin Wong</li> </ul>
<b>Funding Oversight (monthly)</b>	<ul style="list-style-type: none"> <li>• Kelly Doyle</li> </ul>	<ul style="list-style-type: none"> <li>• Anne Richman</li> <li>• Kenneth Folan</li> </ul>	<ul style="list-style-type: none"> <li>• Anna LaForte</li> <li>• Maria Lombardo</li> <li>• Luis Zurinaga</li> <li>• Monique Webster</li> <li>• Ariel Espiritu Santo</li> </ul>	<ul style="list-style-type: none"> <li>• April Chan</li> <li>• Peter Skinner</li> </ul>	<ul style="list-style-type: none"> <li>• Jim Lawson</li> <li>• Marcella Rensi</li> <li>• Michael Smith</li> </ul>
<b>Change Management Board (monthly)</b>	<ul style="list-style-type: none"> <li>• Boris Lipkin</li> <li>• Simon Whitehorn</li> </ul>	<ul style="list-style-type: none"> <li>• Trish Stoops</li> <li>• Kenneth Folan</li> </ul>	<ul style="list-style-type: none"> <li>• Luis Zurinaga</li> <li>• Tilly Chang (info only)</li> </ul>	<ul style="list-style-type: none"> <li>• Joe Hurley</li> </ul>	<ul style="list-style-type: none"> <li>• Krishna Davey</li> <li>• Edwin Castillo</li> <li>• Franklin Wong</li> <li>• Jim Lawson</li> <li>• Nuria Fernandez (info only)</li> </ul>
<b>Master Program Schedule Update (monthly)</b>	<ul style="list-style-type: none"> <li>• Wai Siu</li> <li>• Sharath Murthy</li> </ul>	<ul style="list-style-type: none"> <li>• Trish Stoops</li> </ul>	<ul style="list-style-type: none"> <li>• Luis Zurinaga</li> </ul>	<ul style="list-style-type: none"> <li>• Joe Hurley</li> </ul>	<ul style="list-style-type: none"> <li>• Jim Lawson</li> </ul>
<b>Risk Assessment Committee (monthly)</b>	<ul style="list-style-type: none"> <li>• Wai Siu</li> <li>• Sharath Murthy</li> </ul>	<ul style="list-style-type: none"> <li>• Trish Stoops</li> </ul>	<ul style="list-style-type: none"> <li>• Luis Zurinaga</li> </ul>	<ul style="list-style-type: none"> <li>• Joe Hurley</li> </ul>	<ul style="list-style-type: none"> <li>• Krishna Davey</li> <li>• Edwin Castillo</li> <li>• Franklin Wong</li> </ul>
<b>PCEP Delivery Coordination Meeting (bi-weekly)</b>	<ul style="list-style-type: none"> <li>• Wai Siu</li> <li>• Sharath Murthy</li> </ul>	<ul style="list-style-type: none"> <li>• Trish Stoops</li> </ul>	<ul style="list-style-type: none"> <li>• Luis Zurinaga</li> </ul>	<ul style="list-style-type: none"> <li>• Joe Hurley</li> </ul>	<ul style="list-style-type: none"> <li>• Krishna Davey</li> <li>• Edwin Castillo</li> <li>• Franklin Wong</li> </ul>
<b>Systems Integration Meeting (bi-weekly)</b>	<ul style="list-style-type: none"> <li>• Wai Siu</li> <li>• Sharath Murthy</li> </ul>	<ul style="list-style-type: none"> <li>• Trish Stoops</li> </ul>	<ul style="list-style-type: none"> <li>• Luis Zurinaga</li> </ul>	<ul style="list-style-type: none"> <li>• Joe Hurley</li> </ul>	<ul style="list-style-type: none"> <li>• Krishna Davey</li> <li>• Edwin Castillo</li> <li>• Franklin Wong</li> </ul>

Appendix C – Schedule





Appendix D – Standard Cost Codes

**Peninsula Corridor Electrification Project  
Monthly Progress Report**

Description of Work	FFGA Baseline Budget (A)	Approved Budget (B)	Cost This Month (C)	Cost To Date (D)	Estimate To Complete (E)	Estimate At Completion (F) = (D) + (E)
<b>10 - GUIDEWAY &amp; TRACK ELEMENTS</b>	<b>\$14,256,739</b>	<b>\$27,369,522</b>	<b>\$15,651</b>	<b>\$25,013,485</b>	<b>\$3,067,261</b>	<b>\$28,080,746</b>
10.02 Guideway: At-grade semi-exclusive (allows cross-traffic)	\$2,500,000	\$2,500,000	\$0	\$144,681	\$2,355,319	\$2,500,000
10.07 Guideway: Underground tunnel	\$8,110,649	\$24,869,522	\$15,651	\$24,868,804	\$711,942	\$25,580,746
10.07 Allocated Contingency	\$3,646,090	\$0	\$0	\$0	\$0	\$0
<b>30 - SUPPORT FACILITIES: YARDS, SHOPS, ADMIN. BLDGS</b>	<b>\$2,265,200</b>	<b>\$8,294,914</b>	<b>\$258,371</b>	<b>\$6,519,557</b>	<b>\$1,895,588</b>	<b>\$8,415,144</b>
30.03 Heavy Maintenance Facility	\$1,344,000	\$8,294,914	\$258,371	\$6,519,557	\$1,895,588	\$8,415,144
30.03 Allocated Contingency	\$421,200	\$0	\$0	\$0	\$0	\$0
30.05 Yard and Yard Track	\$500,000	\$0	\$0	\$0	\$0	\$0
<b>40 - SITEWORK &amp; SPECIAL CONDITIONS</b>	<b>\$255,072,402</b>	<b>\$258,992,656</b>	<b>\$6,258,861</b>	<b>\$218,346,818</b>	<b>\$50,407,382</b>	<b>\$268,754,199</b>
40.01 Demolition, Clearing, Earthwork	\$3,077,685	\$10,110,000	\$464,600	\$7,629,000	\$2,511,000	\$10,140,000
40.02 Site Utilities, Utility Relocation	\$62,192,517	\$97,675,387	\$4,366,100	\$110,892,244	(\$6,205,299)	\$104,686,945
40.02 Allocated Contingency	\$25,862,000	(\$0)	\$0	\$0	(\$0)	(\$0)
40.03 Haz. mat'l, contam'd soil removal/mitigation, ground water treatments	\$2,200,000	\$8,744,961	\$0	\$6,490,882	\$2,261,051	\$8,751,934
40.04 Environmental mitigation, e.g. wetlands, historic/archeologic, parks	\$32,579,208	\$19,504,208	\$24,750	\$2,404,920	\$17,099,288	\$19,504,208
40.05 Site structures including retaining walls, sound walls	\$568,188	\$0	\$0	\$0	\$0	\$0
40.06 Pedestrian / bike access and accommodation, landscaping	\$804,933	\$2,735,000	\$0	\$35,000	\$2,700,000	\$2,735,000
40.07 Automobile, bus, van accessways including roads, parking lots	\$284,094	\$0	\$0	\$0	\$0	\$0
40.08 Temporary Facilities and other indirect costs during construction	\$107,343,777	\$99,613,100	\$1,403,411	\$90,894,772	\$26,711,527	\$117,606,298
40.08 Allocated Contingency	\$20,160,000	\$20,610,000	\$0	\$0	\$5,329,814	\$5,329,814
<b>50 - SYSTEMS</b>	<b>\$504,445,419</b>	<b>\$505,096,155</b>	<b>\$8,151,900</b>	<b>\$254,755,874</b>	<b>\$273,939,322</b>	<b>\$528,695,195</b>
50.01 Train control and signals	\$97,589,149	\$120,086,712	\$412,981	\$45,181,482	\$75,980,436	\$121,161,918
50.01 Allocated Contingency	\$1,651,000	\$0	\$0	\$0	\$0	\$0
50.02 Traffic signals and crossing protection	\$23,879,905	(\$0)	\$0	\$0	(\$0)	(\$0)
50.02 Allocated Contingency	\$1,140,000	\$1,140,000	\$0	\$0	\$1,140,000	\$1,140,000
50.03 Traction power supply: substations	\$69,120,009	\$102,977,235	\$2,479,431	\$53,350,156	\$50,667,119	\$104,017,275
50.03 Allocated Contingency	\$31,755,013	\$2,990,895	\$0	\$0	\$2,028,337	\$2,028,337
50.04 Traction power distribution: catenary and third rail	\$253,683,045	\$268,236,125	\$5,259,488	\$156,012,246	\$138,510,653	\$294,522,900
50.04 Allocated Contingency	\$18,064,000	\$4,100,188	\$0	\$0	\$259,766	\$259,766
50.05 Communications	\$5,455,000	\$5,547,000	\$0	\$211,989	\$5,335,011	\$5,547,000
50.07 Central Control	\$2,090,298	\$0	\$0	\$0	\$0	\$0
50.07 Allocated Contingency	\$18,000	\$18,000	\$0	\$0	\$18,000	\$18,000
<b>60 - ROW, LAND, EXISTING IMPROVEMENTS</b>	<b>\$35,675,084</b>	<b>\$35,675,084</b>	<b>\$70,635</b>	<b>\$21,567,981</b>	<b>\$14,915,239</b>	<b>\$36,483,220</b>
60.01 Purchase or lease of real estate	\$25,927,074	\$25,927,074	\$70,635	\$21,433,990	\$14,049,231	\$35,483,220
60.01 Allocated Contingency	\$8,748,010	\$8,748,010	\$0	\$0	(\$0)	(\$0)
60.02 Relocation of existing households and businesses	\$1,000,000	\$1,000,000	\$0	\$133,992	\$866,008	\$1,000,000
<b>70 - VEHICLES (96)</b>	<b>\$625,544,147</b>	<b>\$620,587,713</b>	<b>\$4,334,558</b>	<b>\$252,951,884</b>	<b>\$367,137,676</b>	<b>\$620,089,560</b>
70.03 Commuter Rail	\$589,167,291	\$591,535,091	\$4,334,558	\$252,413,604	\$343,584,240	\$595,997,844
70.03 Allocated Contingency	\$9,472,924	\$5,220,870	\$0	\$0	\$259,964	\$259,964
70.06 Non-revenue vehicles	\$8,140,000	\$5,067,821	\$0	\$538,280	\$4,529,541	\$5,067,821
70.07 Spare parts	\$18,763,931	\$18,763,931	\$0	\$0	\$18,763,931	\$18,763,931
<b>80 - PROFESSIONAL SERVICES (applies to Cats. 10-50)</b>	<b>\$323,793,010</b>	<b>\$369,245,619</b>	<b>\$1,860,444</b>	<b>\$318,414,312</b>	<b>\$67,831,382</b>	<b>\$386,245,695</b>
80.01 Project Development	\$130,350	\$130,350	\$0	\$289,233	(\$158,883)	\$130,350
80.02 Engineering (not applicable to Small Starts)	\$180,227,311	\$217,135,104	\$335,490	\$200,369,545	\$20,139,223	\$220,508,768
80.02 Allocated Contingency	\$1,866,000	\$190,678	\$0	\$0	\$10,147	\$10,147
80.03 Project Management for Design and Construction	\$72,029,265	\$84,477,704	\$866,370	\$84,307,387	\$18,235,549	\$102,542,936
80.03 Allocated Contingency	\$9,388,080	\$5,471,844	\$0	\$0	(\$0)	(\$0)
80.04 Construction Administration & Management	\$23,677,949	\$33,231,038	\$654,930	\$23,667,463	\$14,667,420	\$38,334,883
80.04 Allocated Contingency	\$19,537,000	\$10,237,847	\$0	\$0	\$5,159,428	\$5,159,428
80.05 Professional Liability and other Non-Construction Insurance	\$3,500,000	\$4,581,851	\$0	\$4,581,851	\$0	\$4,581,851
80.06 Legal; Permits; Review Fees by other agencies, cities, etc.	\$7,167,275	\$8,721,371	(\$1,102)	\$5,144,343	\$4,684,399	\$9,828,742
80.06 Allocated Contingency	\$556,000	\$0	\$0	\$0	\$0	\$0
80.07 Surveys, Testing, Investigation, Inspection	\$3,287,824	\$3,418,022	\$4,755	\$54,490	\$3,444,291	\$3,498,781
80.08 Start up	\$1,797,957	\$1,021,808	\$0	\$0	\$1,021,808	\$1,021,808
80.08 Allocated Contingency	\$628,000	\$628,000	\$0	\$0	\$628,000	\$628,000
<b>Subtotal (10 - 80)</b>	<b>\$1,761,052,001</b>	<b>\$1,825,261,663</b>	<b>\$20,950,419</b>	<b>\$1,097,569,910</b>	<b>\$779,193,849</b>	<b>\$1,876,763,760</b>
<b>90 - UNALLOCATED CONTINGENCY</b>	<b>\$162,620,295</b>	<b>\$95,510,633</b>	<b>\$0</b>	<b>\$0</b>	<b>\$44,008,536</b>	<b>\$44,008,536</b>
<b>Subtotal (10 - 90)</b>	<b>\$1,923,672,296</b>	<b>\$1,920,772,296</b>	<b>\$20,950,419</b>	<b>\$1,097,569,910</b>	<b>\$823,202,385</b>	<b>\$1,920,772,296</b>
<b>100 - FINANCE CHARGES</b>	<b>\$6,998,638</b>	<b>\$9,898,638</b>	<b>\$53,815</b>	<b>\$7,051,913</b>	<b>\$2,846,725</b>	<b>\$9,898,638</b>
<b>Total Project Cost (10 - 100)</b>	<b>\$1,930,670,934</b>	<b>\$1,930,670,934</b>	<b>\$21,004,233</b>	<b>\$1,104,621,823</b>	<b>\$826,049,111</b>	<b>\$1,930,670,934</b>

Appendix E – Change Order Logs

**Peninsula Corridor Electrification Project  
Monthly Progress Report**

Change Order Logs

Electrification Contract

Change Order Authority (5% of BBII Contract)

5% x \$696,610,558 = \$34,830,528

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
08/31/17	BBI-053-CCO-001	Track Access Delays Q4 2016	\$85,472	0.25%	\$34,745,056
02/28/18	BBI-053-CCO-003	Deletion of Signal Cable Meggering (Testing)	(\$800,000)	(2.30%)	\$35,545,056
02/21/18	BBI-053-CCO-004	Field Order for Differing Site Condition Work Performed on 6/19/17	\$59,965	0.17%	\$35,485,091
03/12/18	BBI-053-CCO-006	Track Access Delays for Calendar Quarter 1 2017	\$288,741	0.83%	\$35,196,350
04/24/18	BBI-053-CCO-002	Time Impact 01 Associated with Delayed NTP	\$9,702,667	0.00% <sup>2</sup>	-
04/24/18	BBI-053-CCO-008	2016 Incentives (Safety, Quality, and Public Outreach)	\$750,000	0.00% <sup>2</sup>	-
05/31/18	BBI-053-CCO-009	16th St. Grade Crossing Work Removal from BBII Contract	(\$685,198)	(1.97%)	\$35,881,548
05/31/18	BBI-053-CCO-012	2017 Incentives (Safety, Quality, and Public Outreach)	\$1,025,000	0.00% <sup>2</sup>	-
06/25/18	BBI-053-CCO-010	Pothole Change Of Shift	\$300,000	0.86%	\$35,581,548
06/25/18	BBI-053-CCO-013	Field Order for Signal Cable Relocation (FO# 31)	\$95,892	0.28%	\$35,485,656
06/25/18	BBI-053-CCO-015	TASI Pilot Transportation 2017	\$67,345	0.19%	\$35,418,311
06/26/18	BBI-053-CCO-005	Field Orders for Signal Cable Relocation (FO#s 26, 30)	\$191,836	0.55%	\$35,226,475
06/28/18	BBI-053-CCO-014	Field Orders for Signal Cable Relocation (FO-36 & FO-38)	\$145,694	0.42%	\$35,080,781
06/29/18	BBI-053-CCO-007	Track Access Delays for Calendar Quarter 2 2017	\$297,512	0.85%	\$34,783,269
06/29/18	BBI-053-CCO-011	Field Orders for Differing Site Condition (FO#s Partial 07A , 08-14)	\$181,013	0.52%	\$34,602,256
06/29/18	BBI-053-CCO-017	Field Order for NorCal Utility Potholing (FO# 27)	\$93,073	0.27%	\$34,509,183
06/29/18	BBI-053-CCO-018	Field Order for NorCal Utility Potholing (FO# 29)	\$76,197	0.22%	\$34,432,986
06/29/18	BBI-053-CCO-020	Field Orders for Differing Site Condition (FO#s 15-19)	\$118,364	0.34%	\$34,314,622
7/19/2018	BBI-053-CCO-019	Field Order for NorCal Utility Potholing (FO-032)	\$88,956	0.26 %	\$34,225,666
7/19/2018	BBI-053-CCO-021	As In-Service (AIS) Drawings for Segment 2 and 4 Signal Design (CN-009)	\$105,000	0.30 %	\$34,120,666
7/25/2018	BBI-053-CCO-022	CEMOF Yard Traction Power Feed (CN-008)	\$332,700	0.96 %	\$33,787,966
7/31/2018	BBI-053-CCO-028	Sonic Echo Impulse Testing	\$4,541	0.01 %	\$33,783,425
7/31/2018	BBI-053-CCO-026	TASI Pilot Transportation 2018 (CNC-0022)	\$50,409	0.14%	\$33,733,016
7/31/2018	BBI-053-CCO-027	Signal Cable Relocation (FOs-040 & 051)	\$196,114	0.56%	\$33,536,902
9/27/2018	BBI-053-CCO-030	Delete Spare 115k Disconnect Switches	(\$19,000)	(0.05)%	\$33,555,902
9/28/2018	BBI-053-CCO-031	Bldg A HVAC and FOB Card Reader Systems	\$76,500	0.22 %	\$33,479,402
9/28/2018	BBI-053-CCO-025A	Addition of Shunt Wire at Transverse Utility Crossing Locations – Design	\$925,000	2.66 %	\$32,554,402
9/28/2018	BBI-053-CCO-016A	UPRR MT-1 Pole Relocation - Design Changes	\$903,000	0.00% <sup>2</sup>	-
9/28/2018	BBI-053-CCO-024A	PG&E Utility Feed Connection to TPS#1 and TPS#2 (Design Only)	\$727,000	0.00% <sup>2</sup>	-
12/17/2018	BBI-053-CCO-032	PS-2 Site Relocation (Design Only)	\$291,446	0.84%	\$32,262,956
1/17/2019	BBI-053-CCO-023	Insulated Rail Joints	\$2,694,519	0.00% <sup>2</sup>	-
1/17/2019	BBI-053-CCO-029	CHSRA Early Pole Relocation (Design Only)	\$625,000	0.00% <sup>2,3</sup>	-
2/5/2019	BBI-053-CCO-040A	Increase in Potholing Quantity (unit price contract bid item by 25%)	\$1,662,500	4.77 %	\$30,600,456



## Peninsula Corridor Electrification Project

### Monthly Progress Report

Change Order Authority (5% of BBII Contract)

5% x \$696,610,558 = \$34,830,528

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
3/5/2019	BBI-053-CCO-042A	TPSS-2 VTA/BART Pole Relocation (Design Only) (CNPA funded by VTA)	\$110,000	0.32% <sup>3</sup>	\$30,490,456
3/11/2019	BBI-053-CCO-036	Field Order for Signal Cable Relocation (FO-064)	\$86,538	0.25%	\$30,403,918
3/20/2019	BBI-053-CCO-035	Millbrae Avenue Existing Overhead Barrier	(\$40,000)	(0.11)%	\$30,443,918
3/19/2019	BBI-053-CCO-046	Training in Design Software and Potholing	\$136,611	0.39%	\$30,307,307
4/8/2019	BBI-053-CCO-041	Grade Crossing Warning System (CN59) – 5 mph Speed Check	\$446,982	1.28%	\$29,860,325
5/30/2019	BBI-053-CCO-044	Additional Daytime Potholing (Increase Quantity by 500 in Segment 4)	\$150,000	0.43 %	\$29,710,325
6/6/2019	BBI-053-CCO-048	Power Metering Devices	\$101,908	0.29 %	\$29,608,417
6/13/2019	BBI-053-CCO-045	Incentive Payment for 2018	\$1,025,000	0.00% <sup>2</sup>	-
6/13/2019	BBI-053-CCO-024B	PG&E Utility Feed Connection to TPS #1 and TPS#2 (Material On Hand)	\$1,600,000	4.59 %	\$28,008,417
6/24/2019	BBI-053-CCO-043	PS-5 Site Relocation (Design Only)	\$348,000	1.00 %	\$27,660,417
6/24/2019	BBI-053-CCO-054	Change Design Sequence for OCS Foundations	\$37,500	0.11%	\$27,622,917
7/1/2019	BBI-053-CCO-040B	Increase Quantity for Utilities Potholing (Bid Item #9)	\$1,867,700	5.36 %	\$25,755,217
7/10/2019	BBI-053-CCO-033A	Relocation of PS3 (Design) (CNPA funded by BGSP)	\$500,000	1.44 % <sup>3</sup>	\$25,255,217
8/15/2019	BBI-053-CCO-047	CEMOF Slot Drains (Design Only)	\$69,000	0.20%	\$25,186,217
8/16/2019	BBI-053-CCO-055	Sheriff's Deputy in Segment 4B	\$4,644	0.01%	\$25,181,573
9/3/2019	BBI-053-CCO-037	Field Orders for Signal Cable Relocation (FO-053 & FO-059)	\$184,576	0.53%	\$24,996,997
9/7/2019	BBI-053-CCO-057	Mediator with Technical Expertise	\$0	0.00%	\$24,996,997
9/27/2019	BBI-053-CCO-061	Interconnect Renaming of Circuit Numbers	\$58,058	0.17%	\$24,938,939
9/27/2019	BBI-053-CCO-063A	Track Access Delays - Quarter 1 2018 (Partial)	\$343,496	0.99%	\$24,595,443
10/21/2019	BBI-053-CCO-064	TPS-2 VTA Pole Height Redesign (CNPA funded by VTA)	\$31,000	0.09% <sup>3</sup>	\$24,564,443
11/15/2019	BBI-053-CCO-038	Field Order for Signal Cable Relocation (FO-079 & FO-085)	\$187,764	0.54 %	\$24,376,680
11/26/2019	BBI-053-CCO-025B	Addition of OCS Shunt Wires in Segments 2 & 4 - Wire Assembly Materials Only - voided below on 7/31/20	\$144,370	0.41 %	\$24,232,310
12/11/2019	BBI-053-CCO-065A	Foundation Inefficiencies S2WA5	\$401,501	1.15%	\$23,830,809
12/17/2019	BBI-053-CCO-025C	Addition of OCS Shunt Wires in Segments 2 & 4 – Pole Assembly Materials Only - voided below on 7/31/20	\$884,500	2.54 %	\$22,946,309
1/7/2020	BBI-053-CCO-066A	Increase Quantity for Contaminated Soils (Bid Unit Price Item #1)	\$950,000	2.73 %	\$21,996,309
2/5/2020	BBI-053-CCO-023B	Insulated Rail Joints De-stressing	\$890,600	2.56 %	\$21,105,709
3/18/2020	BBI-053-CCO-072A	SVP Requirements for Joint SIS & SPS (Task 1) - voided below on 7/9/20	\$80,000	0.23 %	\$21,025,709
3/19/2020	BBI-053-CCO-023C	Portec Insulated Rail Joints	\$375,000	1.08 %	\$20,650,709
3/26/2020	BBI-053-CCO-076	Asbestos Pipe Abatement at CP Shark	\$145,872	0.42 %	\$20,504,837
3/31/2020	BBI-053-CCO-075	Norcal Utility Potholing (FO#39)	\$98,105	0.28 %	\$20,406,733
4/21/2020	BBI-053-CCO-077A	Contaminated Soil (Class 1) at TPS-1	\$701,780	2.01 %	\$19,704,953
4/27/2020	BBI-053-CCO-066B	Increase Quantity for Contaminated Soils (Bid Item #1)	\$926,273	2.66 %	\$18,778,680
4/27/2020	BBI-053-CCO-090A	Signal Cable Relocation (Field Order No. 340)	\$47,258	0.14 %	\$18,731,423
4/27/2020	BBI-053-CCO-091A	Signal Cable Relocation (Field Order No. 340)	\$131,663	0.38 %	\$18,599,759
4/29/2020	BBI-053-CCO-080A	Steel Plates to Protect Utilities (DTDS)	\$135,128	0.39 %	\$18,464,631

**Peninsula Corridor Electrification Project  
Monthly Progress Report**

**Change Order Authority (5% of BBII Contract)**

**5% x \$696,610,558 = \$34,830,528**

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
4/29/2020	BBI-053-CCO-081A	Steel Plates to Protect Utilities (DTDS)	\$95,474	0.27 %	\$18,369,157
4/29/2020	BBI-053-CCO-071	Increase Quantity for Tree Pruning (Bid Unit Price Item #4d)	\$375,000	1.08 %	\$17,994,157
5/1/2020	BBI-053-CCO-050	Switch Machine Isolation – Credit	(\$277,430)	(0.80)%	\$18,271,586
5/19/2020	BBI-053-CCO-092A	Signal Cable Relocation (Field Order No. 340)	\$106,773	0.31 %	\$18,164,814
5/19/2020	BBI-053-CCO-093A	Signal Cable Relocation (Field Order No. 340)	\$90,765	0.26 %	\$18,074,049
5/27/2020	BBI-053-CCO-101	Asbestos Pipe Abatement at 46.3-07/08	\$21,037	0.06 %	\$18,053,012
6/15/2020	BBI-053-CCO-049A	Long-reach Foundations Installation - Unit Price	\$46,560	0.13 %	\$18,006,452
6/15/2020	BBI-053-CCO-049B	Long-reach Foundations Installation - Unit Price	\$46,560	0.13 %	\$17,959,892
6/18/2020	BBI-053-CCO-033B	PS-3 Site Relocation FEMA 2019 Update and BGSP Design Coordination – CNPA	\$50,000	0.14 % <sup>3</sup>	\$17,909,892
6/30/2020	BBI-053-CCO-082A	Steel Plates to Protect Utilities (DTDS)	\$90,658	0.26 %	\$17,819,235
6/30/2020	BBI-053-CCO-083A	Steel Plates to Protect Utilities (DTDS)	\$181,900	0.52 %	\$17,637,335
6/30/2020	BBI-053-CCO-094A	Signal Cable Relocation (Field Order No. 340)	\$124,633	0.36 %	\$17,512,702
7/9/2020	BBI-053-CCO-072A	SVP Requirements for Joint SIS & SPS (Task 1) – Voided	(\$80,000)	(0.23)%	\$17,592,702
7/9/2020	BBI-053-CCO-072A REV2	SVP Requirements for Joint SIS & SPS (Tasks 0-5) - voided below on 2/23/2021	\$300,000	0.86 %	\$17,292,702
7/16/2020	BBI-053-CCO-100	Remove Tree Stump at 46.4-02	\$1,459	0.00 %	\$17,291,243
7/30/2020	BBI-053-CCO-078	Re-design CEMOF OCS Poles due to Stair 71 Conflict	\$11,796	0.03 %	\$17,279,447
7/30/2020	BBI-053-CCO-084A	Steel Plates to Protect Utilities (DTDS)	\$101,334	0.29 %	\$17,178,113
7/30/2020	BBI-053-CCO-085A	Steel Plates to Protect Utilities (DTDS)	\$94,062	0.27 %	\$17,084,051
7/30/2020	BBI-053-CCO-104	Utility Conflict During PVC Conduit Installation	\$2,657	0.01 %	\$17,081,394
7/31/2020	BBI-053-CCO-103	Track Access Delays – 2017 Quarter 3 - voided below on 2/16/2021	\$145,892	0.42 %	\$16,935,503
7/31/2020	BBI-053-CCO-025B	Addition of OCS Shunt Wires in Segments 2 & 4 - Wire Assembly Materials Only – Voided	(\$144,370)	(0.41)%	\$17,079,873
7/31/2020	BBI-053-CCO-025C	Addition of OCS Shunt Wires in Segments 2 & 4 – Pole Assembly Materials Only – Voided	(\$884,500)	(2.54)%	\$17,964,373
8/3/2020	BBI-053-CCO-063B	Track Access Delays – Quarter 1 2018 (Part 2)	\$92,906	0.27 %	\$17,871,466
8/14/2020	BBI-053-CCO-106	Track Access Delays – 2017 Quarter 4	\$903,794	2.59 %	\$16,967,672
9/10/2020	BBI-053-CCO-025F	OCS Shunt Wire (Construction)	\$9,500,000	0.00% <sup>2</sup>	-
9/11/2020	BBI-053-CCO-126	Track Access Delays - 2019 Quarter 3 – OCS Foundations	\$81,223	0.23 %	\$16,886,450
9/24/2020	BBI-053-CCO-127	Track Access Delays – 2019 Quarter 4 – OCS Foundations	\$147,223	0.42 %	\$16,739,227
9/21/2020	BBI-053-CCO-051	CEMOF Yard OCS Changes (Design Only)	\$210,300	0.60 %	\$16,528,927
9/21/2020	BBI-053-CCO-074	Underground Utilities Clearance	\$0	0.00 %	\$16,528,927
10/19/2020	BBI-053-CCO-072C	PCEP SIS & SPS Additional Validation Work	\$27,696	0.08 %	\$16,501,231
10/27/2020	BBI-053-CCO-105	Pole Removal at Location 30.7-01	\$2,297	0.01 %	\$16,498,935
11/30/2020	BBI-053-CCO-056	Delivery of Signal Cable	\$3,391	0.01 %	\$16,495,544
12/22/2020	BBI-053-CCO-111	Incentives Payment for 2019	\$825,000	0.00% <sup>2</sup>	-
2/9/2021	BBI-053-CCO-025G	OCS Shunt Wire (Design)	\$0	0.00 %	\$16,495,544
2/11/2021	BBI-053-CCO-047B	CEMOF Yard Slot Drains Relocation (Construction)	\$360,000	1.03 %	\$16,135,544
2/16/2021	BBI-053-CCO-103	Track Access Delays – 2017 Quarter 3 – voided	(\$145,892)	(0.42)%	\$16,281,435

## Peninsula Corridor Electrification Project

### Monthly Progress Report

#### Change Order Authority (5% of BBII Contract)

5% x \$696,610,558 = \$34,830,528

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
2/16/2021	BBI-053-CCO-103 REV1	Track Access Delays – 2017 Quarter 3	\$164,518	0.47 %	\$16,116,918
2/23/2021	BBI-053-CCO-072A REV2	SVP Requirements for Joint SIS & SPS (Tasks 0-5) – <span style="color: red;">voided</span>	(\$300,000)	(0.86)%	\$16,416,918
2/23/2021	BBI-053-CCO-072B	Requirements for PCEP Joint System Impact Study & Single Phase Study	\$520,000	1.49 %	\$15,896,918
<b>Total</b>			<b>\$46,710,796</b>	<b>54.36 %</b>	<b>\$15,896,918</b>

Notes:

- <sup>1</sup>. When the threshold of 75% is reached, staff may return to the Board to request additional authority.
- <sup>2</sup>. Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.
- <sup>3</sup>. Third party improvements/CNPA projects that are funded with non-PCEP funds.

### EMU Contract

#### Change Order Authority (5% of Stadler Contract)

5% x \$550,899,459 = \$27,544,973

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
09/22/2017	STA-056-CCO-001	Contract General Specification and Special Provision Clean-up	\$0	0.00%	-
10/27/2017	STA-056-CCO-002	Prototype Seats and Special Colors	\$55,000	0.20%	\$27,489,973
11/02/2017	STA-056-CCO-003	Car Level Water Tightness Test	\$0	0.00%	-
12/05/2017	STA-056-CCO-004	Onboard Wheelchair Lift 800 Pound Capacity Provisions	\$848,000	3.08%	\$26,641,973
11/03/2017	STA-056-CCO-005	Design Progression (multiple)	\$0	0.00%	-
12/12/2017	STA-056-CCO-006	Prototype Seats and Special Colors	(\$27,500)	(0.10%)	\$26,669,473
01/17/2018	STA-056-CCO-007	Multi-Color Destination Signs	\$130,760	0.47%	\$26,538,713
02/09/2018	STA-056-CCO-008	Adjustment to Delivery and LDs due to delayed FNTP	\$490,000	0.00% <sup>2</sup>	-
02/12/2018	STA-056-CCO-009	Ship Cab Mock-up to Caltrain	\$53,400	0.19%	\$26,485,313
04/17/2018	STA-056-CCO-010	Onboard Wheelchair Lift Locations	(\$1,885,050)	(6.84%)	\$28,370,363
04/17/2018	STA-056-CCO-011	Multiple Change Group 3 and Scale Models	\$0	0.00%	-
10/29/2018	STA-056-CCO-012	Multiple Change Group 4	\$0	0.00%	-
10/29/2018	STA-056-CCO-013	Wheelchair Lift Installation Redesign	\$228,400	0.83%	\$28,141,963
12/14/2018	STA-056-CCO-014	PTC System Change	\$0	0.00%	-
12/22/2018	STA-056-CCO-015	EMU Option Cars	\$172,800,047	0.00% <sup>2,3</sup>	-
6/26/2019	STA-056-CCO-016	Testing at TTCL (Pueblo Facility) - First Trainset	\$3,106,428	11.28 %	\$25,035,535
8/27/2019	STA-056-CCO-017	Virtual Reality Experience	\$400,000	1.45 %	\$24,635,535
8/21/2019	STA-056-CCO-018	EMI Conducted Emissions Limits	\$0	0.00%	\$24,635,535
8/8/2019	STA-056-CCO-019	Option Car Payment Milestones	\$0	0.00%	\$24,635,535
8/21/2019	STA-056-CCO-020	Multiple No Cost No Schedule Impact Changes Group 5	\$0	0.00%	\$24,635,535
10/28/2019	STA-056-CCO-021	Plugging of High-Level Doorways	\$736,013	2.67%	\$23,899,523
11/13/2019	STA-056-CCO-022	Add Flip-Up Seats into Bike Cars (CNPA: \$1.96M funded by Non-PCEP)	\$1,961,350	7.12% <sup>3</sup>	\$21,938,173
4/21/2020	STA-056-CCO-025	Removal of Vandal Film from Windows	(\$374,994)	(1.36)%	\$22,313,167
5/6/2020	STA-056-CCO-023	Deferral of Wheelchair Lifts	\$632,703	2.30 %	\$21,680,464
7/13/2020	STA-056-CCO-026	Update VR Experiences (CNPA: \$43K funded by Non-PCEP)	\$43,000	0.16 % <sup>3</sup>	\$21,637,464

**Peninsula Corridor Electrification Project  
Monthly Progress Report**

**Change Order Authority (5% of Stadler Contract)**

**5% x \$550,899,459 = \$27,544,973**

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
9/14/2020	STA-056-CCO-027	EMU Liquidated Damages, and Delivery and Testing Schedule Modifications	\$0	0.00 %	\$21,637,464
10/12/2020	STA-056-CCO-029	Multiple No Cost / No Schedule Impact Changes Group 7	\$0	0.00 %	\$21,637,464
1/28/2021	STA-056-CCO-028	Procure Pantograph Automated Inspection System	\$790,211	2.87 %	\$20,847,253
2/26/2021	STA-056-CCO-031	Bike Car Dividers	\$194,940	0.71 %	\$20,652,313
<b>Total</b>			<b>\$180,182,707</b>	<b>25.02 %</b>	<b>\$20,652,313</b>

Notes:

- <sup>1</sup> When the threshold of 75% is reached, staff may return to the Board to request additional authority.
- <sup>2</sup> Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.
- <sup>3</sup> Third party improvements/CNPA projects that are funded with non-PCEP funds.

**SCADA Contract**

**Change Order Authority (15% of ARINC Contract)**

**15% x \$3,446,917 = \$517,038**

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
None to date					
<b>Total</b>			<b>\$0</b>	<b>0.00%</b>	<b>\$517,038</b>

Notes:

- <sup>1</sup> When the threshold of 75% is reached, staff may return to the Board to request additional authority.
- <sup>2</sup> Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.

**Tunnel Modifications Contract**

**Change Order Authority (10% of ProVen Contract<sup>1</sup>)**

**10% x \$55,077,777 = \$5,507,778**

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>2</sup>	Remaining Authority
3/27/2019	PROV-070-CCO-003	Track Access Delay	\$25,350	0.46 %	\$5,482,428
3/27/2019	PROV-070-CCO-004	Additional OCS Potholing Due to Conflict with Existing Utilities	\$70,935	1.29 %	\$5,411,493
3/27/2019	PROV-070-CCO-005	Install Tie Backs and Piles in Boulders at Tunnel 4	\$29,478	0.54 %	\$5,382,015
3/28/2019	PROV-070-CCO-001	Partnering Meetings (50% PCEP)	\$14,443	0.26 % <sup>4</sup>	\$5,367,572
4/25/2019	PROV-070-CCO-002	Furnish Galvanized E-clips	\$37,239	0.68 %	\$5,330,333
4/30/2019	PROV-070-CCO-006	Additional Rock Bolts and Testing	\$22,549	0.41 %	\$5,307,784
5/23/2019	PROV-070-CCO-013	Late Removal of Leaky Feeder Tunnel 4 (T-4 )	\$21,225	0.39 %	\$5,286,559
5/28/2019	PROV-070-CCO-014	OCS Piles Utility Conflict at Tunnel-1 South (T-1S)	\$16,275	0.30 %	\$5,270,284
5/29/2019	PROV-070-CCO-012	OCS Piles Utility Conflict at T-4S	\$6,871	0.12 %	\$5,263,413
5/31/2019	PROV-070-CCO-016A	Portal Structure Detailing Changes	\$84,331	1.53 %	\$5,179,082
6/18/2019	PROV-070-CCO-009	Creosote Ties Covering (CNPA - Drainage \$3,116.00)	\$3,116	0.06 % <sup>4</sup>	\$5,175,966
6/28/2019	PROV-070-CCO-008	Micropiles at South Tunnel-2 South (T-2S)	\$41,322	0.75 %	\$5,134,644
6/28/2019	PROV-070-CCO-010	Salvage Transition Panels (CNPA - Drainage \$6,144.00)	\$6,144	0.11 % <sup>4</sup>	\$5,128,500
6/28/2019	PROV-070-CCO-011	Demo PVC and Plug Tunnel-1 South (T-1S) (CNPA - Drainage \$4,035.00)	\$4,035	0.07 % <sup>4</sup>	\$5,124,465

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**Change Order Authority (10% of ProVen Contract<sup>1</sup>)**

**10% x \$55,077,777 = \$5,507,778**

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>2</sup>	Remaining Authority
6/28/2019	PROV-070-CCO-020	Unidentified SD Conflict with Junction Inlet (CNPA - Drainage \$1,976.00)	\$1,976	0.04 % <sup>4</sup>	\$5,122,489
9/26/2019	PROV-070-CCO-007	Canopy Tube Drilling	\$89,787	1.63%	\$5,032,702
9/26/2019	PROV-070-CCO-023	Over-excavate Trapezoidal Ditch at T-1N (CNPA - Drainage \$46,914.00)	\$46,914	0.85% <sup>4</sup>	\$4,985,788
10/4/2019	PROV-070-CCO-029	Additional DryFix Pins	\$105,000	1.91%	\$4,880,788
10/4/2019	PROV-070-CCO-021	Out of Sequence Piles	\$185,857	3.37 %	\$4,694,931
10/30/2019	PROV-070-CCO-017	Hard Piping in T-4 (CNPA - Drainage \$2,200.00)	\$2,200	0.04 % <sup>4</sup>	\$4,692,731
1/25/2020	PROV-070-CCO-027	Grout Quantity Underrun	(\$1,216,000)	(22.08)%	\$5,908,731
1/29/2020	PROV-070-CCO-026	HMAC Quantity Overrun (CNPA - Drainage \$160,000.00)	\$160,000	2.9 % <sup>4</sup>	\$5,748,731
5/11/2020	PROV-070-CCO-025	NOPC #1 CWR (CNPA - Drainage \$660,000.00)	\$660,000	11.98 % <sup>4</sup>	\$5,088,731
7/31/2020	PROV-070-CCO-032	Stone Masonry Fabrication at T-4S	\$26,367	0.48 %	\$5,062,364
7/31/2020	PROV-070-CCO-035	Low Overhead Obstruction at T-1N	\$18,894	0.34 %	\$5,043,470
1/27/2021	PROV-070-CCO-037	Additional Fence	\$15,651	0.28 %	\$5,027,819
<b>Total</b>			<b>\$479,959</b>	<b>8.71 %</b>	<b>\$5,027,819</b>

Notes:

1. Tunnel modifications contract (\$55,077,777) includes: Notching (\$25,281,170), Drainage (\$13,196,607) and OCS Installation (\$16,600,000).
2. When the threshold of 75% is reached, staff may return to the Board to request additional authority.
3. Change approved by the Board of Directors – not counted against the Executive Director's Change Order Authority.
4. Third Party Improvements/CNPA Projects that are funded with non-PCEP funds.

**CEMOF Modifications Contract**

**Change Order Authority (10% of ProVen Contract)**

**10% x \$6,550,777 = \$655,078**

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
1/16/2020	PROV-071-CCO-001	Change Casing Size of Siphon Line to Schedule 80 PVC Pipe	\$3,849	0.59 %	\$651,229
1/13/2020	PROV-071-CCO-002	Leakage test for IW line	\$1,339	0.20 %	\$649,890
1/15/2020	PROV-071-CCO-003	Roughen surface of existing concrete	\$3,159	0.48 %	\$646,731
1/9/2020	PROV-071-CCO-004	Change Catch Basin Size from 24"X24" to 36" Round	\$14,415	2.20 %	\$632,316
1/15/2020	PROV-071-CCO-005	Hand Dig around Communication Lines	\$906	0.14 %	\$631,410
1/17/2020	PROV-071-CCO-008	Change Storm Drain Line A Material from 12-inch RCP Pipe to 12-inch PVC Pipe	\$3,583	0.55 %	\$627,827
1/16/2020	PROV-071-CCO-009	Demolition of Existing Exterior Light	\$1,558	0.24 %	\$626,269
2/13/2020	PROV-071-CCO-010	Deletion of Plastic Bollards Around New Inspection Pit	(\$3,324)	(0.51)%	\$629,593
2/13/2020	PROV-071-CCO-011	Fixing Broken Conduit in Concrete Slab North of Maintenance Building	\$4,286	0.65 %	\$625,307
2/13/2020	PROV-071-CCO-012	Epoxy Dowels at New Stairwells	\$3,526	0.54 %	\$621,781
2/13/2020	PROV-071-CCO-013	Deletion of the Removal and Replacement of Pump Disconnect Switches	(\$7,007)	(1.07)%	\$628,788
2/13/2020	PROV-071-CCO-014	Recycled Base Rock for Backfill at Pressurized Water Line at Parts Storage Warehouse	\$1,411	0.22 %	\$627,377
2/20/2020	PROV-071-CCO-015	Cut and Cap Oil Line	\$1,002	0.15 %	\$626,375
2/25/2020	PROV-071-CCO-016	Installation of Homerun Conduit	\$27,404	4.18 %	\$598,971

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**Change Order Authority (10% of ProVen Contract)**

**10% x \$6,550,777 = \$655,078**

<b>Date</b>	<b>Change Number</b>	<b>Description</b>	<b>CCO Amount</b>	<b>Change Order Authority Usage<sup>1</sup></b>	<b>Remaining Authority</b>
2/25/2020	PROV-071-CCO-017	Potholing for Boosted Water Line	\$18,476	2.82 %	\$580,495
2/28/2020	PROV-071-CCO-018	Cap Compressed Air Line	\$9,519	1.45 %	\$570,976
2/28/2020	PROV-071-CCO-019	Acoustic Ceiling Removal at Component Test Room	\$4,253	0.65 %	\$566,723
3/5/2020	PROV-071-CCO-020	Ground Wire Relocation	\$14,117	2.16 %	\$552,606
3/13/2020	PROV-071-CCO-021	Zurn Drain Assembly in Lieu of Fibrelyte	\$1,104	0.17 %	\$551,502
4/8/2020	PROV-071-CCO-022	Deletion of Concrete Pad and Double Plywood Floor at PSW	(\$1,409)	(0.22)%	\$552,911
4/8/2020	PROV-071-CCO-023	Flashing at Overflow Drain at Component Test Room	\$2,981	0.46 %	\$549,930
4/9/2020	PROV-071-CCO-024	Parts Storage Warehouse Power Feed	\$16,412	2.51 %	\$533,518
4/22/2020	PROV-071-CCO-025	Removal of Hazardous Soil from PSW Subgrade Excavation	\$43,444	6.63 %	\$490,073
4/22/2020	PROV-071-CCO-026A	Removal of Hazardous Soil from PSW Footing Excavation	\$35,808	5.47 %	\$454,266
4/27/2020	PROV-071-CCO-027	480 Volt Duct Bank and Wire Removal	\$5,015	0.77 %	\$449,251
5/28/2020	PROV-071-CCO-031A	Temporary Facilities - Eye Wash Stations	\$656	0.10 %	\$448,595
6/3/2020	PROV-071-CCO-032A	Water Diversion Pump for Catch Basin Work	\$2,745	0.42 %	\$445,850
6/3/2020	PROV-071-CCO-033A	Light Towers for Maintenance Building Yard	\$3,897	0.59 %	\$441,953
6/3/2020	PROV-071-CCO-034	Investigation of Concrete Underneath Ties at Track 5	\$5,060	0.77 %	\$436,893
6/16/2020	PROV-071-CCO-029A	Shoring Design for Boosted Water Line Work	\$14,307	2.18 %	\$422,586
6/16/2020	PROV-071-CCO-030A	Investigation and Re-wiring of Electrical Receptacles at CTR	\$7,783	1.19 %	\$414,803
6/10/2020	PROV-071-CCO-028	Credit for Electrical Feed to Parts Storage Warehouse	(\$18,682)	(2.85)%	\$433,485
7/24/2020	PROV-071-CCO-029B	Shoring Design for Boosted Water Line Work	\$2,175	0.33 %	\$431,310
7/24/2020	PROV-071-CCO-032B	Water Diversion Pump for Catch Basin Work	\$3,621	0.55 %	\$427,689
7/24/2020	PROV-071-CCO-035	Settlement Slab Demolition	\$479	0.07 %	\$427,210
7/24/2020	PROV-071-CCO-036	Storm Drain Line A	\$2,066	0.32 %	\$425,144
7/30/2020	PROV-071-CCO-037	Owner Supplied WSP Cabinet - Added Mechanical Pad and Conduit Pull	\$5,922	0.90 %	\$419,222
7/30/2020	PROV-071-CCO-038	Interior and Exterior Metal Wall Panels at CTR	\$10,317	1.57 %	\$408,905
7/30/2020	PROV-071-CCO-039	Exterior CMU Wall at CTR	\$16,152	2.47 %	\$392,753
7/30/2020	PROV-071-CCO-040	Membrane Waterproofing Specification Modifications	\$36,233	5.53 %	\$356,520
12/17/2019	PROV-071-CCO-007	Demolition of Existing Transition Slab at North and South Pits	\$8,101	1.24 %	\$348,419
8/13/2020	PROV-071-CCO-041	Abandonment of Drainage Structure in Conflict with Shoring at Stair No. 71	\$11,015	1.68 %	\$337,404
8/14/2020	PROV-071-CCO-043	Lighting Circuit Restoration	\$2,980	0.45 %	\$334,424
8/18/2020	PROV-071-CCO-026B	Removal of Hazardous Soil from PSW Ductbank Excavation	\$6,838	1.04 %	\$327,586
8/24/2020	PROV-071-CCO-044	Aerial Cable and Waterproofing Cable Penetrations at the CCF and PSW Buildings	\$14,589	2.23 %	\$312,997
8/24/2020	PROV-071-CCO-045	Conduit Outside Component Test Room	\$6,865	1.05 %	\$306,132
9/15/2020	PROV-071-CCO-030B	Component Test Room Data and Electrical Outlets and Masonry Work	\$12,530	1.91 %	\$293,602
9/17/2020	PROV-071-CCO-042	Shallow Fire Sprinkler Line	\$162,000	0.00% <sup>2</sup>	-
10/19/2020	PROV-071-CCO-046A	Electrical Duct Bank Extension from Parts Storage Warehouse to CCF Building	\$20,307	3.10 %	\$273,295

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**Change Order Authority (10% of ProVen Contract)**

**10% x \$6,550,777 = \$655,078**

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
10/19/2020	PROV-071-CCO-047	Removal of Oil Line at the Exterior of the Maintenance Building in the Way of Storm Drain Line A	\$262	0.04 %	\$273,033
10/20/2020	PROV-071-CCO-048	Electrical Conduit and Wires at Track 5	\$6,770	1.03 %	\$266,263
11/30/2020	PROV-071-CCO-033B	Light Towers for Maintenance Building Yard	\$10,393	1.59 %	\$255,870
11/17/2020	PROV-071-CCO-049	Lighting at Parts Storage Warehouse	\$6,358	0.97 %	\$249,512
11/25/2020	PROV-071-CCO-050	NTP Delay – Non-Compensable Time Extension	\$0	0.00 %	\$249,512
11/19/2020	PROV-071-CCO-051	Relocation of an Existing Boosted Water Line in Conflict with South Pit Extension	\$250,000	0.00% <sup>2</sup>	-
2/26/2021	PROV-071-CCO-052	Acoustic Ceiling Framing at the Component Test Room	\$3,998	0.61 %	\$245,514
2/26/2021	PROV-071-CCO-053	Temporary Sanitary Facilities During Boosted Water/Copper Line Work	\$963	0.15 %	\$244,551
<b>Total</b>			<b>\$822,527</b>	<b>62.67 %</b>	<b>\$244,551</b>

Notes:

- <sup>1</sup>. When the threshold of 75% is reached, staff may return to the Board to request additional authority.
- <sup>2</sup>. Change approved by the Board of Directors – not counted against the Executive Director’s Change Order Authority.

**AMTRAK AEM-7 Contract**

**Change Order Authority (Lump Sum)**

**Up to \$150,000**

Date	Change Number	Description	CCO Amount	Change Order Authority Usage <sup>1</sup>	Remaining Authority
10/25/2019	AMTK-066-CCO-001	Change to Amtrak Contract for Test Locomotives	(72,179)	(48.12%)	222,179
<b>Total</b>			<b>(72,179)</b>	<b>(48.12%)</b>	<b>\$222,179</b>

Notes:

- <sup>1</sup>. When the threshold of 75% is reached, staff may return to the Board to request additional authority.

Appendix F – Risk Table



**Listing of PCEP Risks and Effects in Order of Severity**

<b>ID</b>	<b>RISK DESCRIPTION</b>	<b>EFFECT(S)</b>
314	The contractor may not complete signal and communication design, installation and testing for the Two-speed check (2SC) modifications within budget and schedule.	Delay to integrated testing and operations/revenue service
303	Extent of differing site conditions and associated redesign efforts results in delays to the completion of the electrification contract and increases program costs.	<p>Extends construction of design-build contract with associated increase in project costs</p> <ul style="list-style-type: none"> <li>• DSC design cost</li> <li>• Inefficiencies</li> <li>• Construction costs related to DSCs (i.e., larger foundations)</li> <li>• Additional potholing</li> </ul>
010	Potential for Stadler's sub-suppliers to fall behind schedule or delays in parts supply chain result in late completion of vehicles.	<ul style="list-style-type: none"> <li>• Delay in obtaining parts / components.</li> <li>• Cost increases. (See Owner for allocation of costs)</li> <li>• Schedule increase - 3 months (See Owner for allocation of damages associated with this Risk)</li> </ul>
313	Sub-optimal contractor sequencing, when progressing design and clearing foundation locations may result in construction inefficiencies	Contractor claims for increase in construction and design costs, and reduced production rates extending construction duration
240	<p>Property not acquired in time for contractor to do work.</p> <p>Property Acquisition not complete per contractor availability date</p> <p>&lt;&gt;Fee</p> <p>&lt;&gt;Easement</p> <p>&lt;&gt;Contract stipulates that if parcels are not available by contract date, there is only a delay if parcels are not available by the time contractor completes the Segment</p>	<ul style="list-style-type: none"> <li>• Potential delays in construction schedule</li> </ul>
267	Additional property acquisition is necessitated by change in design.	New project costs and delays to schedule.
273	Contractor generates hazardous materials, that necessitates proper removal and disposal in excess of contract allowances and expectations.	Delay to construction while removing and disposing of hazardous materials resulting in schedule delay, increased construction costs, and schedule delay costs.
308	Rejection of DVR for ATF and static wires results in cost and schedule impacts to PCEP.	Delay and delay claims

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ID	RISK DESCRIPTION	EFFECT(S)
318	Change of vehicle sub-suppliers results in additional first article inspections at cost to JPB (i.e., COVID, bankruptcy)	PCEP incurs additional cost to validate supplier and product, including repeat FAIs as needed
263	Collaboration across multiple disciplines to develop a customized rail activation program may fail to comprehensively address the full scope of issues required to operate and maintain an electrified railroad and decommission the current diesel fleet.	Delay in testing of EMUs. Delay in Revenue Service Date. Additional costs for Stadler and BBII due to overall schedule delays.
304	Solution to FRA concerns over bike storage impeding path to emergency exit windows path results in increased costs and potential rework.	Protracted negotiations with FRA to achieve original design
209	TASI may not have sufficient number of signal maintainers for testing.	<ul style="list-style-type: none"> <li>• Delays to construction/testing.</li> <li>• Delays to completion of infrastructure may delay acceptance of vehicles</li> </ul>
011	<p>Risks in achieving acceptable vehicle operations performance:</p> <ul style="list-style-type: none"> <li>&lt;&gt; software problems</li> <li>&lt;&gt; electrical system problems</li> <li>&lt;&gt; mechanical problems</li> <li>&lt;&gt; systems integration problems</li> <li>&lt;&gt; interoperability with diesel equipment</li> </ul> <p>Increased issues lately with vehicles regarding system integration and compatibility.</p>	<p>Cost increase.</p> <p>Delays vehicle acceptance</p> <p>Potential spill-over to other program elements</p>
244	Delays to completion of Segment 4 and then the entire alignment would create storage issues and impede the ability to exercise (power up and move) EMUs and delay testing of the delivered EMUs.	Delay claims from the EMU contractor (Stadler) and expiration of the EMU 2-year warranty before putting significant mileage on the EMUs. Inability to exercise EMUs
319	Failure of BBI to order cages in advance results in delays to foundation installation	Delays in installation of catenary system and additional cost for track protection and oversight.
322	BBII needs to complete traction power substations to be sufficiently complete to accept interim power	Delay in testing and increased costs
325	EMU production delay. Possible that there are quality issues, failed factory tests, poor integration / control of suppliers.	Schedule Increase
327	EMU production delay. Possible that there is poor integration / control of suppliers.	Schedule Increase

ID	RISK DESCRIPTION	EFFECT(S)
013	Vehicle manufacturer could default.	<p>Prolonged delay to resolve issues (up to 12 months)</p> <p>Increase in legal expenses</p> <p>Potential price increase to resolve contract issue</p>
067	Relocation of overhead utilities must precede installation of catenary wire and connections to TPSs. Relocation work will be performed by others and may not be completed to meet BBII's construction schedule.	<p>Delay in progress of catenary installation resulting in claims and schedule delay</p>
223	Major program elements may not be successfully integrated with existing operations and infrastructure in advance of revenue service.	<p>Proposed changes resulting from electrification may not be fully and properly integrated into existing system.</p> <p>Rework resulting in cost increases and schedule delays</p>
242	Track access does not comply with contract-stipulated work windows.	<p>Contractor claims for delays, schedule delays and associated costs to owner's representative staff.</p>
253	Permits for bridges may not be issued in a timely manner.	<p>Delays to issuance of permit for construction while negotiating and executing an operation and maintenance agreement for equipment installed on bridges; existing bridge deficiencies could result in additional costs to PCEP.</p>
261	Although EMUs meets their electromagnetic emissions limits and wayside signal system track circuits meet their susceptibility requirements there are still compatibility issues leading to improper signal system operation	<p>Changes on the EMU and/or signal system require additional design and installation time and expense.</p>
285	Potential for inflation, (except with respect to Maintenance Option) to increase contractor costs.	<p>Higher cost</p>
286	Potential for wage escalation, (except for Maintenance Option) to increase contractor costs.	<p>Higher cost</p>
056	Lack of operations personnel for testing.	<ul style="list-style-type: none"> <li>• Testing delayed.</li> <li>• Change order for extended vehicle acceptance.</li> </ul>
115	Other capital improvement program projects compete with PCEP for track access allocation and requires design coordination (design, coordination, integration).	<p>Schedule delay as resources are allocated elsewhere, won't get track time, sequencing requirements may delay PCEP construction, track access requirements must be coordinated.</p>

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<b>ID</b>	<b>RISK DESCRIPTION</b>	<b>EFFECT(S)</b>
289	Coordination and delivery of permanent power for power drops for everything except traction power substations along alignment	Can't test resulting in delays to schedule and associated additional project costs.
296	PG&E needs to complete interconnection to be sufficiently complete to accept interim power	SCC
321	Single Phase Study and interconnection agreement may be delayed preventing energization of Segment 4 for milestone 1	
329	Work for PCEP that is being constructed by other projects may not be completed in accordance with the BBII project schedule. Critical work includes: <ul style="list-style-type: none"> <li>• Installation of signal house as part of SSF Station Project</li> </ul>	Delay to BBII construction progress and associated delay claims
082	Unexpected restrictions could affect construction progress: <> night work <> noise <> local roads <> local ordinances	<ul style="list-style-type: none"> <li>• Reduced production rates.</li> <li>• Delay</li> </ul>
270	OCS poles or structures as designed by Contractor fall outside of JPB row	Additional ROW Take, additional cost and time
012	Potential for electromagnetic interference (EMI) to private facilities with sensitive electronic equipment caused by vehicles.	<ul style="list-style-type: none"> <li>• Increased cost due to mitigation</li> <li>• Potential delay due to public protests or environmental challenge.</li> </ul>
014	Contractor's proposal on stakeholder requested changes to the vehicles (e.g., High Level Doors in lieu of windows as emergency exits) may significantly exceed JPB authorized amount.	Schedule delay. Cost increase.
078	Need for unanticipated, additional ROW for new signal enclosures.	Delay while procuring ROW and additional ROW costs.
087	Unanticipated HazMat or contaminated hot spots encountered during foundation excavations for poles, TPSS, work at the yards.	Increased cost for clean-up and handling of materials and delay to schedule due to HazMat procedures.
088	Construction safety program fails to sufficiently maintain safe performance.	Work stoppages due to safety incidents resulting in schedule delay and additional labor costs.
171	Electrification facilities could be damaged during testing.	Delay in commencing electrified operations.
247	Timely resolution of 3rd party design review comments to achieve timely approvals	Delay to completion of design and associated additional labor costs.

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<b>ID</b>	<b>RISK DESCRIPTION</b>	<b>EFFECT(S)</b>
251	Subcontractor and supplier performance to meet aggressive schedule <>Potential issue meeting Buy America requirements	Delay to production schedule resulting in increased soft costs and overall project schedule delay.
272	Final design based upon actual Geotech conditions	Could require changes
287	Design changes may necessitate additional implementation of environmental mitigations not previously budgeted.	Increased cost for environmental measures and delays to construct and overall delay in construction schedule
291	Order/manufacture of long lead items prior to 100% IFC design document that proves to be incorrect	Design change and/or delays
317	JPB may not make timely acquisition of resources to staff rail activation plan with key personnel.	Delay in operating electrified railroad - delay of RSD.
323	FRA concerns require re-design	
326	EMU production delay. Possible that there are failed factory tests	Schedule Increase
027	Vehicle power consumption may not meet requirements.  <>System impact study and load flow show no issues	Issue with PG&E. Can't run full acceleration.
031	New cars possibly not reliable enough to be put into service as scheduled	Operating plan negatively impacted
042	Full complement of EMUs not available upon initiation of electrified revenue service	Late delivery impacts revenue service date.
101	PG&E may not be able to deliver permanent power for the project within the existing budget and in accordance with the project schedule	Additional project costs; potential delay to revenue service date
150	Number of OCS pole installation is significant. Any breakdown in sequencing of operations or coordination of multiple crews will have a substantial effect on the project.	Delay.
245	Failure of BBI to submit quality design and technical submittals in accordance with contract requirements • \$3-\$5M/month burn rate for Owner's team during peak	Delays to project schedule and additional costs for preparation and review of submittals.
252	Failure of BBI to order/manufacture long lead items prior to 100% IFC design document approval by JPB	Delays to project schedule and additional cost for contractor and JPB staff time.

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ID	RISK DESCRIPTION	EFFECT(S)
271	Need for additional construction easements beyond that which has been provided for Contractor proposed access and staging	Additional cost and time
306	Possible legal challenge and injunction to any changes in PCEP requiring subsequent CEQA or NEPA environmental clearance documentation/actions.	Worst case: a judge issues an injunction, which would prohibit any work ONLY on the project scope of the environmental document. Impact to the project from cost and schedule impact depends on if work is on the critical or becomes on the critical path.
008	Requests for change orders after vehicles are in production	Delays to manufacturing of vehicles and additional design and manufacturing costs.
023	Manufacturer cannot control vehicle weight to meet specifications.	Increased operating cost.
025	Potential that vehicles cannot meet requirements for "Mean Time to Repair" (MTTR).	Increased maintenance cost.
032	Failure to come up to speed on stakeholder safety requirements: <> FTA <> FRA <> CPUC	Takes longer than expected to gain FRA/FTA concurrence on waiver and/or level boarding requirements.
053	Failure to meet Buy America requirements.  (Contractor definition of component v. sub-component may not be accepted by Caltrain / FTA.)	Potential need for negotiations that might lead to delay of project award.  (BA is not negotiable)
054	Infrastructure not ready for vehicles (OCS, TPS, Commissioning site / facility).	Increases cost if done off property
069	Potential need for additional construction easements. Especially for access and laydown areas.  Contractor could claim project is not constructible and needs more easements after award.	Increased cost  Delay

ID	RISK DESCRIPTION	EFFECT(S)
106	<p>Potential that DB contractor will have insufficient field resources (personnel or equipment) to maintain aggressive schedule.</p> <p>Multiple segments will need to be under design simultaneously.</p> <p>Labor pool issue. 32 qualified linemen will be needed. Potential there is not enough available. Big storm damage anywhere in US will draw from the pool to make line repairs.</p> <p>Possible shortages with other specialty crafts as well.</p>	Delay.
151	Public could raise negative concerns regarding wheel/rail noise.	Increased cost to mitigate: <> grind rails <> reprofile wheels <> sound walls
161	Unanticipated costs to provide alternate service (bus bridges, etc.) during rail service disruptions.	Cost increase.
192	Environmental compliance during construction. <ul style="list-style-type: none"> <li>- Potential impact to advancing construction within the vicinity of any cultural finds that are excavated.</li> <li>- Failure to meet the commitments contained within the PCEP EA, FEIR and permit conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Delay</li> <li>• Cost increase</li> </ul>
195	Introduction of electrified train service will require training of first responders in working in and around the rail corridor. The new vehicles will be considerably quieter than the existing fleet and the presence of high voltage power lines will require new procedures for emergency response. A new training program will need to be developed and disseminated for: <ul style="list-style-type: none"> <li>• Fire, police, and first responders</li> <li>• Local communities</li> <li>• Schools</li> </ul>	Safety hazards resulting in incidents that delay construction and increase labor cost. Delays in RSD until training is completed as requirement of safety certification process.

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ID	RISK DESCRIPTION	EFFECT(S)
237	JPB needs an agreement with each city in which catenary will be strung over an existing grade crossing (17 in all) under GO 88 (grade crossings). These agreements must be executed subsequent to installing overhead catenary. JPB is preparing a response to CPUC while working with the cities. Delays in reaching agreement could have impacts on schedule and budget.	Not completing the grade crossing diagnostics and getting agreement from the cities on the results can result in delays to necessary approvals for the project and revenue service.
248	3rd party coordination <>Jurisdictions, Utilities, UP, Contractors <>D/B needs to provide timely information to facilitate 3rd party coordination <>Risk is for construction	Delays in approvals resulting in project schedule delays and associated costs.
250	Potential for municipalities and other agencies to request betterments as part of the electrification project	Delay to project schedule in negotiating betterments as part of the construction within municipalities and associated increased cost to the project as no betterments were included in the project budget.
254	Potential that bridge clearance data are inaccurate and that clearances are not sufficient for installation of catenary.	Results in additional design and construction to create sufficient clearance.
266	Verizon poles in conflict with OCS may not be removed in advance of OCS installation.	Delay in progress of catenary installation resulting in claims and schedule delay
274	JPB as-built drawings and existing infrastructure to be used as basis of final design and construction is not correct	Additional cleanup of as-builts after PCEP construction
275	DB fails to verify as-built drawings and existing infrastructure	Additional cleanup of as-builts after PCEP construction
278	Failure of D/B contractor and subcontractors and suppliers to meet Buy America requirements	Delays while acceptable materials are procured and additional costs for delays and purchase of duplicative equipment.
282	Failure to maintain dynamic envelope and existing track clearances consistent with requirements.	Redesign entailing cost and schedule impacts.
284	Compliance with project labor agreement could result in inefficiencies in staffing of construction.	Increase in labor costs and less efficient construction resulting in schedule delays.
290	Delays in agreement and acceptance of initial VVSC requirements database.	Delay to design acceptance
292	Communications equipment, including the UPS, will not fit in the spaces allotted to communications work within the buildings.	Requisite equipment under design criteria could result in the need for larger unit than originally planned resulting in design and fabrication changes and associated schedule delays and costs.



<b>ID</b>	<b>RISK DESCRIPTION</b>	<b>EFFECT(S)</b>
311	Although project recordable injuries remain below the industry average, there have been numerous small impact incidents occurring that could potentially lead to a more serious event occurring.	The occurrence of a high impact safety event could result in project rework, construction delays, and increased project costs.

Appendix G – MMRP Status Log

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>AES-2a: Minimize OCS construction activity on residential and park areas outside the Caltrain ROW.</b>	X	X			Ongoing	The OCS proposed construction schedule has been provided to the JPB. OCS construction began the week of October 2, 2017. The D-B has utilized the potholing process to assist in locating conflicts in the 35% design and attempting to relocate OCS pole locations within the ROW.
<b>AES-2b: Aesthetic treatments for OCS poles, TPFs in sensitive visual locations, and Overbridge Protection Barriers.</b>	X				Ongoing	The design requirements indicated in the measure have been implemented as described, and coordination with the specific jurisdictions regarding pole colors and design is ongoing. Coordination with the JPB & local jurisdiction regarding Overbridge Protection Barriers and TPFs is ongoing.
<b>AES-4a: Minimize spillover light during nighttime construction.</b>		X			Ongoing	OCS construction began the week of October 2, 2017; and the BBI community relations lead has notified nearby residents of upcoming construction. During construction, lighting is faced inward, towards the railroad tracks, and any complaints will be documented and addressed by the BBI community relations lead.
<b>AES-4b: Minimize light spillover at TPFs.</b>	X				Upcoming	The design requirements indicated in the measure are being utilized in the design and construction process.
<b>AQ-2a: Implement BAAQMD basic and additional construction mitigation measures to reduce construction-related dust.</b>	X	X			Ongoing	The Dust Mitigation Plan was submitted to the JPB and approved. The requirements in the Dust Mitigation Plan will be implemented throughout the construction period and documented in daily reports.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>AQ-2b: Implement BAAQMD basic and additional construction mitigation measures to control construction-related ROG and NOX emissions.</b>	X	X			Ongoing	The Equipment Emissions Control Plan was submitted to the JPB and approved. The requirements in the Equipment Emissions Control Plan will be implemented throughout the construction period and documented in daily reports.
<b>AQ-2c: Utilize clean diesel-powered equipment during construction to control construction-related ROG and NOX emissions.</b>	X	X			Ongoing	The Equipment Emissions Control Plan was submitted to the JPB and approved. The requirements in the Equipment Emissions Control Plan will be implemented throughout the construction period and documented in daily reports.
<b>BIO-1a: Implement general biological impact avoidance measures.</b>	X	X			Ongoing	Worker Environmental Awareness Training is provided to all project-related personnel before they work on the project. All measures as described will be implemented throughout the construction period and documented in daily reports.
<b>BIO-1b: Implement special-status plant species avoidance and revegetation measures.</b>	X	X	X		Complete	Not applicable. Subsequent habitat assessment and avoidance of Communication Hill eliminated any potential to affect special-status plant species. The measure is not needed.

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>BIO-1c: Implement California red-legged frog and San Francisco garter snake avoidance measures.</b>	X	X			Ongoing	Pre-construction surveys are occurring no more than 7 days prior to the initiation of construction activities nearby/adjacent to potential habitat for CRLF and SFGS. The Wildlife Exclusion Fencing Plans for Segments 1 and 4 were submitted and approved by the wildlife agencies, and installation and monitoring of wildlife exclusion fencing is ongoing. No CRLF / SFGS or sign of each species has been observed to date on the Project.
<b>BIO-1d: Implement western pond turtle avoidance measures.</b>	X	X			Ongoing	Pre-construction surveys are occurring no more than 7 days prior to the initiation of construction activities nearby/adjacent to potential habitat for WPT. No WPT or WPT sign have been observed to date on the Project.
<b>BIO-1e: Implement Townsend’s big-eared bat, pallid bat, hoary bat, and fringed myotis avoidance measures.</b>	X	X			Ongoing	Pre-construction surveys are occurring no more than 7 days prior to the initiation of construction activities with the potential to disturb bats or their habitat. No special-status bats or sign have been observed to date on the Project.
<b>BIO-1f: Implement western burrowing owl avoidance measures.</b>	X	X			Ongoing	Protocol surveys for Western Burrowing Owl have been conducted from April–July, in 2017, 2018, and 2019, at previously identified potentially suitable habitat locations. Note that all of these locations are in Construction Segment 4 (southern Santa Clara and San Jose). No Burrowing Owls have been observed during the 2017-2019 surveys. Survey reports for the 2017, 2018, and 2019 surveys have been submitted to the JPB for the project

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
						<p>record. In addition, pre-construction surveys of the potential BUOW habitat areas in Segment 4 are ongoing, as needed, and if required, they occur no more than 7 days prior to the onset of new ground-disturbing construction activities. Surveys for the 2020 breeding season will commenced in March 2020. On March 24, 2020, two burrowing owls were observed adjacent to the Caltrain ROW, near MP 44.6. The owls were located approximately 150 feet away from the Caltrain ROW. A 200-meter no-disturbance buffer continued to be implemented during the reporting period. Balfour was granted approval by the CDFW to drive vehicles and equipment through the buffer in order to access foundation installation locations to the North and South of the BUOW. During the first week of mobilization through the buffer, a Qualified Biological Monitor provided full-time biological monitoring to determine if the presence of vehicle travel had any impact on the BUOW. No impacts to the BUOW were observed, and the BUOW was consistently observed at the northern most potential BUOW burrow location during the monitoring effort. Due to the lack of observed impacts to the BUOW during the monitoring effort, the CDFW subsequently approved weekly spot-checks through the end of the breeding season, which are currently ongoing, and continued through August 31, 2020. No signs of distress from the</p>

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
						owl were observed due to construction activities during weekly spot checks. In addition, since there is some potential for indirect impacts during the non-breeding season (September 1 through January 31), during ongoing work on the Caltrain ROW and the completion of OCS pole foundations, the CDFW approved the reduction of the disturbance buffer from 200 meters down to 75 meters. The Qualified Biologist will monitor the burrows during construction activities within 75 meters of the burrows to look for any changes in owl foraging behavior in response to construction activities. If any change in owl nesting and foraging behavior is observed because of construction activities, activities will cease within the 75-meter buffer and the CDFW will be notified to determine next steps.
<b>BIO-1g: Implement northern harrier, white-tailed kite, American peregrine falcon, saltmarsh common yellowthroat, purple martin, and other nesting bird avoidance measures.</b>	<b>X</b>	<b>X</b>			Ongoing	Nesting Bird and raptor surveys were conducted from February 1 through September 15, in 2017, 2018, 2019, and 2020, prior to project-related activities with the potential to impact nesting birds. No nesting bird surveys occurred during this reporting period. Nesting bird surveys will recommence on February 1, 2021 for the 2021 nesting season.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>BIO-1h: Conduct biological resource survey of future contractor-determined staging areas.</b>	X	X			Ongoing	The agency-approved Qualified Biologist has conducted surveys of the staging areas currently being used for construction activities. No special-status species or other potentially sensitive biological resources were observed. The agency-approved Qualified Biologist will continue to survey ahead of the initiation of activities at planned staging areas as the Project moves into new construction areas.
<b>BIO-1i: Minimize impacts on Monarch butterfly overwintering sites.</b>	X	X			Ongoing	The agency-approved Qualified Biologist has periodically monitored the project limits to evaluate the presence of Monarch butterfly overwintering sites. No Monarch butterfly overwintering sites have been observed on the Project to date.
<b>BIO-1j: Avoid nesting birds and bats during vegetation maintenance.</b>				X	Upcoming	To be completed during Project operation.
<b>BIO-2: Implement serpentine bunchgrass avoidance and revegetation measures.</b>	X	X	X		Complete	Not applicable. Subsequent habitat assessment and avoidance of Communication Hill eliminated any potential to affect serpentine bunchgrass. This measure is no longer needed.
<b>BIO-3: Avoid or compensate for impacts on wetlands and waters.</b>	X	X	X		Complete	The JPB has compensated for unavoidable wetland impacts by purchasing adequate credits from a wetlands mitigation bank approved by USACE and SFRWQCB.



**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>BIO-5: Implement Tree Avoidance, Minimization, and Replacement Plan.</b>	X	X	X		Ongoing	Tree removal and pruning activities were initiated in August 2017, and are ongoing, under the guidance of the BBI Arborist, and in accordance with the Tree Avoidance, Minimization, and Replacement Plan. Tree Removal and Pruning status is provided to the JPB on a regular basis.
<b>BIO-6: Pay <i>Santa Clara Valley Habitat Plan</i> land cover fee (if necessary).</b>	X				Complete	Not applicable. The SCVHP does not apply to the Project because TPS2, Option 1 was not selected and OCS does not extend to Communication Hill. This measure is not needed.
<b>CUL-1a: Evaluate and minimize impacts on structural integrity of historic tunnels.</b>	X				Upcoming	To be implemented prior to construction in tunnels.
<b>CUL-1b: Minimize impacts on historic decorative tunnel material.</b>	X				Upcoming	To be implemented prior to construction in tunnels. Historic American Engineering Record (HAER) documentation was completed in October 2018, pursuant to this measure.
<b>CUL-1c: Install project facilities in a way that minimizes impacts on historic tunnel interiors.</b>	X				Upcoming	To be implemented prior to construction in tunnels.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>CUL-1d: Implement design commitments at historic railroad stations</b>	X				Complete	The Qualified Architectural Historian completed and submitted the HABS Level III documents to the JPB for all seven of the historic stations. Pole placement has been designed to minimize the visual impact to historic stations and all design changes are reviewed by the Environmental Compliance Lead to ensure the mitigation measure is being implemented as the design of the project progresses.
<b>CUL-1e: Implement specific tree mitigation considerations at two potentially historic properties and landscape recordation, as necessary.</b>	X	X			Complete	It was determined that the project is not acquiring any ROW at either of the subject properties so all tree effects would be within the JPB ROW. Therefore, the APE does not include these two historic properties. This measure is no longer needed.
<b>CUL-1f: Implement historic bridge and underpass design requirements.</b>	X				Ongoing	This measure is being implemented as described during the design process and will be incorporated into the final design. The four bridges that are included in the MMRP are rail bridges crossing over another feature. Design of the OCS system is taking into account that there are requirements that restrict the design. Thus far, the designs for Construction Segments 2 & 4 are in process and designs are not yet complete. The D-B will forward to the Architectural Historian once complete.
<b>CUL-2a: Conduct an archaeological resource survey and/or monitoring of the removal of pavement or other obstructions to determine if historical resources under CEQA or</b>	X				Ongoing	Periodic inspections of ground surface areas along the alignment, in conjunction with cultural monitoring as-needed of project activities in culturally sensitive areas are ongoing. The Archaeological Final

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
unique archaeological resources under PRC 21083.2 are present.						Report will be provided at the conclusion of construction activities.
<b>CUL-2b: Conduct exploratory trenching or coring of areas where subsurface project disturbance is planned in those areas with “high” or “very high” potential for buried site.</b>	X				Ongoing	Exploratory trenching and subsurface testing of all potentially culturally sensitive areas occurred prior to the initiation of construction activities in those areas. The results will be included in the Archaeological Final Report. No cultural resources requiring the development of a treatment plan were observed. A Native American monitor has been present for all exploratory trenching and subsurface testing work.
<b>CUL-2c: Conduct limited subsurface testing before performing ground-disturbing work within 50 meters of a known archaeological site.</b>	X				Ongoing	Exploratory trenching and subsurface testing of all potentially culturally sensitive areas occurred prior to the initiation of construction activities in those areas. The results will be included in the Archaeological Final Report. No cultural resources requiring the development of a treatment plan were observed. A Native American monitor has been present for all exploratory trenching and subsurface testing work.
<b>CUL-2d: Conduct exploratory trenching or coring of areas within the three zones of special sensitivity where subsurface project disturbance is planned.</b>	X				Ongoing	Exploratory trenching and subsurface testing of all potentially culturally sensitive areas occurred prior to the initiation of construction activities in those areas. The results will be included in the Archaeological Final Report. No cultural resources requiring the development of a treatment plan were observed. A Native American monitor has been

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
						present for all exploratory trenching and subsurface testing work.
<b>CUL-2e: Stop work if cultural resources are encountered during ground-disturbing activities.</b>	X	X			Ongoing	No prehistoric or historic-period cultural materials have been observed during cultural monitoring.
<b>CUL-2f: Conduct archaeological monitoring of ground-disturbing activities in areas as determined by JPB and SHPO.</b>		X			Ongoing	Cultural monitoring as-needed of project activities in culturally sensitive areas is ongoing. The Archaeological Final Report will be provided at the conclusion of construction activities.
<b>CUL-3: Comply with state and county procedures for the treatment of human remains discoveries.</b>		X			Ongoing	No human remains have been observed to date on the Project.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>EMF-2: Minimize EMI effects during final design, Monitor EMI effects during testing, commission and operations, and Remediate Substantial Disruption of Sensitive Electrical Equipment.</b>	X	X	X		Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. Designs are submitted and reviewed/commented on by JPB. Monitoring EMI effects will occur post construction.
<b>GEO-1: Perform a site-specific geotechnical study for traction power facilities.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. Geotechnical studies are being conducted by Parikh under subcontract with PGH Wong. Studies and results are submitted to JPB as completed.
<b>GEO-4a: Identification of expansive soils.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. Geotechnical studies are being conducted by Parikh under subcontract with PGH Wong. Studies and results are submitted to JPB as completed.
<b>GEO-4b: Mitigation of expansive soils.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design by the D-B as described. Geotechnical studies are being conducted by Parikh under subcontract with PGH Wong. Studies and results are submitted to JPB as completed.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>HAZ-2a: Conduct a Phase II Environmental Site Assessment prior to construction.</b>	X				Complete	A Phase II Environmental Assessment was completed prior to construction by the JPB consultant, and the results were provided to BBI, and the required mitigation is being implemented prior to the initiation of construction activities.
<b>HAZ-2b: Implement engineering controls and best management practices during construction.</b>	X	X			Ongoing	D-B field activities are being monitored daily for significant color changes or odors which may indicate contamination. In addition, assessments of existing subsurface pipes by a certified Asbestos Consultant are occurring as needed throughout the project as they are observed. Following the assessments, a specification describing the methods for removal and disposal are provided to the certified asbestos contractor. The removal and disposal work performed by the certified asbestos contractor is monitored by the certified asbestos consultant. During the reporting period, a certified asbestos consultant conducted exposure monitoring at PS-1 where naturally occurring asbestos was detected. Also, during the reporting period, samples of wrapped conduit at MP 46.7-12A were collected for asbestos analysis.
<b>HYD-1: Implement construction dewatering treatment, if necessary.</b>	X	X			Ongoing	Facilities & BMPs are in place to deal with this requirement should it arise in the OCS foundations.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>HYD-4: Minimize floodplain impacts by minimizing new impervious areas for TPFs or relocating these facilities.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. The TPFs in Construction Segments 2 & 4 are currently in final design and design for TPFs in Construction Segments 1 & 3 has begun. The design minimizes hardscape only to required structure foundations; yard areas are to receive a pervious material.
<b>HYD-5: Provide for electrical safety at TPFs subject to periodic or potential flooding.</b>	X			X	Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. The TPFs in Construction Segments 2 & 4 are currently in final design and design for TPFs in Construction Segments 1 & 3 has begun. The design plan currently raises the TPFs above the floodplain.
<b>HYD-7: Implement sea level rise vulnerability assessment and adaptation plan.</b>				X	Ongoing	The JPB has initiated this measure and preparation of the sea level rise vulnerability assessment and adaptation plan is underway.
<b>NOI-1a: Implement Construction Noise Control Plan.</b>	X	X			Ongoing	The Noise and Vibration Control Plan has been submitted and is being implemented. Field activity is monitored per the Plan. If allowable noise levels are near or exceed allowable noise levels, mitigation such as blankets are used from that point forward.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>NOI-1b: Conduct site-specific acoustical analysis of ancillary facilities based on the final mechanical equipment and site design and implement noise control treatments where required.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. PGH Wong has completed analysis and design and issued for JPB review.
<b>NOI-2a: Implement Construction Vibration Control Plan.</b>	X	X			Ongoing	The Noise and Vibration Control Plan has been submitted and is being implemented. Field activity is monitored per the Plan.
<b>PSU-8a: Provide continuous coordination with all utility providers.</b>	X	X			Ongoing	The design requirements indicated in the measure will be implemented through the final design as described. Coordination with utility providers is ongoing and there have not been any service interruptions thus far.
<b>PSU-8b: Adjust OCS pole foundation locations.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described.
<b>PSU-8c: Schedule and notify users about potential service interruptions.</b>	X	X			Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. There have not been any service interruptions thus far.
<b>PSU-9: Require application of relevant construction mitigation measures to utility relocation and transmission line construction by others.</b>	X	X			Ongoing	JPB has initiated coordination with PG&E regarding transmission line construction. PG&E is currently raising overcrossing lines in Segment 2.



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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>TRA-1a: Implement Construction Road Traffic Control Plan.</b>	X	X			Ongoing	The D-B has begun traffic control design and permit applications with the City of Millbrae, Burlingame and San Mateo. Other communities will follow. Designs have been completed for all cross-over bridges in Segments 2 & 4 and submitted.
<b>TRA-1c: Implement signal optimization and roadway geometry improvements at impacted intersections for the 2020 Project Condition.</b>	X	X			Upcoming	This measure has not started
<b>TRA-2a: Implement construction railway disruption control plan.</b>	X	X			Ongoing	Minimization of railway disruption is being coordinated by the Site Specific Work Plan. A Construction Railway Disruption Control Plan was prepared to document the measures that are being implemented.
<b>TRA-3b: In cooperation with the City and County of San Francisco, implement surface pedestrian facility improvements to address the Proposed Project's additional pedestrian movements at and immediately adjacent to the San Francisco 4th and King Station.</b>	X	X	X		Upcoming	This measure has not started.
<b>TRA-4b: Continue to improve bicycle facilities at Caltrain stations and partner with bike share programs where available following guidance in</b>				X	Ongoing	The JPB adopted the Caltrain Bicycle Parking Management Plan in November 2017, and staff have been working to implement the Plan's recommendations to improve wayside bike parking facilities along

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
Caltrain's Bicycle Access and Parking Plan.						the corridor. Staff have also been coordinating with local jurisdictions that have launched bikeshare pilot programs to safely site bicycles near Caltrain stations.
NOI-CUMUL-1: Implement a phased program to reduce cumulative train noise along the Caltrain corridor as necessary to address future cumulative noise increases over FTA thresholds				X	Upcoming	This measure will be implemented during project operation.
NOI-CUMUL-2: Conduct project-level vibration analysis for Blended System operations and implement vibration reduction measures as necessary and appropriate for the Caltrain corridor				X	In Progress	CHSRA is conducting this analysis as part of the EIR/EIS for the San Francisco to San Jose section.
TRA-CUMUL-1: Implement a phased program to provide traffic improvements to reduce traffic delays near at-grade crossings and Caltrain stations				X	Upcoming	This measure will be implemented during project operation.
TRA-CUMUL-2: Implement technical solution to allow electric trolley bus transit across 16 <sup>th</sup> Street without OCS conflicts in cooperation with SFMTA.	X				Complete	Not applicable. SFMTA has elected to not electrify the 16 <sup>th</sup> Street crossing. This measure no longer applies.
Mitigation Measure TRA-CUMUL-3: As warranted, Caltrain and freight operators will partner to provide Plate H clearance				X	Upcoming	This measure will be implemented during project operation.

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
as feasible between San Jose and Bayshore.						
<b>AES-2a: Minimize OCS construction activity on residential and park areas outside the Caltrain ROW.</b>	X	X			Ongoing	The OCS proposed construction schedule has been provided to the JPB. OCS construction began the week of October 2, 2017. The D-B has used the potholing process to assist in locating conflicts in the 35% design and attempting to relocate OCS pole locations within the ROW, thereby avoiding parks and residential areas.
<b>AES-2b: Aesthetic treatments for OCS poles, TPFs in sensitive visual locations, and Overbridge Protection Barriers.</b>	X				Ongoing	The design requirements indicated in the measure have been implemented as described, and coordination with the specific jurisdictions regarding pole colors and design, TPFs, and Overbridge Protection Barriers, is ongoing.
<b>AES-4a: Minimize spillover light during nighttime construction.</b>		X			Ongoing	OCS construction began the week of October 2, 2017. The BBI community relations lead has notified nearby residents of upcoming construction. During construction, lighting is faced inward, towards the railroad tracks, and any complaints will be documented and addressed by the BBI community relations lead.
<b>AES-4b: Minimize light spillover at TPFs.</b>	X				Upcoming	The design requirements indicated in the measure are being used in the design process of the TPFs.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>AQ-2a: Implement BAAQMD basic and additional construction mitigation measures to reduce construction-related dust.</b>	X	X			Ongoing	The Dust Mitigation Plan was submitted to the JPB. The requirements in the Dust Mitigation Plan will be implemented throughout the construction period and documented in daily reports.
<b>AQ-2b: Implement BAAQMD basic and additional construction mitigation measures to control construction-related ROG and NOX emissions.</b>	X	X			Ongoing	The Equipment Emissions Control Plan was submitted to the JPB. The requirements in the Equipment Emissions Control Plan will be implemented throughout the construction period and documented in daily reports.
<b>AQ-2c: Utilize clean diesel-powered equipment during construction to control construction-related ROG and NOX emissions.</b>	X	X			Ongoing	The Equipment Emissions Control Plan was submitted to the JPB. The requirements in the Equipment Emissions Control Plan will be implemented throughout the construction period and documented in daily reports.
<b>BIO-1a: Implement general biological impact avoidance measures.</b>	X	X			Ongoing	Worker Environmental Awareness Training is provided to all project-related personnel before they work on the project. All measures as described will be implemented throughout the construction period and documented in daily reports.
<b>BIO-1b: Implement special-status plant species avoidance and revegetation measures.</b>	X	X	X		Complete	Not applicable. Subsequent habitat assessment and avoidance of Communication Hill eliminated any potential to affect special-status plant species. The measure is not needed.

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>BIO-1c: Implement California red-legged frog and San Francisco garter snake avoidance measures.</b>	X	X			Ongoing	Pre-construction surveys are occurring no more than 7 days prior to the initiation of construction activities nearby/adjacent to potential habitat for CRLF and SFGS. The Wildlife Exclusion Fencing Plan for Segments 2 and 4 was submitted and approved by the wildlife agencies, and installation and monitoring of wildlife exclusion fencing is ongoing. No CRLF / SFGS or sign of each species has been observed to date on the Project. A separate Wildlife Exclusion Fencing Plan will be submitted for Segments 1 and 3, prior to initiation of construction activities in those segments.
<b>BIO-1d: Implement western pond turtle avoidance measures.</b>	X	X			Ongoing	Pre-construction surveys are occurring no more than 7 days prior to the initiation of construction activities nearby/adjacent to potential habitat for WPT. No WPT or WPT sign have been observed to date on the Project.
<b>BIO-1e: Implement Townsend's big-eared bat, pallid bat, hoary bat, and fringed myotis avoidance measures.</b>	X	X			Ongoing	Pre-construction surveys are occurring no more than 7 days prior to the initiation of construction activities with the potential to disturb bats or their habitat. No special-status bats or sign have been observed to date on the Project.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>BIO-1f: Implement western burrowing owl avoidance measures.</b>	X	X			Ongoing	Protocol surveys for Western Burrowing Owl were conducted from April 2017 through July 2017 at previously identified potentially suitable habitat locations. Note that all of these locations are in Construction Segment 4 (southern Santa Clara and San Jose). No Burrowing Owls were observed during the surveys. Construction in Segment 4 is anticipated to occur in 2018. Prior to construction activities in Segment 4, pre-construction surveys of the potential habitat areas will occur no more than 7 days prior to the onset of construction activities. In addition, protocol surveys were initiated in March 2018, and were completed in June 2018, at the previously identified potentially suitable habitat locations, which will allow work to occur during the 2019 breeding season, if necessary. No Burrowing Owls were observed during the 2018 surveys.
<b>BIO-1g: Implement northern harrier, white-tailed kite, American peregrine falcon, saltmarsh common yellowthroat, purple martin, and other nesting bird avoidance measures.</b>	X	X			Ongoing	Nesting Bird surveys were conducted from February 1 through September 15, 2017 prior to project-related activities with the potential to impact nesting birds. No active nests were observed during this reporting period. Nesting Bird surveys were initiated on February 1, 2018 and continued throughout the reporting period. Active nests were observed during this reporting period, and no-disturbance buffers were implemented to avoid any impacts to active nests, and all project activities which occurred nearby active nests

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
						were monitored by agency-approved biological monitors.
<b>BIO-1h: Conduct biological resource survey of future contractor-determined staging areas.</b>	X	X			Ongoing	The agency-approved Qualified Biologist has conducted surveys of the staging areas currently being used for construction activities. No special-status species or other potentially sensitive biological resources were observed. The agency-approved Qualified Biologist will continue to survey ahead of the initiation of activities at planned staging areas as the Project moves into new construction areas.
<b>BIO-1i: Minimize impacts on Monarch butterfly overwintering sites.</b>	X	X			Ongoing	The agency-approved Qualified Biologist has periodically monitored the project limits to evaluate the presence of Monarch butterfly overwintering sites. No Monarch butterfly overwintering sites have been observed on the Project to date.
<b>BIO-1j: Avoid nesting birds and bats during vegetation maintenance.</b>				X	Upcoming	To be completed during Project operation.
<b>BIO-2: Implement serpentine bunchgrass avoidance and revegetation measures.</b>	X	X	X		Complete	Not applicable. Subsequent habitat assessment and avoidance of Communication Hill eliminated any potential to affect serpentine bunchgrass. This measure is no longer needed.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>BIO-3: Avoid or compensate for impacts on wetlands and waters.</b>	X	X	X		Complete	The JPB has compensated for unavoidable wetland impacts by purchasing adequate credits from a wetlands mitigation bank approved by USACE and SFRWQCB.
<b>BIO-5: Implement Tree Avoidance, Minimization, and Replacement Plan.</b>	X	X	X		Ongoing	Tree removal and pruning activities were initiated in August 2017, and are ongoing, under the guidance of the BBI Arborist, and in accordance with the Tree Avoidance, Minimization, and Replacement Plan. Tree Removal and Pruning status is provided to the JPB on a weekly basis.
<b>BIO-6: Pay <i>Santa Clara Valley Habitat Plan</i> land cover fee (if necessary).</b>	X				Complete	Not applicable. The SCVHP does not apply to the Project because TPS2, Option 1 was not selected and OCS does not extend to Communication Hill. This measure is not needed.
<b>CUL-1a: Evaluate and minimize impacts on structural integrity of historic tunnels.</b>	X				Upcoming	To be implemented prior to construction in tunnels.
<b>CUL-1b: Minimize impacts on historic decorative tunnel material.</b>	X				Upcoming	To be implemented prior to construction in tunnels.



**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>CUL-1c: Install project facilities in a way that minimizes impacts on historic tunnel interiors.</b>	X				Upcoming	To be implemented prior to construction in tunnels.
<b>CUL-1d: Implement design commitments at historic railroad stations</b>	X				Complete	The Qualified Architectural Historian completed and submitted the HABS Level III documents to the JPB for all seven of the historic stations. Pole placement has been designed to minimize the visual impact to historic stations and all design changes are reviewed by the Environmental Compliance Lead to ensure the mitigation measure is being implemented as the design of the project progresses.
<b>CUL-1e: Implement specific tree mitigation considerations at two potentially historic properties and landscape recordation, as necessary.</b>	X	X			Complete	It was determined that the project is not acquiring any ROW at either of the subject properties so all tree effects would be within the JPB ROW. Therefore, the APE does not include these two historic properties. This measure is no longer needed.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>CUL-1f: Implement historic bridge and underpass design requirements.</b>	X				Ongoing	This measure is being implemented as described during the design process and will be incorporated into the final design. The four bridges that are included in the MMRP are rail bridges crossing over another feature. Design of the OCS system is taking into account that there are requirements that restrict the design. Thus far, the designs for Construction Segments 2 & 4 are in process and designs are not yet complete. The D-B will forward to the Architectural Historian once complete.
<b>CUL-2a: Conduct an archaeological resource survey and/or monitoring of the removal of pavement or other obstructions to determine if historical resources under CEQA or unique archaeological resources under PRC 21083.2 are present.</b>	X				Ongoing	Periodic inspections of ground surface areas along the alignment, in conjunction with cultural monitoring as-needed of project activities in culturally sensitive areas are ongoing. The Archaeological Final Report will be provided at the conclusion of construction activities.
<b>CUL-2b: Conduct exploratory trenching or coring of areas where subsurface project disturbance is planned in those areas with “high” or “very high” potential for buried site.</b>	X				Ongoing	Exploratory trenching and subsurface testing of all potentially culturally sensitive areas occurred prior to the initiation of construction activities in those areas. The results will be included in the Archaeological Final Report. No cultural resources requiring the development of a treatment plan were observed. A Native American monitor has been present for all exploratory trenching and subsurface testing work.

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>CUL-2c: Conduct limited subsurface testing before performing ground-disturbing work within 50 meters of a known archaeological site.</b>	X				Ongoing	Exploratory trenching and subsurface testing of all potentially culturally sensitive areas occurred prior to the initiation of construction activities in those areas. The results will be included in the Archaeological Final Report. No cultural resources requiring the development of a treatment plan were observed. A Native American monitor has been present for all exploratory trenching and subsurface testing work.
<b>CUL-2d: Conduct exploratory trenching or coring of areas within the three zones of special sensitivity where subsurface project disturbance is planned.</b>	X				Ongoing	Exploratory trenching and subsurface testing of all potentially culturally sensitive areas occurred prior to the initiation of construction activities in those areas. The results will be included in the Archaeological Final Report. No cultural resources requiring the development of a treatment plan were observed. A Native American monitor has been present for all exploratory trenching and subsurface testing work.
<b>CUL-2e: Stop work if cultural resources are encountered during ground-disturbing activities.</b>	X	X			Ongoing	No prehistoric or historic-period cultural materials have been observed during cultural monitoring.
<b>CUL-2f: Conduct archaeological monitoring of ground-disturbing activities in areas as determined by JPB and SHPO.</b>		X			Ongoing	Cultural monitoring as-needed of project activities in culturally sensitive areas is ongoing. The Archaeological Final Report will be provided at the conclusion of construction activities.

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**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>CUL-3: Comply with state and county procedures for the treatment of human remains discoveries.</b>		X			Ongoing	No human remains have been observed to date on the Project.
<b>EMF-2: Minimize EMI effects during final design, Monitor EMI effects during testing, commission and operations, and Remediate Substantial Disruption of Sensitive Electrical Equipment.</b>	X	X	X		Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. Designs are submitted and reviewed/commented on by JPB. Monitoring EMI effects will occur post construction.
<b>GEO-1: Perform a site-specific geotechnical study for traction power facilities.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. Geotechnical studies and results are submitted to JPB as completed.
<b>GEO-4a: Identification of expansive soils.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. Geotechnical studies and results are submitted to JPB as completed.

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>GEO-4b: Mitigation of expansive soils.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. Geotechnical studies and results are submitted to JPB as completed.
<b>HAZ-2a: Conduct a Phase II Environmental Site Assessment prior to construction.</b>	X				Complete	A Phase II Environmental Assessment was completed prior to construction by the JPB consultant, and the results were provided to BBI, and the required mitigation is being implemented prior to the initiation of construction activities.
<b>HAZ-2b: Implement engineering controls and best management practices during construction.</b>	X	X			Ongoing	Field activities are being monitored daily for significant color changes or odors which may indicate contamination. In addition, an assessment of two existing subsurface pipes by a certified Asbestos Consultant occurred during this reporting period, and a specification describing the methods for removal and disposal is currently in progress.
<b>HYD-1: Implement construction dewatering treatment, if necessary.</b>	X	X			Ongoing	Facilities & BMPs are in place to deal with this requirement should it arise in the OCS foundations.
<b>HYD-4: Minimize floodplain impacts by minimizing new impervious areas for TPFs or relocating these facilities.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. The TPFs in Construction Segments 2 & 4 are currently in final design and design for TPFs in Construction Segments 1 & 3 has begun. The design minimizes

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
						hardscape only to required structure foundations; yard areas are to receive a pervious material.
<b>HYD-5: Provide for electrical safety at TPFs subject to periodic or potential flooding.</b>	X			X	Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. The TPFs in Construction Segments 2 & 4 are currently in final design and design for TPFs in Construction Segments 1 & 3 has begun. The design plan currently raises the TPFs above the floodplain.
<b>HYD-7: Implement sea level rise vulnerability assessment and adaptation plan.</b>				X	Ongoing	The JPB has initiated this measure and preparation of the sea level rise vulnerability assessment and adaptation plan is underway.
<b>NOI-1a: Implement Construction Noise Control Plan.</b>	X	X			Ongoing	The Noise and Vibration Control Plan has been submitted and is being implemented. Field activity is monitored per the Plan. If allowable noise levels are near or exceed allowable noise levels, mitigation such as blankets are used from that point forward.
<b>NOI-1b: Conduct site-specific acoustical analysis of ancillary facilities based on the final mechanical equipment and site design and implement noise control treatments where required.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. Design is still in process and a noise study is currently being performed.

**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>NOI-2a: Implement Construction Vibration Control Plan.</b>	X	X			Ongoing	The Noise and Vibration Control Plan has been submitted and is being implemented. Field activity is monitored per the Plan.
<b>PSU-8a: Provide continuous coordination with all utility providers.</b>	X	X			Ongoing	The design requirements indicated in the measure will be implemented through the final design as described. Coordination with utility providers is ongoing and there have not been any service interruptions thus far.
<b>PSU-8b: Adjust OCS pole foundation locations.</b>	X				Ongoing	The design requirements indicated in the measure are being implemented through the final design as described.
<b>PSU-8c: Schedule and notify users about potential service interruptions.</b>	X	X			Ongoing	The design requirements indicated in the measure are being implemented through the final design as described. There have not been any service interruptions thus far.
<b>PSU-9: Require application of relevant construction mitigation measures to utility relocation and transmission line construction by others.</b>	X	X			Ongoing	JPB has initiated coordination with PG&E regarding transmission line construction. PG&E is currently raising overcrossing lines in Segment 2.

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Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>TRA-1a: Implement Construction Road Traffic Control Plan.</b>	X	X			Ongoing	The D-B has begun traffic control design and permit applications with cities in Segments 2 and 4. Designs have been completed and approved for all cross-over bridges in Segments 2 and 4.
<b>TRA-1c: Implement signal optimization and roadway geometry improvements at impacted intersections for the 2020 Project Condition.</b>	X	X			Upcoming	This measure has not started
<b>TRA-2a: Implement construction railway disruption control plan.</b>	X	X			Ongoing	Minimization of railway disruption is being coordinated by the Site Specific Work Plan. A Construction Railway Disruption Control Plan was prepared to document the measures that are being implemented.
<b>TRA-3b: In cooperation with the City and County of San Francisco, implement surface pedestrian facility improvements to address the Proposed Project's additional pedestrian movements at and immediately adjacent to the San Francisco 4th and King Station.</b>	X	X	X		Upcoming	This measure has not started.
<b>TRA-4b: Continue to improve bicycle facilities at Caltrain stations and partner with bike share programs where available following guidance in</b>				X	Ongoing	The JPB adopted the Caltrain Bicycle Parking Management Plan in November 2017, and staff have been working to implement the Plan's recommendations to improve wayside bike parking facilities along



**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
<b>Caltrain's Bicycle Access and Parking Plan.</b>						the corridor. Staff have also been coordinating with local jurisdictions that have launched bikeshare pilot programs to safely site bicycles near Caltrain stations.
<b>NOI-CUMUL-1: Implement a phased program to reduce cumulative train noise along the Caltrain corridor as necessary to address future cumulative noise increases over FTA thresholds</b>				X	Upcoming	This measure will be implemented during project operation.
<b>NOI-CUMUL-2: Conduct project-level vibration analysis for Blended System operations and implement vibration reduction measures as necessary and appropriate for the Caltrain corridor</b>				X	In Progress	CHSRA is conducting this analysis as part of the EIR/EIS for the San Francisco to San Jose section.
<b>TRA-CUMUL-1: Implement a phased program to provide traffic improvements to reduce traffic delays near at-grade crossings and Caltrain stations</b>				X	Upcoming	This measure will be implemented during project operation.
<b>TRA-CUMUL-2: Implement technical solution to allow electric trolley bus transit across 16<sup>th</sup> Street without OCS conflicts in cooperation with SFMTA.</b>	X				Complete	Not applicable. SFMTA has elected to not electrify the 16 <sup>th</sup> Street crossing. This measure no longer applies.
<b>Mitigation Measure TRA-CUMUL-3: As warranted, Caltrain and freight operators will partner to provide Plate H clearance</b>				X	Upcoming	This measure will be implemented during project operation.

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**Mitigation Monitoring and Reporting**

Mitigation Measure	Mitigation Timing				Status	Status Notes
	Pre-Construction	Construction	Post-Construction	Operation		
as feasible between San Jose and Bayshore.						

# Report on Member Agencies' Rights and Obligations Under JPB Governing Documents

Peninsula Corridor Joint Powers Board

Presentation by Olson | Remcho

April 1, 2021

# Presentation Overview

1. History
2. Key Agreements
3. Detail on Key Agreements
4. Issues Covered in Report
5. Questions

# Section 1: Corridor History

- 1863 – San Francisco and San Jose Railroad Company begins passenger service on the Peninsula
- 1870 – Southern Pacific Railway purchases railway
- 1970s – rail commuter business unprofitable and Southern Pacific wants out
- 1980 – State decides to subsidize Southern Pacific to keep operating passenger rail service
- 1988 – State ends subsidies and the three counties join together to save the railroad
- 1991 – the 3 counties form the Peninsula Corridor Joint Powers Authority and purchase the right-of-way, using Prop. 116 funds and funds advanced by SamTrans

# Section 2: Overview of Key Agreements

- Joint Powers Agreement
  - Establishes the Joint Powers Authority and names the Joint Powers Board as the governing body.
- Purchase and Sale Agreement with SP
  - Describes the property purchased by the JPA as well as options that could be exercised either by the JPA or a member agency.
- Real Property Ownership Agreement
  - Governs use and distribution of property owned by the JPA and partner agencies.
  - Establishes two alternate methods for reimbursing SamTrans for advancing funds to purchase the right of way (“ROW”).

# Section 3 – The Joint Powers Agreement (JPA)

- The basic governing document that establishes the JPA that:
  - Describes its purpose, membership, powers and authority;
  - Manner of allocating operating and capital costs among the member agencies;
  - Designates SamTrans as managing agency; and
  - Created in 1991 and amended in 1994 and 1996.

# 1991 JPA

- First JPA established the Joint Powers Board.
- Had a 10-year term after which JPA would be in force on year to year basis until 2 or more member agencies withdraw.
- Designated SamTrans as managing agency subject to Board's authority to change designation of managing agency after SamTrans is reimbursed for funds it advanced for purchase of the right of way.



# 1994 JPA

- Amended allocation of capital and administrative costs among the member agencies.
- Provided for mediation by Metropolitan Transportation Commission if a party wished to withdraw.
- Addressed late payments from member agencies.

# 1996 JPA (Current Agreement)

- Made changes that VTA requested regarding appointment of its representatives to the JPB;
- Provides for appointment of members of the JPB, powers and duties of the JPB, allocation of operating and capital costs;
- Designated SamTrans as managing agency subject to the Board's authority to change designation of managing agency after SamTrans is reimbursed for funds it advanced for the purchase of the right of way.

# Purchase Sale and Option Agreement – 1991

- Purchase of ROW Main Line
  - \$212M – \$120M from Prop. 116; \$82M from SamTrans; \$10M credit for construction of maintenance facility.
  - SamTrans as Tenant in Common to ROW in San Mateo County until reimbursed.
  - SP maintained right to operate freight service on Main Line.
- Purchase of Trackage Rights from Lick to Gilroy
  - \$8M (\$4M from Prop. 116; \$4M from VTA).
- Options to Purchase:
  - One half of the Lick-Gilroy Line – \$20M, with credit for \$8M paid for purchase.
  - Parking Lots and Grade Separations.
  - Dumbarton Branch, Vasona Branch I and II, San Bruno Branch, and Moffett Drill Track.

# Real Property Ownership Agreement (RPOA) – 1991

- Describes ownership rights of the JPB and member agencies over Caltrain property
- Provides two methods to repay SamTrans' additional contribution to purchase of the ROW:
  - **Full reimbursement:** members use best efforts to find non-local funds to reimburse SamTrans for full amount of additional contribution (\$82 million), plus compound interest;
  - **Full participation:** VTA and SF may elect to use their own assets to pay their share of additional contribution, plus compound interest, based on mileage formula (VTA = \$34.7; SF = \$8.3 million; does not include interest).
- Gives SamTrans ownership rights over certain property until full reimbursement or full participation occurs

# The RPOA Describes Four Kinds of Caltrain Property

- **ROW:** the Main Line from San Francisco to Lick, trackage rights for the Gilroy service, and other assets acquired pursuant to Purchase Agreement, except local option properties.
- **Local Option Property:** properties identified in the purchase and sale agreement with SP. Not directly tied to operation of the corridor service but were of interest to particular member agencies.
- **System Option Property:** properties to be acquired pursuant to the options established in the Purchase Agreement other than local option properties.
- **State Transferred Properties:** real property and other assets transferred from Caltrans to the JPB, including stations, facilities, equipment and inventory.

# Real Property Ownership Agreement – Amended 2008

- By 2007, no payments had been made under the 1991 agreement to repay SamTrans.
- MTC conditioned release of certain State revenues on the member agencies coming to agreement that would provide for repayment.
- Because of compound interest, the amount needed for VTA and SF to repay SamTrans under the 1991 agreement had grown to \$91.5M.

# Real Property Ownership Agreement – Amended 2008, Continued

- The parties agreed to reset the amount of the additional contribution attributable to VTA and San Francisco at \$53.3 million, to be paid partly by San Francisco (\$2 million) and VTA (\$8 million) and partly by MTC (\$43.3 million), using primarily funds from State gas taxes.
- The parties agreed that if repayment did not occur within 10 years, MTC would be authorized to identify other non-local funds to use as source of repayment.
- The parties also agreed that SamTrans could serve as managing agency for as long as it chose to do so in exchange for forgiving \$38.2M in debt.

# Section 4 – Specific Issues Covered by the Report

- A. Property ownership
- B. ROW and reimbursement of SamTrans
- C. Caltrain management
- D. Gilroy service
- E. Allocation of operating and capital costs for Mainline
- F. Parties' rights to revise or terminate the JPA



# A. Property Ownership

- JPB has title to:
  - ROW
  - Trackage rights between Lick and Gilroy
  - State Transferred Properties
  - Certain Parking Lots and Grade Separations
- VTA owns:
  - The Moffett Drill Track
  - The Vasona I and II branches

# A. Property Ownership – Continued

- SamTrans shares title:
  - As tenant in common with JPB to ROW in San Mateo County until Full Reimbursement or Full Participation occur.
- SamTrans owns:
  - The Dumbarton and San Bruno branches.
  - Some parking lots and grade separations acquired pursuant to Purchase Agreement.

# A. Property Ownership, Continued – SamTrans

## Equity Conversion Right

- SamTrans has right to convert Additional Contribution into ownership interest in all or part of ROW.
- If conversion occurs, VTA and SF have participation rights in management and development decisions based on their payment towards Additional Contribution.
- If conversion occurs, SamTrans required to license ROW to JPB at no cost.
- SamTrans has right to lease or encumber property as necessary or desirable to develop nonoperational assets without the approval of the JPB (with respect to property outside SM, right is limited to specified nonoperational assets in Mountain View, Sunnyvale, and Santa Clara).

## A. Property Ownership, Continued – Other SamTrans Property Rights

- SamTrans has right to net revenue from nonoperational assets and State transferred properties until Full Reimbursement or Full Participation occur.
- SamTrans has right to veto sale of ROW, system option properties, and State transferred properties.

## B. Repayments

- VTA has paid SamTrans \$8 million, as required by the 2008 RPOA.
- San Francisco has paid all but \$200,000 of the \$2 million to SamTrans as required by the 2008 RPOA.
- MTC has paid \$23.7 million of the \$43.3 million it was to pay SamTrans through population-based “spillover” funds.
- As a result, a total of \$19,788,913 has not been paid under the 2008 RPOA, \$19,588,913 of which was to come from MTC and \$200,000 of which was to come from San Francisco.
  - Full Reimbursement of the Additional Contribution has not occurred
- Under section 3.4, VTA and San Francisco have no legal obligation to participate in the Additional Contribution, but they may, “at their election,” undertake good faith efforts to pay an amount to SamTrans sufficient to achieve full participation.
  - To date, this has not occurred.
- Because SamTrans has not received all funds within 10 years, MTC is authorized to identify alternate sources of non-local funds to effect full reimbursement, but no funds have been identified.

## C. Managing Agency

- SamTrans has right to serve as managing agency as long as it wishes, regardless of whether it is repaid for advancing funds for ROW purchase.
- Under 1996 JPA, the managing agency's General Manager shall be the Executive Director of the JPB, and its Finance Director shall serve as treasurer and controller of the JPB.
- Under 1996 JPA, JPB shall designate legal counsel and independent auditors.
- SamTrans is responsible for managing the operational and nonoperational assets; the JPB may delegate responsibility for the management of certain operational and nonoperational assets to another member agency.

## D. Gilroy Service

- Operating costs: The 1996 JPA states that VTA shall be responsible for the net operating costs of the Gilroy Service. However, since 2001 the member agencies have shared those costs in the same manner as they share operating costs for the service between San Francisco and San Jose (no revised codification has been made in the JPA).
- Capital costs: Under the 1996 JPA, VTA is responsible for obtaining funding for all Gilroy Service capital projects.

## E. Allocation of Operating Costs for the Mainline

- Under the 1996 JPA: member agencies must subsidize operating costs in an amount equal to the a.m. boarding formula.
- The members' current practice: member agencies subsidize operating costs based on the all-day, mid-week boarding formula (no revised codification has been made in the JPA).
- JPB administrative costs are included in operating costs and shared in same manner.



## E. Allocation of Capital Costs for the Mainline

- Current practice is consistent with 1996 JPA.
- To the extent other funds cannot be secured, member agencies share equally the costs of capital projects that replace or enhance existing service while costs for expansion projects are determined on a case-by-case basis.
- Capital contingency fund: member agencies shall contribute in equal amounts.

## F. Amending or Terminating the JPA

- 1996 JPA can be amended any time by agreement of all parties.
- The JPA terminates if 2 or more parties withdraw.
- Disposition of property upon termination of the JPA will depend on whether SamTrans has been repaid for the funds it contributed to purchase of the right of way in 1991.

# Questions