



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Finance Committee Meeting

Committee Members: Monique Zmuda (Chair), Dev Davis (Vice Chair), Ray Mueller

This meeting will be conducted as a hybrid teleconference and in-person meeting pursuant to the Brown Act. Members of the public may participate remotely or in-person, provided that they satisfy the safety protocols listed below.

Members of the public may participate remotely via Zoom at <https://us06web.zoom.us/j/81843266625?pwd=aDExTGltUUJSOUc5TkNnbU1QMTRHUT09> or by entering Webinar ID: # **818 4326 6625**, Passcode: **249080**, in the Zoom app for audio/visual capability or by calling 1-669-900-6833 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at <https://www.caltrain.com/video-board-directors>.

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

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

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

Public Comments: Public comments may be submitted to publiccomment@caltrain.com prior to the meeting's call to order so that they can be sent to the Board as soon as possible, while those received

during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

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

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

March 27, 2023 - Monday

2:30 pm

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

1. Call to Order/Pledge of Allegiance
2. Roll Call
3. Public Comment on Items not on the Agenda
Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff to reply.
4. Consent Calendar
Members of the Board may request that an item under the Consent Calendar be considered separately.
 - 4.a. Meeting Minutes of February 21, 2023 Motion
 - 4.b. Authorize the Executive Director to Execute an Amendment to the Letter of Agreement with Transbay Joint Powers Authority (TJPA) For Activities Undertaken in Support of the Downtown Rail Extension (DTX) * Motion
 - 4.c. Accept Statement of Revenues and Expenses for the Period Ending February 28, 2023 Motion
5. Declare an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion and Authorize the Executive Director to Enter into Construction Agreement with Walsh Construction for Emergency Repair Work at San Francisquito Creek Bridge* Motion
6. Authorize Rejection of Bid for Churchill Avenue Grade Crossing Improvements Project and Re-Advertisement of the Solicitation* Motion

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

7. Authorize Execution of Agreement with VTA for Bus Bridge Services for the Caltrain Peninsula Corridor Electrification Project (PCEP) Signal Cutovers and OCS Testing* Motion
8. Committee Member Requests
9. Date/Time of Next Regular Finance Committee Meeting: April 24, 2023 at 2:30 pm.
The meeting will be accessible via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.
10. Adjourn

Information for the Public

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board. If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at www.caltrain.com. Communications to the Board of Directors can be e-mailed to board@caltrain.com. *Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电1.800.660.4287*

Date and Time of Board and Committee Meetings

JPB Board: First Thursday of the month, 9:00 am; JPB Finance Committee: Two Mondays before the Board Meeting, 2:30 pm. The date, time, and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting

Members of the Public may attend this meeting in person or remotely via Zoom. *Should Zoom not be operational, please check online at <https://www.caltrain.com/about-caltrain/meetings> for any updates or further instruction.

Public Comment*

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

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

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

Accessible Public Meetings/Translation

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

Availability of Public Records

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

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

Draft Minutes of February 21, 2023

Members Present: Ray Mueller, Devora “Dev” Davis (Vice Chair), Monique Zmuda (Chair)

Members Absent: None

Staff Present: M. Bouchard, J. Harrison, K. Kelly, G. Buckley, H. Peng, D. Seamans,
M. Tseng

1. Call to Order/Pledge of Allegiance

Chair Monique Zmuda called the meeting to order at 2:31 pm and led the Pledge of Allegiance

2. Roll Call

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

3. Public Comment on Items not on the Agenda

There was no public comment.

4. Consent Calendar

4.a. Meeting Minutes of December 19, 2022

Motion/second: Zmuda/Davis

Ayes: Davis, Mueller, Zmuda

Noes: None

Absent: None

5. Chief Financial Officer Update on Revenues and Expenses for the Period Ending January 31, 2023

Kathleen Kelly, Interim Chief Finance Officer, presented Caltrain’s January 2023 financial forecast, which included the following:

- Revenue forecasted versus projected, expenses for the year, and \$1.6 million in surplus expected at the end of the year;
- Measure RR for sales tax revenues projected at \$5 million higher than expected and other revenue came primarily from advertising, interest, and rental income;

- Fare revenue and ability to fund operations and capital is highly dependent on both preexisting and new ridership growth
- Ridership has not come back from pre-pandemic levels

The Committee had a discussion and staff provided further clarification in response to the Committee Members comments regarding Measure RR sales tax revenue and grade separations would be under separate capital projects.

Public comment

Adina Levin, Friends of Caltrain, commented whether there were considerations of potential future revenue, regional work, ridership regrowth scenarios and strategies would be discussed as part of budget consideration and at the future budget workshop.

Motion/second: Davis/Zmuda

Ayes: Davis, Mueller, Zmuda

Noes: None

Absent: None

6. Authorize the Executive Director to Execute a Memorandum of Agreement (MOA) with Transbay Joint Powers Authority (TJPA) for Planning of the San Francisco Downtown Rail Extension (DTX) Enabling Work at 4th and King Railyard*

Gwen Buckley, Principal Planner, provided the presentation which included background on enabling work at 4th and King to accommodate main DTX station and tunnel construction and she clarified that the MOA was for planning work.

The Committee had a brief discussion with staff regarding to funding.

Director Mueller left at 3:03 pm

Motion/Second: amended to revise the first "Whereas" clause in Resolution to read: "Whereas, the Downtown Rail Extension (DTX) project will extend Caltrain and future California High-Speed Rail service from the existing 4th and King railyard to the Salesforce Transit Center in downtown San Francisco and may ~~will~~ have a major positive impact on Caltrain service"

Ayes: Davis/ Zmuda

Noes: None

Absent: Mueller

7. Committee Member Requests

Vice Chair Davis requested clarification on the purpose of fare bonds and the payoff due date.

8. Date/Time of Next Regular Finance Committee Meeting

Monday, March 27, 2023 at 2:30 pm. The meeting will be accessible via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

9. Adjourn

The meeting adjourned at 3:08 pm.

An audio/video recording of this meeting is available online at www.caltrain.com/videoboard-directors. Questions may be referred to the Board Secretary's office by phone at 650.508.6279 or by email to board@caltrain.com.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Finance Committee
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Deputy Chief, Caltrain Planning
Subject: **Authorize the Executive Director to Execute an Amendment to the Letter of Agreement with Transbay Joint Powers Authority (TJPA) For Activities Undertaken in Support of the Downtown Rail Extension (DTX)**

Finance Committee Recommendation

Technology, Operations, Planning, and Safety Committee Recommendation

Advocacy and Major Projects Committee Recommendation

Staff Coordinating Council Reviewed

Staff Coordinating Council Recommendation

Action

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

- 1) Authorize the Executive Director, or designee, to execute an amendment to the Letter of Agreement (LOA) Regarding Reimbursement for Activities Undertaken in Support of the Downtown Rail Extension (DTX) dated July 14, 2022, with the Transbay Joint Powers Authority (TJPA) for an additional \$200,000 of reimbursable Caltrain expenses; and
- 2) Amend the Caltrain Fiscal Year 2023 Capital Budget from \$127,004,412 to \$127,204,412, to include the \$200,000 reimbursable expenses in the LOA.

Significance

In 2022, Caltrain and TJPA negotiated and executed a LOA describing the parties' cooperation to complete all work needed to meet critical milestones in the DTX Accelerated Work Plan and Federal Transit Administration (FTA) Capital Investment Grant (CIG) program documentation, and authorizing reimbursement from TJPA to Caltrain for such efforts. The LOA is an interim agreement while the parties negotiate a longer-term Master Cooperative Agreement (MCA) to be included in the TJPA's August 2023 application to the FTA CIG New Starts Program. While the LOA is in place, the parties will negotiate the terms of the MCA with the goal of executing the MCA in August 2023.

This amendment adds \$200,000 to the LOA to cover Caltrain costs for oversight of design and other work associated with the DTX enabling work planned within the Caltrain right-of-way. The full extent of this work was not included when the parties negotiated the LOA in 2022. Staff will return to the Board for authorization before proceeding with any procurement and construction activities for the enabling work.

Budget Impact

The amendment to the LOA will have a positive impact on the budget. The LOA generally allows for Caltrain costs directly attributable to this project to be covered by this project, avoiding pressure on other Caltrain capital and operating budgets. This is the same arrangement in place between Caltrain and jurisdictions across the corridor, such as Menlo Park and Sunnyvale, for capital project planning and delivery.

In FY2022, a budget of \$311,329 was established for the DTX Project. During the adoption and amendment of Caltrain's FY2023 Capital Budget, \$3,819,545 was added to the project, funded by general capital funds and TJPA, resulting in a total project budget of \$4,130,874. Pursuant to the Memorandum of Agreement executed by the parties in March 2023, the budget increased by \$595,000, resulting in a total budget of \$4,725,874.

The execution of the amendment with TJPA for an additional \$200,000 will increase the project budget to \$4,925,874.

Background

The DTX project will extend Caltrain and future California High-Speed Rail service from the existing 4th and King railyard to the Salesforce Transit Center in downtown San Francisco. The project will include the construction of a new underground station at 4th and Townsend streets and bring rail service to the underground train station at the Salesforce Transit Center, which was built as part of the construction of the Transit Center. The completion of the DTX is expected to have an impact on Caltrain ridership by expanding service into downtown San Francisco and providing intermodal connections to Muni, AC Transit, and more.

The project is seeking funding through the FTA's CIG New Starts program. For New Starts projects, the FTA requires completion of two phases, Project Development and Engineering, in advance of receipt of a Full Funding Grant Agreement (FFGA). The DTX project is executing an accelerated master schedule to support a potential FFGA approval in 2025. FTA accepted the project into the FTA's initial Project Development Phase in December 2021 and TJPA requested entry into the Engineering Phase in February 2023. The February submittal included a 20-year financial plan, project cost estimate, preliminary engineering plans, project management plan, and a funding plan demonstrating 30% of non-federal funding commitment. In August 2023, the project plans to apply for an FFGA. The August submittal will include the MCA between Caltrain and TJPA. The MCA will address key topics including design support and coordination, right of way, temporary encroachment, permitting, procurement and construction coordination, operations maintenance and rehabilitation, and asset disposition. The LOA executed by the parties is meant to cover Caltrain's costs to prepare to enter into the MCA and to support the application for funding in August 2023.

Resolution No. 2023 –

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

* * *

**Authorize the Executive Director to Execute an Amendment to the Letter of Agreement with
Transbay Joint Powers Authority for Activities Undertaken in Support of the Downtown Rail
Extension**

Whereas, in 2022, the Peninsula Corridor Joint Powers Board (JPB or Caltrain) and Transbay Joint Powers Authority (TJPA) negotiated and executed a Letter of Agreement (LOA) describing the parties' cooperation to complete all work needed to meet critical milestones in the Downtown Rail Extension (DTX) Accelerated Work Plan and Federal Transit Administration (FTA) Capital Investment Grant (CIG) program documentation, and authorizing reimbursement from TJPA to Caltrain for such efforts; and

Whereas, the LOA is an interim agreement while the parties negotiate a longer-term Master Cooperative Agreement (MCA) for inclusion in the TJPA's August 2023 application to the FTA CIG New Starts Program. While the LOA is in place, the parties will negotiate the terms of the MCA with the goal of executing the MCA in August 2023; and

Whereas, this amendment adds \$200,000 to the LOA to cover Caltrain costs for oversight of design and other work associated with the DTX enabling work planned within the Caltrain right-of-way. The full extent of this work was not included when the parties negotiated the LOA in 2022 and staff will return to the Board for authorization before proceeding with any procurement and construction activities for the enabling work; and

Whereas, the execution of the LOA between Caltrain and TJPA will provide additional funding that will increase the project budget by \$200,000, from \$4,725,874 to \$4,925,874, increasing the Caltrain FY2023 Capital Budget from \$127,004,412 to \$129,004,412.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director, or designee, to execute an amendment to the Letter of Agreement (LOA) Regarding Reimbursement for Activities

Undertaken in Support of the Downtown Rail Extension (DTX), dated July 14, 2022, with the Transbay Joint Powers Authority (TJPA) for an additional \$200,000 of reimbursable Caltrain expenses; and

Be It Further Resolved that the Board of Directors authorizes the amendment of the Caltrain Fiscal Year 2023 Capital Budget from \$127,004,412 to \$127,204,412, to include the \$200,000 reimbursable expenses in the LOA.

Regularly passed and adopted this 29th day of March 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary



FY2023 AMENDED CAPITAL BUDGET

Attachment B
Amendment 4
April 2023

Item #	PROJECT NAME	FY2023 ADOPTED CAPITAL BUDGET	Amendment 4	FY2023 Amended CAPITAL BUDGET	Federal Funds	STA SOGR	Unrestricted Funds	Member Agency Funds					Others		FY2023 AMENDED CAPITAL BUDGET	
								San Francisco	San Mateo	Santa Clara (Gen Funds)	Santa Clara (Measure B)	Total	Others	Externally Funded		Total
i. SOGR																
Bridges																
1	Guadalupe Bridges Replacement ¹ Total Project Budget (Post-Amendment): \$27,312,250	10,959,443		10,959,443	6,353,943	-	-						4,605,500	-	4,605,500	10,959,443
2	San Francisquito Creek Bridge Replacement	60,000		60,000	48,000		12,000									60,000
	Total Bridges	11,019,443		11,019,443	6,401,943		12,000						4,605,500		4,605,500	11,019,443
Right of Way																
3	SOGR Track	7,000,000		7,000,000	5,600,000	736,744	63,256	600,000				600,000				7,000,000
4	Track Tie Replacement	500,000		500,000	400,000						100,000	100,000				500,000
5	SOGR ROW	800,000		800,000		800,000										800,000
6	ROW Fencing	1,500,000		1,500,000			50,000	1,450,000				1,450,000				1,500,000
	Total Right of Way	9,800,000		9,800,000	6,000,000	1,536,744	113,256	2,050,000			100,000	2,150,000				9,800,000
Signal & Communications																
7	SOGR Signal & Communications	3,000,000		3,000,000	2,400,000		600,000									3,000,000
8	SOGR Fiber Optic	2,585,300		2,585,300	2,068,240		517,060									2,585,300
	Total Signal & Communications	5,585,300		5,585,300	4,468,240		1,117,060									5,585,300
Rolling Stock																
9	SOGR Locomotive FY23	1,500,000		1,500,000			650,000			850,000		850,000				1,500,000
	Total Rolling Stock	1,500,000		1,500,000			650,000			850,000		850,000				1,500,000
Station & Intermodal Access																
10	SOGR Facilities	1,000,000		1,000,000			1,000,000									1,000,000
11	SOGR Historical Stations	1,000,000		1,000,000						1,000,000		1,000,000				1,000,000
	Total Station & Intermodal Access	2,000,000		2,000,000			1,000,000			1,000,000		1,000,000				2,000,000
	Total SOGR	29,904,743		29,904,743	16,870,183	1,536,744	2,892,316	2,050,000		1,850,000	100,000	4,000,000	4,605,500		4,605,500	29,904,743
ii. LEGAL MANDATES AND ELECTRIFIED SERVICE RAIL PROGRAM INTEGRATION																
12	CCTV End of Life Equipment	75,000		75,000			75,000									75,000
	Total	75,000		75,000			75,000									75,000
iii. OPERATIONAL IMPROVEMENTS/ENHANCEMENTS																
13	PADS Replacement	1,060,000		1,060,000			1,060,000									1,060,000
14	Next Generation Visual Messaging Sign (VMS)	2,700,000		2,700,000			2,700,000									2,700,000
15	BCCF Virtualization Project	1,200,000		1,200,000			1,200,000									1,200,000
16	Broadband Communications ⁴ Total Project Budget (Post-Amendment): \$28,820,241	14,820,241		14,820,241			5,193,586					9,626,655		9,626,655		14,820,241
17	Caltrain VoIP	222,000		222,000			222,000									222,000
18	Technology Refresh Assessment	325,000		325,000			325,000									325,000
19	GIS System - Update & Upgrade	2,000,333		2,000,333			2,000,333									2,000,333
20	Enterprise Asset Management Software System	1,048,000		1,048,000			1,048,000									1,048,000
21	Backup Central Control Facility (BCCF) Office Remodel	1,000,000		1,000,000			1,000,000									1,000,000
22	Support for Property Mapping	500,000		500,000			500,000									500,000
23	South Linden & Scott Grade Separation*	5,500,000		5,500,000									5,500,000		5,500,000	5,500,000
24	Mary Ave/Sunnyvale Ave Grade Separation*	18,898,000		18,898,000									18,898,000		18,898,000	18,898,000
25	Rengstorff Grade Separation ⁵ Total Project Budget (Post-Amendment): \$22,000,000	18,500,000		18,500,000									18,500,000		18,500,000	18,500,000
26	Middle Ave Undercrossing*	400,000		400,000								400,000		400,000		400,000
27	Bernardo Ave Undercrossing*	4,990,000		4,990,000								4,990,000		4,990,000		4,990,000
28	San Mateo Grade Crossing Improvements ⁶ Total Project Budget (Post-Amendment): \$5,471,550	3,471,550		3,471,550									3,471,550		3,471,550	3,471,550
42	Mountain View Transit Grade Separation ² Total Project Budget (Post-Amendment): \$18,200,000	7,000,000		7,000,000								7,000,000		7,000,000		7,000,000
	Total	83,635,124		83,635,124			15,248,919					16,626,655	51,759,550	68,386,205		83,635,124
iv. PLANNING/STUDIES																
29	DTX Support ³ Total Project Budget (Post-Amendment): \$4,925,874	4,414,545	200,000	4,614,545			500,000						4,114,545		4,114,545	4,614,545



Item #	PROJECT NAME	FY2023 ADOPTED CAPITAL BUDGET	Amendment 4	FY2023 Amended CAPITAL BUDGET	Federal Funds	STA SOGR	Unrestricted Funds	Member Agency Funds				Others			FY2023 AMENDED CAPITAL BUDGET			
								San Francisco	San Mateo	Santa Clara (Gen Funds)	Santa Clara (Measure B)	Total	Others	Externally Funded		Total		
30	Redwood City Corridor Planning	1,000,000		1,000,000	-		25,000			975,000				975,000	-	-	-	1,000,000
31	Rail Network and Operations Planning	200,000		200,000	-		200,000							-	-	-	-	200,000
32	Transit-Oriented Development Studies	750,000		750,000	-		750,000							-	-	-	-	750,000
33	Electric Multiple-Unit (EMU) Hybridization	350,000		350,000	-		-					350,000	350,000	-	-	-	-	350,000
34	San Francisco Corridor and Stations Planning	250,000		250,000	-		-	250,000					250,000	-	-	-	-	250,000
35	SF Railyards Preliminary Business Case	250,000		250,000	-		250,000						-	-	-	-	-	250,000
36	Caltrain Access Policy Update	100,000		100,000	-		100,000						-	-	-	-	-	100,000
37	Capital Planning Technical Support	250,000		250,000	-		250,000						-	-	-	-	-	250,000
43	Diridon Business Case ⁷	3,000,000		3,000,000	-		-						3,000,000	-	-	-	3,000,000	3,000,000
	Total Project Budget (Post-Amendment): \$5,223,935																	
Total		10,564,545	200,000	10,764,545	-	-	2,075,000	250,000	975,000	-	350,000	1,575,000	7,114,545	-	7,114,545	-	10,764,545	
v. DTX FUNDING																		
38	DTX Funding	1,500,000		1,500,000	-		1,500,000							-	-	-	-	1,500,000
Total		1,500,000	-	1,500,000	-	-	1,500,000	-	-	-	-	-	-	-	-	-	-	1,500,000
vi. CAPITAL/CONTINGENCY FUNDS																		
39	Capital Contingency Funds - Engineering	330,000		330,000	-		-		330,000			330,000	-	-	-	-	-	330,000
40	Capital Contingency Funds - Rail	660,000		660,000	-		-		660,000			660,000	-	-	-	-	-	660,000
41	Capital Project Development	335,000		335,000	-		-		335,000			335,000	-	-	-	-	-	335,000
Total		1,325,000	-	1,325,000	-	-	-	-	1,325,000	-	-	1,325,000	-	-	-	-	-	1,325,000
Total		127,004,412	200,000	127,204,412	16,870,183	1,536,744	21,791,235	2,300,000	2,300,000	1,850,000	450,000	6,900,000	28,346,700	51,759,550	80,106,250	-	127,204,412	

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

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

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

³ \$3,519,545 is funded by Transbay Joint Powers Authority (TJPA) through a Letter of Agreement (LOA) between JPB and TJPA; \$595,000 is funded by TJPA through a Memorandum of Agreement (MOA) between JPB and TJPA

⁴ \$5,500,000 is funded by State Rail Assistance (SRA) funds; \$4,126,655 is proposed to be funded by unconfirmed SRA or State Broadband Grant funds

⁵ \$9,784,564 is funded by VTA Measure B through a Cooperative Agreement between JPB, VTA, and City of Mountain View

⁶ \$1,404,609 is funded by Section 130 Program funds through an amendment to the existing Caltrans Funding Agreement

⁷ \$2,000,000 is funded by Metropolitan Transportation Commission (MTC) through an Amended Master Funding Agreement between JPB and MTC; \$1,000,000 is funded by the City of San Jose through an Amended Funding Agreement between JPB and City of San Jose

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Finance Committee
Through: Michelle Bouchard, Executive Director
From: Kathleen Kelly, Interim CFO
Subject: **Accept Statement of Revenues and Expenses for the Period Ending February 28, 2023**

Finance
Committee
Recommendation

Technology,
Operations,
Planning, and
Safety Committee
Recommendation

Advocacy and
Major Projects
Committee
Recommendation

Staff Coordinating
Council Reviewed

Staff Coordinating
Council
Recommendation

Action

Staff proposes that the Finance Committee of the Peninsula Corridor Joint Powers Board (JPB) accept and enter into the record the Statement of Revenues and Expenses for the Period Ending February 28, 2023.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through February 28, 2023, and highlights projections for the end of the year. The statement has been designed to follow the Agency-wide line-item rollup as included in the approved budget. The columns have been designed to provide an easy comparison of year-to-date current actuals to the budget including dollar and percentage variances.

Significance

Annual Forecast: The annual forecast is based on actual revenue and expense trends through February 2023, augmented by analyzing trends and reviewing details with cost center managers to develop projections through the rest of the year. Overall, a surplus of \$1.6 million is projected for FY 2023, compared to a \$2.6 million deficit projected in the Approved FY 2023 Budget (the Approved Budget assumed a draw of \$2.6 million from the FY 2022 surplus). The most significant component in the positive change is related to higher-than-assumed Measure RR receipts.

Forecast Revenues: Total Revenue (page 1, line 16) is forecasted to be \$5.1 million higher than budget. This is driven primarily by higher Measure RR sales taxes (page 1, line 12), estimated to be \$5.0 million over budget, due to the continued recovery. Other significant increases over the budget are:

- \$2.3 million in Other Income (page 1, line 5), driven by additional Advertising revenue and Interest Income;

- \$0.7 million from higher Go Pass revenue (page 1, line 2); and
- \$0.3 million higher Rental Income (page 1, line 4).

These projected increases are partially offset by a \$3.2 million lower non-Go Pass Fare revenue (page 1, line 1) due to slower ridership recovery and PCEP service reductions, which began in December 2022.

Forecast Expenses: Total Expense (page 2, line 50) is forecasted to be \$0.9 million higher than budget, made up of relatively small changes in several line items:

- Debt Service (page 2, line 48) is forecasted \$1.1 million higher than budgeted, because the principal payment in FY 2023 for the Fare Bonds was inadvertently omitted from the budget;
- Other Office Expense and Services (page 2, line 40) are forecasted \$0.2 million higher than budget due to a parking lease at Menlo Park that started October 2022; and
- Security Services (page 2, line 22) are forecasted \$0.1 million higher than budget due to overtime.

Partially offsetting these increases are projected savings in Wages and Benefits (page 2, line 35), which are forecasted to be \$0.4 million lower than budget due to vacancies.

Year-to-Date Revenues: As of February's year-to-date actual, the Grand Total Revenue (page 1, line 16) is \$6.7 million higher than the adopted budget. As reflected in the year-end projections, this is primarily driven by the increases in Other Income (page 1, line 5) and Measure RR proceeds (page 1, line 12), partially offset by Caltrain Fares (page 1, line 1).

Year-to-Date Expenses: As of February's year-to-date actual, the Grand Total Expense (page 2, line 50) is \$7.0 million lower than the adopted budget. These savings are lower than shown in the year-end projections because much of the savings is based on timing.

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

Budget Impact

There are no budget amendments for February 2023.

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

PENINSULA CORRIDOR JOINT POWERS BOARD									
STATEMENT OF REVENUE AND EXPENSE									
Fiscal Year 2023									
February 2023									
							% OF YEAR ELAPSED	66.7%	
		JULY TO FEBRUARY				ANNUAL			
		CURRENT	ADOPTED	\$	%	APPROVED	\$		
		ACTUAL	BUDGET	VARIANCE	VARIANCE	BUDGET	FORECAST	VARIANCE	
REVENUE									
OPERATIONS:									
1	Caltrain Fares	17,373,018	19,482,000	(2,108,982)	(10.8%)	30,151,000	27,000,000	(3,151,000)	1
2	Go Pass	11,363,162	10,840,000	523,162	4.8%	16,260,000	17,000,000	740,000	2
3	Parking Revenue	1,195,333	1,264,000	(68,667)	(5.4%)	1,896,000	1,797,505	(98,495)	3
4	Rental Income	844,856	623,576	221,280	35.5%	935,357	1,235,357	300,000	4
5	Other Income	3,596,212	1,162,880	2,433,332	209.3%	1,744,319	4,044,319	2,300,000	5
6								-	6
7	TOTAL OPERATING REVENUE	34,372,581	33,372,456	1,000,125	233.3%	50,986,676	51,077,181	90,505	7
8									8
9	CONTRIBUTIONS:								
10	AB434 Peninsula & TA Shuttle Funding	40,000	40,000	-	.0%	40,000	40,000	-	10
11	Operating Grants	7,630,500	7,525,440	105,060	1.4%	11,288,161	11,288,161	-	11
12	Measure RR	78,480,737	72,859,336	5,621,401	7.7%	114,300,000	119,292,000	4,992,000	12
13									13
14	TOTAL CONTRIBUTED REVENUE	86,151,237	80,424,776	5,726,461	7.1%	125,628,161	130,620,161	4,992,000	14
15									15
16	GRAND TOTAL REVENUE	120,523,818	113,797,232	6,726,586	5.9%	176,614,837	181,697,342	5,082,505	16
17									17

PENINSULA CORRIDOR JOINT POWERS BOARD										
STATEMENT OF REVENUE AND EXPENSE										
Fiscal Year 2023										
February 2023										
							% OF YEAR ELAPSED	66.7%		
	JULY TO FEBRUARY				ANNUAL					
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE			
18	EXPENSE								18	
19									19	
20	DIRECT EXPENSE:								20	
21	Rail Operator Service	63,694,626	64,781,848	(1,087,222)	(1.7%)	98,257,758	98,257,758	-	21	
22	Security Services	4,649,819	5,306,916	(657,097)	(12.4%)	7,935,381	8,028,807	93,426	22	
23	Shuttle Services	62,236	94,320	(32,084)	(34.0%)	121,600	121,600	-	23	
24	Fuel and Lubricants*	10,585,900	11,692,816	(1,106,916)	(9.5%)	17,539,232	17,539,232	-	24	
25	Timetables and Tickets	12,842	90,232	(77,390)	(85.8%)	135,350	135,350	-	25	
26	Insurance	8,360,342	8,403,480	(43,138)	(.5%)	9,299,730	9,299,730	-	26	
27	Claims, Payments, and Reserves	1,537,251	880,000	657,251	74.7%	1,320,000	1,336,926	16,926	27	
28	Facilities and Equipment Maintenance	4,504,644	4,871,459	(366,815)	(7.5%)	7,258,788	7,107,788	(151,000)	28	
29	Utilities	1,738,209	1,745,064	(6,855)	(.4%)	2,617,600	2,617,600	-	29	
30	Maint & Services-Bldg & Other	711,112	978,244	(267,132)	(27.3%)	1,754,100	1,754,100	-	30	
31									31	
32	TOTAL DIRECT EXPENSE	95,856,983	98,844,379	(2,987,396)	(3.0%)	146,239,539	146,198,891	(40,648)	32	
33									33	
34	ADMINISTRATIVE EXPENSE								34	
35	Wages and Benefits	8,752,535	9,800,397	(1,047,862)	(10.7%)	13,909,330	13,532,312	(377,018)	35	
36	Managing Agency Admin OH Cost	2,403,243	2,378,228	25,015	1.1%	3,565,453	3,565,453	-	36	
37	Board of Directors	10,139	15,465	(5,326)	(34.4%)	57,275	57,275	-	37	
38	Professional Services	4,186,657	6,168,576	(1,981,919)	(32.1%)	9,322,755	9,305,755	(17,000)	38	
39	Communications and Marketing	175,565	269,152	(93,588)	(34.8%)	403,730	403,730	-	39	
40	Other Office Expenses and Services	1,143,540	1,841,771	(698,231)	(37.9%)	2,762,496	2,956,896	194,400	40	
41									41	
42	TOTAL ADMINISTRATIVE EXPENSE	16,671,678	20,473,589	(3,801,911)	(18.6%)	30,021,039	29,821,421	(199,618)	42	
43									43	
44	TOTAL OPERATING EXPENSE	112,528,661	119,317,968	(6,789,307)	(3.2%)	176,260,578	176,020,312	(240,266)	44	
45									45	
46	Governance	240,237	233,336	6,901	3.0%	350,000	350,000	-	46	
47									47	
48	Debt Service Expense	1,543,729	1,721,168	(177,439)	(10.3%)	2,581,752	3,711,375	1,129,623	48	
49									49	
50	GRAND TOTAL EXPENSE	114,312,627	121,272,472	(6,959,845)	(5.7%)	179,192,330	180,081,687	889,357	50	
51									51	
52	NET SURPLUS / (DEFICIT)	6,211,191	(7,475,240)	13,686,431	(183.1%)	(2,577,493)	1,615,655	4,193,148	52	
53									53	
54	Draw from FY2022 surplus	-				2,577,493	-			54
55	ADJUSTED NET SURPLUS / (DEFICIT)	6,211,191				-	1,615,655			55
56									56	
57	Reserve, Beginning Balance	16,115,624				16,115,624				57
58	FY23 Set aside	-				10,763,226				58
59	Reserve, Ending Balance	16,115,624				26,878,850				59
60									60	
61	* Fuel and Lubricants costs were decreased by a realized gain of \$1,384,979 from the fuel hedge program.									61



BOARD OF DIRECTORS 2023

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

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF FEBRUARY 28, 2023

MICHELLE BOUCHARD
EXECUTIVE DIRECTOR

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted) *	Liquid Cash	2.624%	10,173,414	10,173,414
County Pool (Unrestricted)	Liquid Cash	2.348%	565,032	565,032
Other (Unrestricted)	Liquid Cash	4.038%	48,125,978	48,125,978
Other (Restricted) **	Liquid Cash	1.000%	44,275,216	44,275,216
			\$ 103,139,640	\$ 103,139,640

Interest Earnings for February 2023 \$ 261,235.38
Cumulative Earnings FY2023 \$ 2,545,538.45

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

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

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD												
	Previous Years				FY2023								
	FY2019	FY2020	FY2021	FY2022	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	FY2023 Total YTD
REVENUE													
OPERATIONS:													
401400 (TVM)	18,431,265	11,165,620	2,458,837	6,836,440	626,228	770,942	736,862	521,754	451,992	391,581	343,162	396,762	4,239,282
401410 (Clipper)	54,621,910	37,970,696	2,924,987	7,764,755	1,129,007	1,611,378	1,377,219	1,502,886	1,366,749	1,077,607	1,092,550	1,215,740	10,373,137
401420 (Central)	64,908	20,799	309,748	39,911	5,139	945	9,901	11,080	2,767	826	2,263	1,602	34,522
401430 (Mobile App)	4,716,955	5,689,776	830,051	2,808,795	346,758	354,177	342,457	322,502	273,906	192,050	208,607	219,197	2,259,653
401500 (Gilroy)	1,903,941	1,542,171	178,759	449,281	37,440	66,110	80,675	63,053	67,606	56,277	41,509	53,752	466,424
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	1,417,118	1,415,836	1,432,132	1,462,192	1,479,267	1,490,677	1,333,937	1,332,005	11,363,162
total Farebox Revenue	102,668,114	76,094,433	32,439,915	33,236,357	3,561,691	4,219,387	3,979,245	3,883,466	3,642,288	3,209,018	3,022,027	3,219,058	28,736,180
Less: Go-Pass													
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	1,417,118	1,415,836	1,432,132	1,462,192	1,479,267	1,490,677	1,333,937	1,332,005	11,363,162
Revenues without Go-Pass	79,738,978	56,389,061	6,702,382	17,899,182	2,144,573	2,803,551	2,547,114	2,421,274	2,163,021	1,718,342	1,688,090	1,887,054	17,373,018
Tickets Sold					Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Total
TVM	2,354,393	1,465,876	315,378	755,674	86,060	86,171	83,501	74,335	61,170	51,304	52,036	47,418	541,995
Clipper	3,521,066	2,620,816	339,753	1,227,757	156,994	179,747	177,647	182,485	159,636	118,367	144,893	144,461	1,264,230
Central	9,167	5,044	-	4,032	319	145	770	879	477	50	275	233	3,148
Mobile	543,920	661,515	111,394	381,441	42,175	43,696	41,411	39,967	33,608	25,094	28,997	28,154	283,102
# of tickets sold (without go-pass)	6,428,546	4,753,251	766,525	2,368,904	285,548	309,759	303,329	297,666	254,891	194,815	226,201	220,266	2,092,475
AVG Revenue Per Ticket					Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Total
TVM	\$ 7.83	\$ 9.05	\$ 7.80	\$ 9.05	\$ 7.28	\$ 8.95	\$ 8.82	\$ 7.02	\$ 7.39	\$ 7.63	\$ 6.59	\$ 8.37	\$ 7.82
Clipper	\$ 15.51	\$ 6.32	\$ 8.61	\$ 6.32	\$ 7.19	\$ 8.96	\$ 7.75	\$ 8.24	\$ 8.56	\$ 9.10	\$ 7.54	\$ 8.42	\$ 8.21
Central	\$ 7.08	\$ 9.90	\$ -	\$ 9.90	\$ 16.11	\$ 6.52	\$ 12.86	\$ 12.60	\$ 5.80	\$ 16.53	\$ 8.23	\$ 6.88	\$ 10.97
Mobile	\$ 8.67	\$ 7.36	\$ 7.45	\$ 7.36	\$ 8.22	\$ 8.11	\$ 8.27	\$ 8.07	\$ 8.15	\$ 7.65	\$ 7.19	\$ 7.79	\$ 7.98
Total	\$ 12.40	\$ 11.86	\$ 8.74	\$ 7.56	\$ 7.51	\$ 9.05	\$ 8.40	\$ 8.13	\$ 8.49	\$ 8.82	\$ 7.46	\$ 8.57	\$ 8.30

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD						
	July 2022 to February 2023					Annual Budget	
	FY2019	FY2020	FY2021	FY2022	FY2023	FY2023	% of Budget
REVENUE							
401400 (TVM)	12,274,497	10,224,191	1,227,138	4,082,197	4,239,282		
401410 (Clipper)	36,115,004	36,290,980	1,699,762	4,369,406	10,373,137		
401420 (Central)	35,878	42,121	-	27,937	34,522		
401430 (Mobile App)	2,646,875	5,386,754	391,046	1,599,120	2,259,653		
401500 (Gilroy)	1,292,730	1,388,579	108,864	256,564	466,424		
401700 (Go-Pass)	13,965,169	17,162,090	20,264,860	10,117,986	11,363,162		
total Farebox Revenue	66,330,153	70,494,713	23,691,669	20,453,212	28,736,180	46,411,000	62%
Less: Go-Pass							
401700 (Go-Pass)	13,965,169	17,162,090	20,264,860	10,117,986	11,363,162	16,260,000	70%
Revenues without Go-Pass	52,364,984	53,332,624	3,426,809	10,335,226	17,373,018	30,151,000	58%
Tickets Sold							
TVM	1,596,233	1,374,080	175,704	444,650	541,995		
Clipper	2,298,237	2,478,299	172,186	677,791	1,264,230		
Central	4,448	4,920	-	2,757	3,148		
Mobile	296,398	624,895	56,521	214,448	283,102		
# of tickets sold (without go-pass)	4,195,316	4,482,194	404,411	1,339,646	2,092,475		
AVG Revenue Per Ticket							
TVM	\$ 7.69	\$ 7.44	\$ 6.98	\$ 9.18	\$ 7.82		
Clipper	\$ 15.71	\$ 14.64	\$ 9.87	\$ 6.45	\$ 8.21		
Central	\$ 8.07	\$ 8.56	\$ -	\$ 10.13	\$ 10.97		
Mobile	\$ 8.93	\$ 8.62	\$ 6.92	\$ 7.46	\$ 7.98		
Total	\$ 12.48	\$ 11.90	\$ 8.47	\$ 7.71	\$ 8.30		

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Finance Committee
Through: Michelle Bouchard, Executive Director
From: Robert Barnard, Deputy Chief, Caltrain Rail Development
Subject: **Declare an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion and Authorize the Executive Director to Enter into Construction Agreement with Walsh Construction for Emergency Repair Work at San Francisquito Creek Bridge**

Finance
Committee
Recommendation

Technology,
Operations,
Planning, and
Safety Committee
Recommendation

Advocacy and
Major Projects
Committee
Recommendation

Staff Coordinating
Council Reviewed

Staff Coordinating
Council
Recommendation

Action

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

1. Declare that an emergency exists at the north channel embankment of the San Francisquito Creek Bridge, due to erosion and scouring caused by recent winter storms;
2. Find that this emergency does not permit a delay resulting from a formal solicitation for bids, and that immediate action is necessary to respond to the emergency;
3. Authorize emergency repairs of the North channel embankment of the San Francisquito Creek Bridge;
4. Delegate to the Executive Director, or designee, the authority to approve all plans and/or designs with regard to the emergency repairs; and
5. Authorize the Executive Director, or designee, to enter into a contract with Walsh Construction Company II, LLC for the emergency repairs of the North channel embankment of the San Francisquito Creek Bridge; and
6. Authorize the Executive Director, or designee, to take all other actions required to respond to said emergency, provided that the Executive Director reports such actions to the Board at each monthly Board meeting until the emergency situation is resolved, with a final report to be made at the first Board meeting after the emergency is resolved.

Significance

The JPB has the authority to undertake emergency repairs pursuant to California Public Contract Code section 22050, which requires that the Board, by a four-fifths vote, make findings based on substantial evidence that the emergency will not permit delay resulting from a competitive solicitation of bids, and that action is necessary to respond to the emergency. Public Contract Code section 1102 defines an emergency as “sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.”

As a result of recent winter storms, the north channel embankment of the San Francisquito Creek Bridge has experienced significant erosion and scouring, and additional storms could threaten the integrity of the embankment, which supports the track structure above. Although the bridge is not in imminent danger, emergency repair of the north embankment at the San Francisquito Creek Bridge is necessary to prevent additional erosion, which could undermine the track structure supporting MT-1 and MT-2.

Budget Impact

Staff intend to use contingency funds to support the emergency repairs.

Background

JPB owns and maintains the San Francisquito Creek Bridge, which is located in Palo Alto between Control Points Alma (29.98) and Mayfield (33.50). It was built in 1902 as a two-track, steel truss structure over San Francisquito Creek. It is located approximately 330 feet north of the Palo Alto Avenue grade crossing, which the City of Palo Alto intends to grade-separate. Both the Bridge and adjacent El Palo Alto tree are eligible for the National Registrar of Historic Places.

In early January 2023, after a week of heavy rain, Caltrain Engineering staff inspected the Bridge and discovered that the storms had eroded the soil on the embankment supporting the track just north of the MT-1 Bridge. Further investigation showed that additional erosion resulting from future storms could undermine the MT-1 track above the embankment.

Prior to declaring the emergency, the project team has conducted the following actions:

1. Prepared and issued a work directive proposal request (WDPR) package to retain an on-call bench environmental consultant, WSP, to assist the JPB in obtaining the required environmental permits to perform needed restoration activities.
2. Prepared and issued a WDPR package to retain an on-call bench consultant, AECOM to design the repair (AECOM is one of two on-call design firms).
3. Prepare and issued a WDPR package to retain an on-call bench consultant, Jacobs, to provide a rough order magnitude cost for the proposed north embankment restoration work.
4. Prepared and issued a WDPR package to retain an on-call consultant, TRC, to provide construction management support during the construction phase.

5. Increased frequency of visual inspections of the Bridge and conducted immediate inspections during/after a storm.
6. Engaged with Walsh Construction II, LLC, to determine Walsh's capacity to execute the North Channel embankment repair given that Walsh is currently under Contract to replace the Guadalupe River Project on Contract No. 22-J-C-032.

Caltrain's environmental team notified the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board, and the California Department of Fish and Wildlife regarding Caltrain's need to undertake emergency restoration activities and discussed required permit applications.

Staff selected Walsh Construction Company II, LLC to perform the repairs because it has a crew onsite that specializes in emergency work and because of Walsh's experience on JPB construction projects, such as the Guadalupe River Bridge Replacement Project. Staff is awaiting Walsh's cost estimate and will engage in due diligence to determine whether it is a fair and reasonable price. By awarding this contract through an emergency procurement, instead of through a standard competitively bid process, the JPB will be able to complete the work on a timely basis in order protect public health and safety. Staff anticipate that the work will be complete by October 15, 2023, and will report regularly to the Board regarding the status of contract negotiations and the repair work.

Prepared By:	Robert Barnard	Deputy Chief Rail Development	650.508.7783
	Alvin Piano	Project Manager	650.453.8099
	Mike Boomsma	Project Manager	808.208.2355

Resolution No. 2023 –

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

* * *

Declare an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion and Authorize the Executive Director to Enter into Construction Agreement with Walsh Construction for Emergency Repair Work at San Francisquito Creek Bridge

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

Whereas, meteorologists predict that the Bay Area will experience additional winter storms before the season ends, which could cause further erosion of the embankment and undermine its integrity; and

Whereas, the JPB consulted with the U.S. Army Corps of Engineers (USACE), the regional Water Quality Control Board, and the California Department of Fish and Wildlife concerning environmental permits for restoration activities to preserve the integrity of MT-1 and MT-2 tracks in light of the significant erosion of the northern embankment which occurred as the result of the 2022-2023 winter storms; and

Whereas, California Public Contract Code Section 1102 defines an emergency as “sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate

action to prevent or mitigate the loss or impairment of life, health, property, or essential public services”; and

Whereas, California Public Contract Code 22050 authorizes the JPB to repair and take other immediate actions required to address an emergency, and requires that findings based on substantial evidence must be made that the emergency will not permit delay resulting from a competitive solicitation of bids, and that the action is necessary to respond to the emergency, by a four-fifths vote of the Board; and

Whereas, JPB staff have engaged Walsh Construction, which is currently working on the Guadalupe River Bridge project, about Walsh’s capacity to undertake emergency repair work; and

Whereas, Walsh has a crew onsite that specializes in emergency work and has capacity to undertake the repair work, in addition to the Guadalupe River Bridge project, and is currently preparing a cost estimate; and

Whereas, JPB staff will conduct an independent assessment of Walsh’s cost estimate once received to ensure that it is a fair and reasonable price.

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

1. Declares that an emergency, as defined by Section 1102 of the California Public Contract Code, exists at the north channel embankment at the San Francisquito Creek Bridge, due to erosion, which threatens the integrity of the structure supporting the JPB’s tracks;
2. Finds, based on the evidence presented by staff, that the emergency does not permit a delay resulting from a formal solicitation for bids, and that action is necessary to respond to the emergency;

3. Authorizes emergency repairs of the North channel embankment at San Francisquito Creek Bridge without adopting plans and specifications or giving notice to potential bidders;
4. Delegates to the Executive Director, or designee, the authority to approve all plans and/or designs with regard to the emergency repairs;
5. Authorizes the Executive Director, or designee, to execute a contract with Walsh Construction II, LLC, to undertake emergency repairs of the north channel embankment at the San Francisquito Creek Bridge at a price that staff has determined is fair and reasonable; and
6. Authorizes the Executive Director, or designee, to take all other actions required to respond to said emergency, provided that the Executive Director reports such actions to the Board at each monthly Board meeting until the emergency situation is resolved, with a final report to be made at the first Board meeting after the emergency is resolved.

Regularly passed and adopted this 29th day of March 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Finance Committee
Through: Michelle Bouchard, Executive Director
From: Kathleen Kelly, Interim Chief Financial Officer
Subject: **Authorize Rejection of Bid for Churchill Avenue Grade Crossing Improvements Project and Re-Advertisement of the Solicitation**

Finance Committee Recommendation

Technology, Operations, Planning, and Safety Committee Recommendation

Advocacy and Major Projects Committee Recommendation

Staff Coordinating Council Reviewed

Staff Coordinating Council Recommendation

Action

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

1. Rejecting the non-responsive bid from VNH Builders of Burlingame, California (VNH) received by the JPB in response to the solicitation for the Churchill Avenue Grade Crossing Improvements Project (Project) because VHN did not deliver the original executed bidder's bond to the JPB within two business days after the bid opening date and the bid did not include a Construction Project Manager with five years' experience managing similar projects, as required by the solicitation.
2. Authorizing the Executive Director or designee to re-advertise the Project and return to the Board with a recommendation for award of the contract upon completion of the re-solicitation process.

Significance

This Project involves the installation of concrete track panels to widen the pedestrian path across the railroad at the northern crossing, installation of extended pedestrian crossing gate arms, relocation of pedestrian emergency swing gates, and modifications to the existing pavement markings. In coordination with the JPB, the City of Palo Alto, as part of the Project scope, will perform work at the intersection of Churchill and Alma for installation of new traffic signals and luminaires, modification of the curb ramps at the corners of the intersection, and modifications to pavement markings leading up to the intersection.

This Project benefits the public by: improving signal pre-emption at the intersection to allow motorists to more efficiently clear the tracks when a train approaches; providing a wider pedestrian crossing area at the railroad tracks to handle the large volume of pedestrians

walking to and from the adjacent school; adding more lighting at the intersection to increase visibility for all users, and modifying pavement markings to better guide and protect the movements of pedestrians and bicyclists.

The City of Palo Alto applied and received funds from the California Public Utilities Commission through the Section 130 Program to make railroad grade crossings safer. The Project funds are administered and managed by the Caltrans Division of Local Assistance.

Budget Impact

Rejection of the bid will have no budget impact.

Background

The JPB issued Invitation for Bids (IFB) 22-J-C-041 on December 8, 2022. It was advertised in a newspaper of general circulation and on the JPB’s e-procurement website. The JPB has established a Disadvantaged Business Enterprise (DBE) goal of twenty-six percent (26%) for this contract. Prior to releasing the IFB, extensive outreach to DBEs was conducted using the State of California’s Disadvantaged Business Enterprises database. Seventy-one vendors downloaded the solicitation documents and five potential bidders attended the pre-bid meeting. The JPB received a single bid as follows:

Company	Grand Total Bid Price
Engineer’s Estimate	\$ 240,230.00
VNH Builders	\$255,033.07

Staff, in consultation with legal counsel, has found the single bid received from VNH to be non-responsive for a number of reasons. VNH failed to submit the original executed bidder’s bond to the JPB within two business days after the bid opening date, as required by the IFB. Additionally, it was apparent on the face of the bid that VNH's proposed Construction Project Manager did not have at least five years' experience as a project manager managing similar projects, as required by the IFB. Specifically, the bid showed that the similar projects provided by VNH did not require the installation of track panels and concrete ties, which is a critical aspect of the Project.

In response to only receiving one bid, staff contacted seventeen other potential bidders to ascertain why they did not submit a bid. Staff received various reasons, including large job backlogs and busy work schedules with other projects. It is in the JPB's best interest to reject the sole non-responsive bid, and conduct additional outreach to potential bidders to obtain more competition.

Under the JPB's procurement rules, the JPB may reject bids submitted in response to a formal IFB if it is in the best interest of the JPB to do so. For the reasons discussed above, staff has determined that it is in the JPB's best interest to reject the bid and to resolicit the Project.

Prepared By:	Patrick Ng	Procurement Administrator II	650.622.8018
	Angie Myrechuck	Senior Project Manager	650.508.7962

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Finance Committee
Through: Michelle Bouchard, Executive Director
From: Pranaya Shrestha, Chief Officer, CalMod
Subject: **Authorize Execution of Agreement with VTA for Bus Bridge Services for the Caltrain Peninsula Corridor Electrification Project (PCEP) Signal Cutovers and OCS Testing**

Finance Committee Recommendation

Technology, Operations, Planning, and Safety Committee Recommendation

Advocacy and Major Projects Committee Recommendation

Staff Coordinating Council Reviewed

Staff Coordinating Council Recommendation

Action

Staff Coordinating Council recommends the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB or Caltrain):

1. Award a contract to Santa Clara Valley Transportation Authority (VTA) to provide Bus Bridge services for the Caltrain Peninsula Corridor Electrification Project (PCEP) to support construction activities during weekend shutdowns in April and May 2023 for a total not-to-exceed amount of \$286,416; and
2. Authorize the Executive Director, or designee, to execute the agreement in a form approved by legal counsel and to take any other actions necessary to give effect to the resolution.

Significance

PCEP has reached the final phase of construction, which includes completing the remaining overhead catenary system (OCS) installation and segments 1 and 3 signal cutovers and OCS testing. These activities are impeding access to portions of Caltrain’s San Francisco Peninsula Network on Main Tracks MT-1 through MT-4 between Menlo Park and Santa Clara. To support PCEP completion, there will be weekend service disruptions within Santa Clara County in April and May of 2023, due to area closures.

The weekend shutdowns are necessary to: (1) ensure a Fall 2024 delivery of electrified service; (2) enhance safety by isolating construction work from passenger service; (3) mitigate risk of OCS construction delays; (4) reduce field resources required to support the project; and (5) minimize impacts to weekday passenger service by reducing weekday construction needs.

To ensure continuous service to Caltrain passengers between Menlo Park and Santa Clara Stations during this final phase of construction, staff contacted VTA to deploy bus and bus operators to implement necessary bus bridges for 4 consecutive weekends starting April 22nd. Staff has worked with VTA to provide high-capacity bus bridges during weekend closures for a

not-to-exceed total cost of \$286,416. Therefore, staff recommends the award and approval of an agreement with VTA for a not-to-exceed amount of \$286,416 to ensure bus bridge services are established for Segment 3 signal cutovers and OCS testing in April and May 2023.

Budget Impact

The VTA bus bridge service cost will be for a not-to-exceed amount of \$286,416. The funds for the services are within the Board-approved PCEP budget of \$2.44 billion.

Background

PCEP will replace the 30-year-old diesel trains currently used by Caltrain with state-of-the-art electric trains and install electrification infrastructure; this requires significant construction along the corridor. The remaining electrification construction includes OCS installation in Segments 1 and 2, signal cutover work in segments 1 and 3, systems integration testing, and EMU testing, which will require area shutdowns affecting Caltrain's weekend service. The weekend shutdowns are scheduled for up to a total of 31 weekends in 2023, beginning the weekend of February 10th, 2023. These weekend area shutdowns will allow the safe and timely completion of PCEP construction and testing, and minimize potential delays to the project, while continuing transit services along the Peninsula corridor to passengers.

On the weekends of April 22 and 23, April 29 and 30, 2023, May 6 and 7, and May 13 and 14, Caltrain will rely upon VTA to provide bus service between Menlo Park and Santa Clara Stations, which will serve passengers at the Palo Alto, California, San Antonio, Mountain View, Sunnyvale, and Lawrence Stations. These weekend area shutdowns will allow the work to be completed safely and quickly, avoiding any potential delays to the project, while continuing to provide service to passengers.

Staff has evaluated VTA's proposal and concluded that VTA's price proposal is reasonable. Staff recommends the execution of Bus Bridge Services agreement with VTA for a total not-to-exceed amount of \$286,416.

Prepared By: Sherry Bullock

CalMod Program Director

(650) 622-7866

Resolution No. 2023-

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

* * *

**Authorizing Execution of Agreement with Santa Clara Valley Transportation Authority (VTA) for
Bus Bridge Services for the Caltrain Peninsula Corridor Electrification Project (PCEP) Signal
Cutovers and OCS Testing**

Whereas, the Peninsula Corridor Joint Powers Board's (JPB or Caltrain) Peninsula Corridor Electrification Project (PCEP) will replace the 30-year-old diesel trains currently used by Caltrain with state-of-the-art electric trains and install electrification infrastructure, requiring significant construction along the corridor; and

Whereas, PCEP has reached the final phase of construction, which includes completing the remaining overhead catenary system (OCS) installation and segments 1 and 3 signal cutovers and OCS testing; and

Whereas, these activities are impeding access to portions of Caltrain's San Francisco Peninsula Network on Main Tracks MT-1 through MT-4 between Menlo Park and Santa Clara; and

Whereas, to support PCEP completion, there will be weekend service disruptions within Santa Clara County in April and May of 2023, due to area closures; and

Whereas, the weekend shutdowns are scheduled for up to a total of 31 weekends in 2023, beginning the weekend of February 10, 2023. These weekend area shutdowns will allow the safe and timely completion of PCEP construction and testing, and minimize potential delays to the project while continuing transit services along the Peninsula corridor to passengers; and

Whereas, the weekend shutdowns are necessary to: (1) ensure a Fall 2024 delivery of electrified service; (2) enhance safety by isolating construction work from passenger service; (3)

mitigate risk of OCS construction delays; (4) reduce field resources required to support the project; and (5) minimize impacts to weekday passenger service by reducing weekday construction needs; and

Whereas, to ensure continuous service to Caltrain passengers between Menlo Park and Santa Clara Stations during this final phase of construction, staff contacted the Santa Clara Valley Transportation Authority (VTA) to deploy bus and bus operators to implement necessary bus bridges for 4 consecutive weekends starting on April 22, 2023; and

Whereas, on the weekends of April 22 and 23, April 29 and 30, May 6 and 7, and May 13 and 14, 2023, Caltrain will rely upon VTA to provide bus service between Menlo Park and Santa Clara Stations, which will serve passengers at the Palo Alto, California, San Antonio, Mountain View, Sunnyvale, and Lawrence Stations; and

Whereas, staff has worked with VTA to provide high-capacity bus bridges during weekend closures for a not-to-exceed total cost of \$286,416. Therefore, staff recommends the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board award and approve of an agreement with VTA for a not-to-exceed amount of \$286,416 to ensure bus bridge services are established for Segment 3 signal cutovers and OCS testing in April and May 2023; and

Whereas, the funds for the services are within the Board-approved PCEP budget of \$2.44 billion; and

Whereas, staff has evaluated VTA's proposal and concluded that VTA's price proposal is reasonable; and

Whereas, staff further recommends the Board authorize the Executive Director, or designee, to execute the agreement in a form approved by legal counsel and to take any other actions necessary to give effect to the resolution.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to VTA to provide Bus Bridge services for the Caltrain PCEP project to support construction activities during weekend shutdowns in April and May 2023 for total not-to-exceed amount of \$286,416; and

Be It Further Resolved that the Executive Director, or designee, is authorized to execute the above agreement in a form approved by legal counsel and to take any other actions necessary to give effect to the resolution.

Regularly passed and adopted this 29th day of March 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary