



AGENDA

Peninsula Corridor Joint Powers Board

Board of Directors Meeting

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

Members of the public may participate remotely via Zoom at <https://us06web.zoom.us/j/87581188408?pwd=OFNUYTVFdeXlOXRkR2tQOENXQUhhUT09> or by entering Webinar ID: **875 8118 8408**, Passcode: **033088** in the Zoom app for audio/visual capability or by calling 1-669-900-6833 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at <https://www.caltrain.com/video-board-directors>

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

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

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

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

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

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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.

May 04, 2023 - Thursday

9:00 am

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

PART I OF MEETING (CALL TO ORDER): 9:00 am

1. Call to Order / Pledge of Allegiance
2. Roll Call
3. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances

PART II OF MEETING (CLOSED SESSION): 9:05 am estimated

4. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to Gov. Code § 54956.9(d)(2): (One case) Informational

PART III OF MEETING (REGULAR SESSION): 9:50 am estimated

5. General Counsel Report – Report Out from Above Closed Session
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. Report of the Executive Director Informational
8. Consent Calendar
Members of the Board may request that an item under the Consent Calendar be considered separately.
 - 8.a. Meeting Minutes of March 29, 2023 Motion

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

8.b. Meeting Minutes of April 6, 2023 Motion

Approved by the Finance Committee

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

8.d. Accept Statement of Revenues and Expenses for the Period Ending March 31, 2023 Motion

8.e. Amend and Increase the Fiscal Year 2023 Caltrain Capital Budget by \$171,941 from \$127,204,412 to \$127,376,353 to Receive Additional Funding in Support of the Middle Avenue Undercrossing Project Resolution

8.f. Authorize Execution of an Eighteen-Month Lease Extension at 2121 South El Camino Real in San Mateo to Support the Caltrain Modernization Program* Resolution

8.g. Authorize an Amendment to the On-Call Transportation Planning and Consultant Support Services Contracts* Resolution

8.h. Authorization to Execute a Master Agreement with the California Department of Transportation for Federally Funded Projects* Resolution

8.i. Authorization of the Execution of a Fund Transfer Agreement for and Receipt of State General Fund for the Caltrain Crossing Optimization Project* Resolution

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

8.j. Award of Contract for Preliminary Engineering Design Services for the South Linden Avenue and Scott Street Grade Separation Project* Resolution

8.k. Award of Contract for Construction Manager General Contractor Pre-Construction Services for the Mountain View Transit Center Grade Separation and Access Project* Resolution

8.l. Authorize Use of Construction Manager General Contractor (CMGC) Project Delivery Method Pursuant to Public Utilities Code Section for the Rengstorff Avenue Grade Separation Project Resolution

8.m. Authorize Amendment of Cooperative Agreement between JPB, VTA, and ACE to Accept Funds from ACE for Guadalupe River Bridge Replacement Project and to Extend Term of Agreement** Resolution

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- 8.n. Authorize the Executive Director to Execute a Service Agreement (Agreement) with the City of Menlo Park for Activities Undertaken in Support of the Middle Avenue Undercrossing Project* Resolution

Approved by the March Advocacy and Major Projects (AMP) Committee (April meeting canceled)

- 8.o. State and Federal Legislative Update and Approval of Legislative Proposal: Support Assembly Bill (AB) 463 (Hart) Motion
9. Asian American and Pacific Islander Heritage Month Resolution
10. Award of Contract for Shuttle Services for the Bayshore Station Painting Project* Resolution
11. Authorization to Increase the Contract Contingency from 10% to 30% for the Bayshore Station Painting Project Resolution
12. Fiscal Year 2024 and Fiscal Year 2025 Preliminary Operating and Capital Budgets Informational
13. Capital Improvement Plan (CIP) Project Initiation Informational
14. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report Informational
15. Reports
- 15.a. Report of the Citizens Advisory Committee Informational
- 15.b. Report of the Chair Informational
- 15.c. Report of the Local Policy Maker Group (LPMG) Informational
- 15.d. Report of the Transbay Joint Powers Authority (TJPA) Informational
16. Correspondence
17. Board Member Requests
18. Date/Time of Next Regular Meeting: Thursday, June 1, 2023 at 9:00 am.
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.
19. Adjourn

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

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 TOPS and AMP Committee: Two Wednesdays before the Board meeting, 1:30 pm and 3:30 pm respectively. The date, time, and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting

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

Public Comment*

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

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

Accessible Public Meetings/Translation

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

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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
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: James C. Harrison, General Counsel
Subject: **Records for Public Inspection – Notice and Claim to be Discussed in Closed Session (Conference with Legal Counsel: Anticipated Litigation)**

<input type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input type="checkbox"/> Staff Coordinating Council Reviewed	<input type="checkbox"/> Staff Coordinating Council Recommendation
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Action

No further Board action is required.

Significance

The following records, which are attached hereto, will be discussed in closed session during the conference with legal counsel regarding anticipated litigation at the May 4, 2023, meeting:

Agenda Item X:

- A. Claim of AT&T and associated Exhibits dated September 13, 2022

Budget Impact

There is no budget impact associated with receiving this report.

Background

Pursuant to the Ralph M. Brown Act (the “Brown Act”), local government agencies may meet in closed session with their legal counsel when discussing significant exposure to litigation. Gov. Code. §54956.9(b). The Brown Act permits local government agencies to meet in closed session when there are facts and circumstances, including transactional occurrences that might result in litigation against the agency, and that are known to a potential plaintiff or plaintiffs. Gov. Code § 54956.9(e)(2). When meeting in closed session under this exception, the facts or circumstances giving rise to the meeting must be “publicly stated on the agenda or announced.” *Id.* The receipt of the claim from AT&T—arising from an Agreement between the JPB and AT&T for reimbursement of costs associated with the 25th Avenue Grade Separation Project and 22nd Street and Paul Ave Bridge Replacement Project—constitutes

significant exposure to litigation pursuant to the Brown Act. Therefore, these records are included as the public statement of facts and circumstances, as required by Government Code section 54956.9(e)(2).

Furthermore, claims that have been received by a local government agency and are the subject of a closed session conference with legal counsel regarding anticipated litigation are records subject to public inspection unless an exception applies. Gov. Code § 54956.9(e)(3). Specifically, Government Code section 54956.9(e)(3) provides that such facts and circumstances include: "The receipt of a claim pursuant to the Government Claims Act...or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5." Accordingly, this claim is required to be disclosed as a public record.

Prepared By: Quentin Barbosa

Associate Counsel

916-442-2952



Andrew Stein
*Assistant Vice President -
Senior Legal Counsel*

AT&T Services, Inc.
One ATT Way
Bedminster, NJ 07921

908.234.6150
as3412@att.com

September 13, 2022

VIA U.S. CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Peninsula Corridor Joint Powers Board
Attn: Jim Hartnett, Executive Director
Attn: Michelle Bouchard, Acting Executive Director
1250 San Carolos Avenue, 2nd Floor
San Carolos, CA 94070

Re: NOTICE OF CLAIM – Breach of Reimbursement Agreement

Dear Mr. Harnett and Ms. Bouchard:

Pursuant to California Government Code §§ 810-996.6, this is the Notice of Claim of AT&T California (“AT&T”) for breach of the Reimbursement Agreement (the “Agreement”) between AT&T and the Peninsula Corridor Joint Powers Board (“JPB”) dated April 17, 2018. A copy of the Agreement is attached as EXHIBIT 1.

Under the Agreement, JPB contracted with AT&T to relocate a portion of its facility (the “Project”) as a result of JPB’s construction activity and promised to reimburse AT&T for its costs associated with the Project. Exhibit A on page 5 of the Agreement outlines the scope of work.

Pursuant to Section 3 of the Agreement, JPB agreed to bear direct and indirect costs AT&T incurred relating to the work for the Project, including, but not necessarily limited to, labor, materials, construction, administrative overhead, taxes, travel expense, legal fees, and other reasonable out of pocket expenses.

In accordance with Section 5 of the Agreement, AT&T implemented monthly billing to ensure reimbursement of its costs. In January 2021, JPB reimbursed AT&T for \$2,415,361.85 for work AT&T performed in connection with the Project. JPB now owes AT&T an additional \$3,571,138.60 for additional work AT&T performed in connection with the Project. The invoices for this additional amount are attached as EXHIBIT 2.

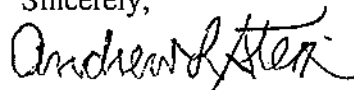
AT&T provided JPB with notice of these costs associated with the Project, and JPB failed to pay and reimburse AT&T for the costs within 30 days after receiving notice. JPB’s failure to pay is a breach of the Agreement and, because the costs remain unpaid, JPB remains in breach.

Please use the below address to send any further correspondence:

Andrew L. Stein, Esq.
AT&T
One AT&T Way, Room 3A159
Bedminster, NJ 07921

We look forward to your response to these claims.

Sincerely,



Andrew L. Stein

Attachments:

EXHIBIT 1: Reimbursement Agreement
EXHIBIT 2: Unpaid Account Invoices

Cc (via e-mail only, with attachments): Mr. Steve Wagman (wagmans@samtrans.com)

EXHIBIT 1

REIMBURSEMENT AGREEMENT

REIMBURSEMENT AGREEMENT

THIS REIMBURSEMENT AGREEMENT (herein "Agreement") by and between Pacific Bell Telephone Company, a California corporation dba AT&T California (herein "AT&T"), and the Peninsula Corridor Joint Powers Board, a public agency (herein "JPB") (collectively, the "Parties"), is made and entered into and effective as of the last date of execution of this Agreement by AT&T, JPB, or their respective counsel (the "Effective Date").

WITNESSETH:

WHEREAS, JPB is constructing the 25th Avenue Grade Separation Project on the Railroad rights-of-way and City rights-of-way located in the vicinity of 25th Avenue, 28th Avenue, and the intersection of Railroad Milepost 20.15 and 31st Avenue in the City of San Mateo and County of San Mateo, California, which requires the relocation of AT&T's facilities along, over and/or under said easement or right-of-way; and

WHEREAS, as a result of JPB's construction activity, JPB has requested AT&T to relocate a portion of its facilities; and

WHEREAS, AT&T, under the terms hereinafter stated, is willing to undertake such relocation or protection of its facilities (herein the "Project") solely in order to accommodate JPB, provided JPB reimburses AT&T for its costs associated with the Project, as described herein.

NOW THEREFORE, in consideration of the promises and mutual covenants herein contained, AT&T hereby agrees to undertake the Project in accordance with the attached Exhibit A, subject to the following terms and provisions:

1. JPB agrees that Exhibit A represents the scope of work for the Project.
2. JPB may, at its own expense, inspect any conduit construction performed by AT&T in connection with the Project.
3. As provided in paragraphs 4, 5, and 6, JPB agrees to bear the direct and indirect costs incurred by AT&T and relating to the work undertaken by AT&T in connection with the Project, including, but not limited to, labor, materials, construction, administrative overhead, taxes, travel expense, legal fees and other reasonable out of pocket expenses.
4. The total cost of the Project is estimated to be two million eight hundred nine thousand five hundred and twenty-four Dollars (\$2,809,524.00), as detailed in Exhibit B. JPB acknowledges and agrees that this amount is an estimate and shall not be construed as limiting the amount AT&T is to be reimbursed by JPB under this Agreement. AT&T shall provide notice to JPB that actual costs will exceed the estimate in Exhibit B. Such notice shall be given in the manner prescribed in paragraph 11 and shall provide an accounting of costs to the date.

5. Prior to completion of this Project, AT&T may, in its sole discretion, submit to JPB an itemized invoice for actual Project costs not more often than monthly. JPB shall pay the full invoice within thirty (30) days following receipt of same.
6. Following the completion of this Project, AT&T shall make an accounting of final, unpaid, actual costs of the Project and provide JPB with a copy of said accounting and an itemized invoice therefor. JPB shall pay the full invoice within thirty (30) days after receipt.
7. AT&T shall perform the work described in Exhibit A and "Cutover" to the new facility no later than December 31, 2018, contingent upon successful Cut Window negotiations with AT&T customers. "Cutover" means disconnecting existing cables and reconnecting to the new cables. "Cut Window" means agreed upon time between AT&T and AT&T customers when services will be Cutover.

Should Cut Window negotiations between AT&T and AT&T customers be unsuccessful for Cutover completion date no later than December 31, 2018, then AT&T shall notify JPB in writing no later than September 30, 2018 with a revised Cutover date and propose options to temporarily re-route remaining AT&T facilities.

8. The obligations of AT&T are subject to force majeure and AT&T shall not be in default of this Agreement if any failure or delay in performance is caused by strike or other labor problems; accidents; acts of God; fire; flood; adverse weather conditions; material or facility shortages or unavailability; lack of transportation; the imposition of any governmental codes, ordinances, laws, rules, regulations or restrictions, including, without limitation, the necessity of obtaining permits or environmental assessments or environmental approvals; condemnation or the exercise of rights of eminent domain; war or civil disorder; or any other cause beyond the reasonable control of AT&T
9. Both Parties hereto agree that in the performance of this Agreement they will be acting in an independent capacity, not as agents, employees, partners, or joint venturers with one another.
10. Written notice shall be given to AT&T by JPB at least seventy-two (72) hours, excluding Saturday, Sunday and legal holidays, in advance of commencement of any work which may impact the Project. This notice shall be given in accordance with paragraph 11.
11. All notices required or permitted hereunder shall be deemed given when the Party giving notice shall have both: 1) deposited the notice in the United States Mail, prepaid registered or certified mail, addressed to the other Party at the street address below, and 2) transmitted the notice via electronic mail to the electronic mail address below.

If to JPB: Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070
Attn.: Jim Hartnett, Executive Director

If to AT&T Bruno Czech
 AT&T Right of Way Manager & PWC
 870 N McCarthy Blvd, Suite 100
 Milpitas, CA 95035
 Office 408.635.8881
 Fax: 408.945.1247

Any Party may change its street or electronic mail address under this paragraph by providing written notice to the other Party.

12. The provisions of this Agreement may be waived, altered, amended or repealed, in whole or in part, only upon the express written consent of both (i) JPB and (ii) AT&T. No breach of any provision of this Agreement shall be deemed waived unless the waiver is in writing and signed by a duly authorized representative of the waiving party.
13. A waiver by either Party of any breach of any term, covenant, or condition contained in this Agreement shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement whether of the same or different character.
14. This Agreement shall be deemed to have been entered into in the State of California and shall in all respects be construed, interpreted, enforced, and governed in accordance with the laws of the State of California, except to the extent preempted by federal law.
15. If any legal action or proceeding arising out of or relating to this Agreement is brought by either Party to this Agreement, the prevailing Party shall be entitled to all reasonable attorney's fees, costs, and expenses incurred in the action or proceeding, along with any other relief to which the prevailing Party may be entitled.
16. This Agreement constitutes the entire agreement between the Parties hereto with respect to the subject matter hereof and supersedes every antecedent or concurrent oral and/or written declaration and/or understanding by and between AT&T and JPB pertaining to the Project.
17. The terms of this Agreement shall be binding upon and inure to the benefit of the Parties hereto and their parents, subsidiaries, members, officers, directors, employees, agents, attorneys, predecessors, executors, administrators, personal representatives, heirs, successors and assigns.
18. The Parties each have had the benefit of the advice of counsel of their own choice in the negotiating, drafting, and execution of this Agreement, and the language in all parts of this Agreement is the product of the joint effort of all counsel. Accordingly, neither the entire Agreement nor any provision in it shall be (a) deemed to have been proposed or drafted by any of the Parties or (b) construed against any of the Parties on the basis that one of the Parties was a drafting party.
19. Each Party warrants that it has the full right and authority to enter into this Agreement. All necessary approvals and authority to enter into this Agreement have been obtained and the person

executing this Agreement on behalf of each Party has the express authority to do so and in so doing, to bind such Party hereto.

20. This Agreement may be executed in faxed or emailed counterparts, and each counterpart will be considered an original.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

PENINSULA CORRIDOR JOINT
POWERS BOARD, a municipal corporation

PACIFIC BELL TELEPHONE COMPANY,
a California corporation
dba AT&T california

By: _____ 4/17/18
Jim
Executive Director

By: _____ L 2
Printed Name: CHRIS WHI NGTON

APPROVED AS TO FORM:

Title: ENGINEERING AREA MANAGER

← _____ 4/12/18
Michael Conneran
Attorney for JPB

By: _____

Printed Name: _____

ATTEST

Title: _____

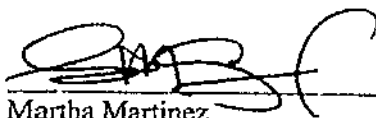
 4/17/18
Martha Martinez
Board Secretary

Exhibit A Scope of Work

To perform all internal labor, contract labor, and vendor labor, and to provide materials, for the relocation of AT&T communication facilities located at 31st Avenue adjacent to the Railroad right-of-way, described as follows:

Lowering and relocation of existing underground structures, copper and fiber optic feeder cables, and truck & toll cables affected by the JPB's proposed 25th Avenue Grade Separation Project. Major work involves, but is not limited to, placement of: two (2) intercept 18'x12'x9' panel vaults, approximately 325' of 54-4" conduits, twenty-four (24) each of various sizes of copper cables ranging from 900-pairs to 4200-pairs, and thirteen (13) each of various sizes of fiber optic cables from 48-pair to 864-pair. Work also includes the removal of one (1) existing vault (10'x4.5'x6.5'), removal of various sizes of copper and fiber optic cables, and the associated copper and fiber cable splicing work with the necessary existing fiber circuit end user's approved scheduled cut-over released dates.

Exhibit B
AT&T Relocation At 31st Avenue
Estimate of Costs

Expenses	Amount
Engineering Labor	\$ 444,998.35
Material Cost	\$ 414,558.67
Construction Labor	\$ 1,375,694.34
Contractor Cost	\$ 646,768.00
Salvage Credit	\$ 72,496.12
CIAC	\$ 0.00
Total Estimated Costs	\$ 2,809,523.24

EXHIBIT 2

INVOICES



P.O. Box 105414
Atlanta, GA 30348-5414

PROGRESS BILL

Item #4.
5/4/2023

BILLING INVOICE

[RETURN PAGE]

JPB/CALTRAIN RAFAEL BOLON 1250 SAN CARLOS AVENUE SAN CARLOS, CA 04070	DATE INVOICE CRIS BILL # PROJECT #	12/20/2019 816-19D-5058-340 A00WTER
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DESCRIPTION OF SERVICES PERFORMED:

ENGINEERING TIME CHARGES TO DEVELOP CUSTOMER QUOTE ; ACTUAL RELOCATION COST PER JPB ; AT;T SIGNED AGREEMENT DATED 4/25/18

DETAIL OF CHARGES:	
Engineering and Construction Charges	\$ 2,683,768.15
Depreciation Credit	\$ -
Salvage Credit	\$ -
Plant Betterment	\$ -
Net Charges	\$ 2,683,768.15
Less: Advance Payment	\$ -
Total Current Net Charges	<u>\$ 2,683,768.15</u>
Total Cost of Services Performed	<u>\$ 2,683,768.15</u>
x Eligibility Ratio 100%	<u>\$ 2,683,768.15</u>
Total Billable Cost of Services Performed	\$ 2,683,768.15
Less: Previous Billings	<u>\$ (2,430,760.97)</u>
Total Amount Due	<u>\$ 253,007.18</u>

Make checks payable to AT&T
Please return this page with your payment to:
P.O. Box 105414
Atlanta, GA 30348-5414



P.O. Box 105414
Atlanta, GA 30348-5414

BILLING INVOICE
[CUSTOMER COPY]

JPB/CALTRAIN RAFAEL BOLON 1250 SAN CARLOS AVENUE SAN CARLOS, CA 04070	DATE INVOICE CRIS BILL # PROJECT #	2/20/2020 816-20D-4745-038 A00WTER
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DESCRIPTION OF SERVICES PERFORMED:

ENGINEERING TIME CHARGES TO DEVELOP CUSTOMER QUOTE ; ACTUAL RELOCATION COST PER JPB ; AT;T SIGNED AGREEMENT DATED 4/25/18

DETAIL OF CHARGES:	
Engineering and Construction Charges	\$ 3,411,359.26
Depreciation Credit	\$ -
Salvage Credit	\$ -
Plant Betterment	\$ -
Net Charges	\$ 3,411,359.26
Less: Advance Payment	\$ -
Total Current Net Charges	\$ 3,411,359.26
Total Cost of Services Performed	\$ 3,411,359.26
x Eligibility Ratio 100%	\$ 3,411,359.26
Total Billable Cost of Services Performed	\$ 3,411,359.26
Less: Previous Billings	\$ (2,683,768.15)
Total Amount Due	\$ 727,591.11

[CUSTOMER COPY]

For questions pertaining to this invoice, please call our Business Office at 1-888-827-3237



P.O. Box 105414
Atlanta, GA 30348-5414

BILLING INVOICE

[CUSTOMER COPY]

JPB/CALTRAIN RAFAEL BOLON 1250 SAN CARLOS AVENUE SAN CARLOS, CA 04070	DATE INVOICE CRIS BILL # PROJECT #	3/24/2020 816-20D-1114-066 A00WTER
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DESCRIPTION OF SERVICES PERFORMED:

ENGINEERING TIME CHARGES TO DEVELOP CUSTOMER QUOTE ; ACTUAL RELOCATION COST PER JPB ; AT;T SIGNED AGREEMENT DATED 4/25/18

DETAIL OF CHARGES:

Engineering and Construction Charges	\$	4,535,411.27
Depreciation Credit	\$	-
Salvage Credit	\$	-
Plant Betterment	\$	-
Net Charges	\$	4,535,411.27
Less: Advance Payment	\$	-
Total Current Net Charges	\$	4,535,411.27
Total Cost of Services Performed x Eligibility Ratio 100%	\$	4,535,411.27
Total Billable Cost of Services Performed	\$	4,535,411.27
Less: Previous Billings	\$	(3,411,359.26)
Total Amount Due	\$	<u>1,124,052.01</u>

[CUSTOMER COPY]

For questions pertaining to this invoice, please call our Business Office at 1-888-827-3237



P.O. Box 105414
Atlanta, GA 30348-5414

BILLING INVOICE

[CUSTOMER COPY]

JPB/CALTRAIN RAFAEL BOLON 1250 SAN CARLOS AVENUE SAN CARLOS, CA 04070	DATE INVOICE CRIS BILL # PROJECT #	4/24/2020 816-20D-5046-114 A00WTER
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DESCRIPTION OF SERVICES PERFORMED:

ENGINEERING TIME CHARGES TO DEVELOP CUSTOMER QUOTE ; ACTUAL RELOCATION COST PER JPB ; AT;T SIGNED AGREEMENT DATED 4/25/18

DETAIL OF CHARGES:

Engineering and Construction Charges	\$	5,637,188.26
Depreciation Credit	\$	-
Salvage Credit	\$	-
Plant Betterment	\$	-
Net Charges	\$	5,637,188.26
Less: Advance Payment	\$	-
Total Current Net Charges	\$	<u>5,637,188.26</u>
Total Cost of Services Performed	\$	<u>5,637,188.26</u>
x Eligibility Ratio 100%	\$	<u>5,637,188.26</u>
Total Billable Cost of Services Performed	\$	5,637,188.26
Less: Previous Billings	\$	<u>(4,535,411.27)</u>
Total Amount Due	\$	<u><u>1,101,776.99</u></u>

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For questions pertaining to this invoice, please call our Business Office at 1-888-827-3237



P.O. Box 105414
 Atlanta, GA 30348-5414

PROGRESS BILL

Item #4.
 5/4/2023

BILLING INVOICE

[RETURN PAGE]

JPB/CALTRAIN RAFAEL BOLON 1250 SAN CARLOS AVENUE SAN CARLOS, CA 04070	DATE INVOICE CRIS BILL # PROJECT #	5/21/2020 816-20D-8269-128 A00WTER
--	--	--

DESCRIPTION OF SERVICES PERFORMED:

ENGINEERING TIME CHARGES TO DEVELOP CUSTOMER QUOTE ; ACTUAL RELOCATION COST PER JPB ; AT;T SIGNED AGREEMENT DATED 4/25/18

DETAIL OF CHARGES:	
Engineering and Construction Charges	\$ 5,795,559.24
Depreciation Credit	\$ -
Salvage Credit	\$ -
Plant Betterment	\$ -
Net Charges	\$ 5,795,559.24
Less: Advance Payment	\$ -
Total Current Net Charges	\$ 5,795,559.24
Total Cost of Services Performed	\$ 5,795,559.24
x Eligibility Ratio 100%	\$ 5,795,559.24
Total Billable Cost of Services Performed	\$ 5,795,559.24
Less: Previous Billings	\$ (5,637,188.26)
Total Amount Due	\$ 158,370.98

Make checks payable to AT&T
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Atlanta, GA 30348-5414

BILLING INVOICE

[RETURN PAGE]

JPB/CALTRAIN RAFAEL BOLON 1250 SAN CARLOS AVENUE SAN CARLOS, CA 04070	DATE INVOICE CRIS BILL # PROJECT #	6/24/2020 816-20D-5552-157 A00WTER
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DESCRIPTION OF SERVICES PERFORMED:

ENGINEERING TIME CHARGES TO DEVELOP CUSTOMER QUOTE ; ACTUAL RELOCATION COST PER JPB ; AT;T SIGNED AGREEMENT DATED 4/25/18

DETAIL OF CHARGES:	
Engineering and Construction Charges	\$ 5,983,810.74
Depreciation Credit	\$ -
Salvage Credit	\$ -
Plant Betterment	\$ -
Net Charges	\$ 5,983,810.74
Less: Advance Payment	\$ -
Total Current Net Charges	\$ 5,983,810.74
Total Cost of Services Performed	\$ 5,983,810.74
x Eligibility Ratio 100%	\$ 5,983,810.74
Total Billable Cost of Services Performed	\$ 5,983,810.74
Less: Previous Billings	\$ (5,795,559.24)
Total Amount Due	\$ 188,251.50

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BILLING INVOICE

[RETURN PAGE]

JPB/CALTRAIN RAFAEL BOLON 1250 SAN CARLOS AVENUE SAN CARLOS, CA 04070	DATE INVOICE CRIS BILL # PROJECT #	11/20/2020 816-20D-0349-314 A00WTER
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DESCRIPTION OF SERVICES PERFORMED:

ENGINEERING TIME CHARGES TO DEVELOP CUSTOMER QUOTE ; ACTUAL RELOCATION COST PER JPB ; AT;T SIGNED AGREEMENT DATED 4/25/18

DETAIL OF CHARGES:	
Engineering and Construction Charges	\$ 5,998,329.68
Depreciation Credit	\$ -
Salvage Credit	\$ -
Plant Betterment	\$ -
Net Charges	\$ 5,998,329.68
Less: Advance Payment	\$ -
Total Current Net Charges	\$ 5,998,329.68
Total Cost of Services Performed	\$ 5,998,329.68
x Eligibility Ratio 100%	\$ 5,998,329.68
Total Billable Cost of Services Performed	\$ 5,998,329.68
Less: Previous Billings	\$ (5,983,810.74)
Total Amount Due	\$ 14,518.94

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BILLING INVOICE
[CUSTOMER COPY]

JPB/CALTRAIN RAFAEL BOLON 1250 SAN CARLOS AVENUE SAN CARLOS, CA 04070	DATE INVOICE CRIS BILL # PROJECT #	4/23/2021 816-21D-6091-097 A00WTER
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DESCRIPTION OF SERVICES PERFORMED:

ENGINEERING TIME CHARGES TO DEVELOP CUSTOMER QUOTE ; ACTUAL RELOCATION COST PER JPB ; AT;T SIGNED AGREEMENT DATED 4/25/18

DETAIL OF CHARGES:	
Engineering and Construction Charges	\$ 6,005,469.46
Depreciation Credit	\$ -
Salvage Credit	\$ -
Plant Betterment	\$ -
Net Charges	\$ 6,005,469.46
Less: Advance Payment	\$ -
Total Current Net Charges	\$ 6,005,469.46
Total Cost of Services Performed	\$ 6,005,469.46
x Eligibility Ratio 100%	\$ 6,005,469.46
Total Billable Cost of Services Performed	\$ 6,005,469.46
Less: Previous Billings	\$ (6,001,899.57)
Total Amount Due	\$ 3,569.89

[CUSTOMER COPY]

For questions pertaining to this invoice, please call our Business Office at 1-888-827-3237



Executive Director's Monthly Report: April 2023

Executive Director Michelle Bouchard

Report prepared for May Board meeting; data current through March 2023.









Who We Are and What We Do

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

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



Table of Contents

	Performance at a Glance	4
	On-Time Performance	5
	Train Delays	6
	Ridership and Revenue	7
	Maintenance Performance	13
	Service and Program Updates	15
	Communications and Marketing	16
	Capital Project Updates	17

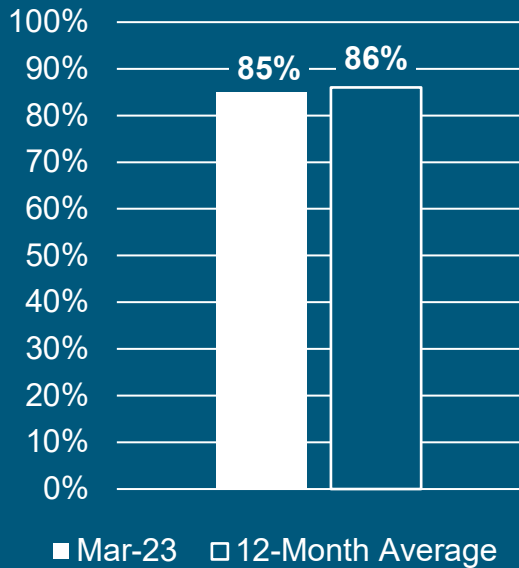




Performance at a Glance

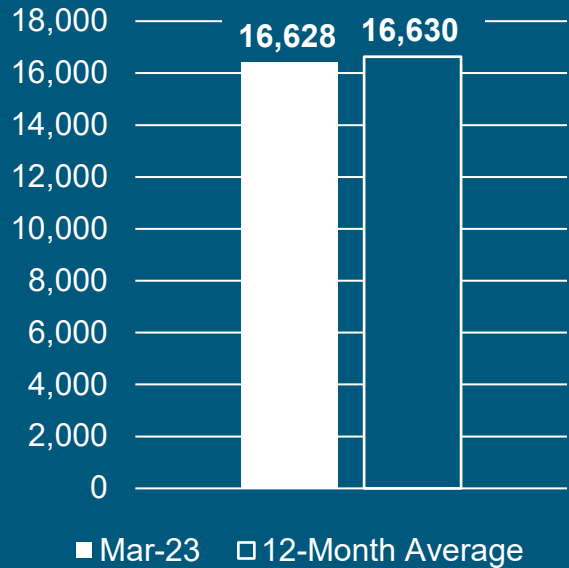
On-Time Performance

Percentage of trains arriving within six minutes of the scheduled time



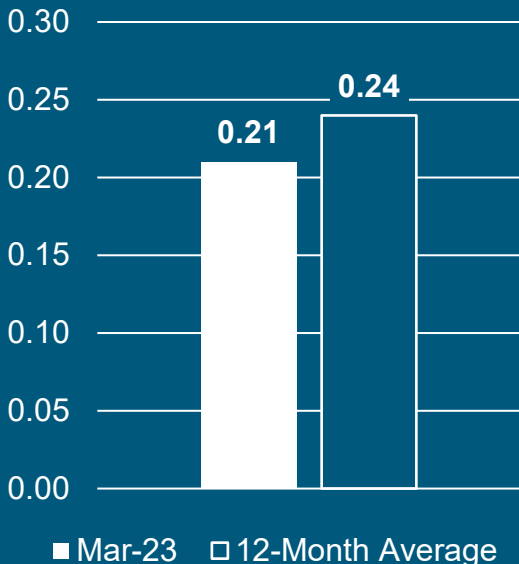
Average Daily Ridership

Average estimated weekday ridership



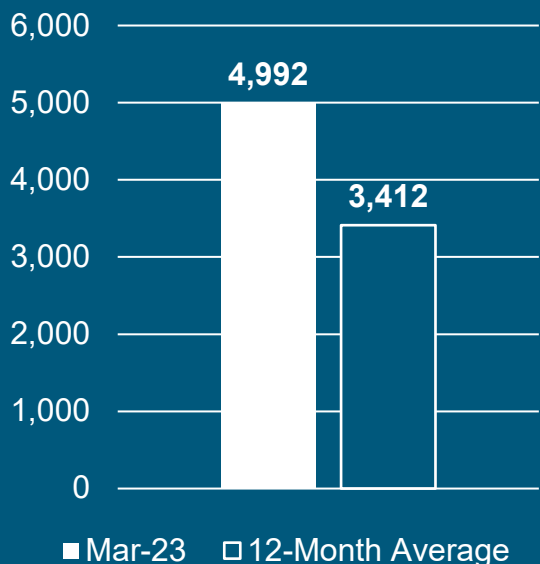
Farebox Recovery Ratio

Ratio of fare revenue to operating costs



Mean Distance Between Failures

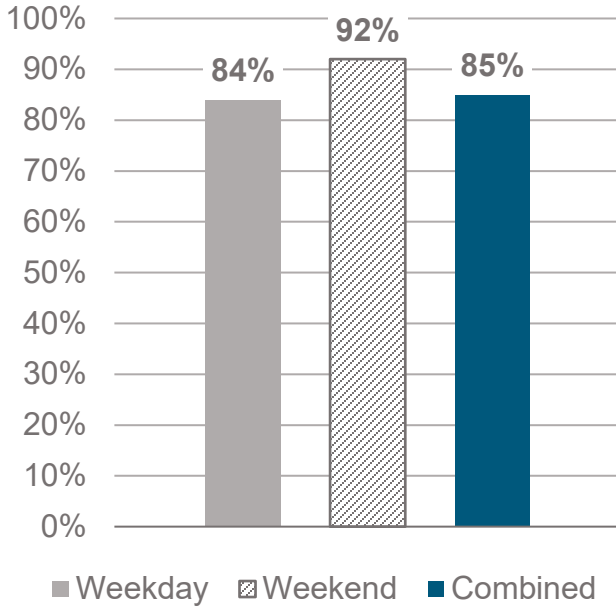
Average miles travelled by locomotives before maintenance/repair is required





On-Time Performance

Performance This Month (Mar-23)

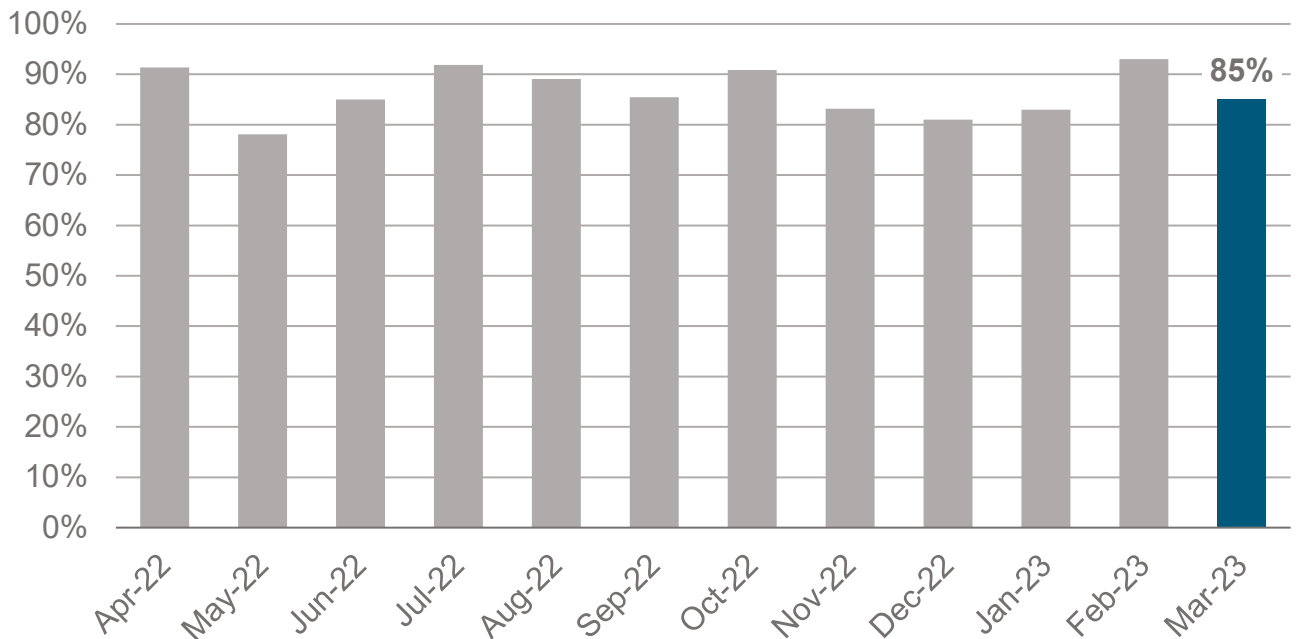


Trains are considered on-time if they arrive within six minutes of the scheduled arrival time at end-line locations (i.e. San Francisco, San Jose Diridon, Tamien, and Gilroy).

The on-time performance (OTP) goal for Caltrain is 95 percent. Combined OTP for the month of March was 85%.

Note that weekend OTP includes holidays.

Monthly On-Time Performance in the Past Year



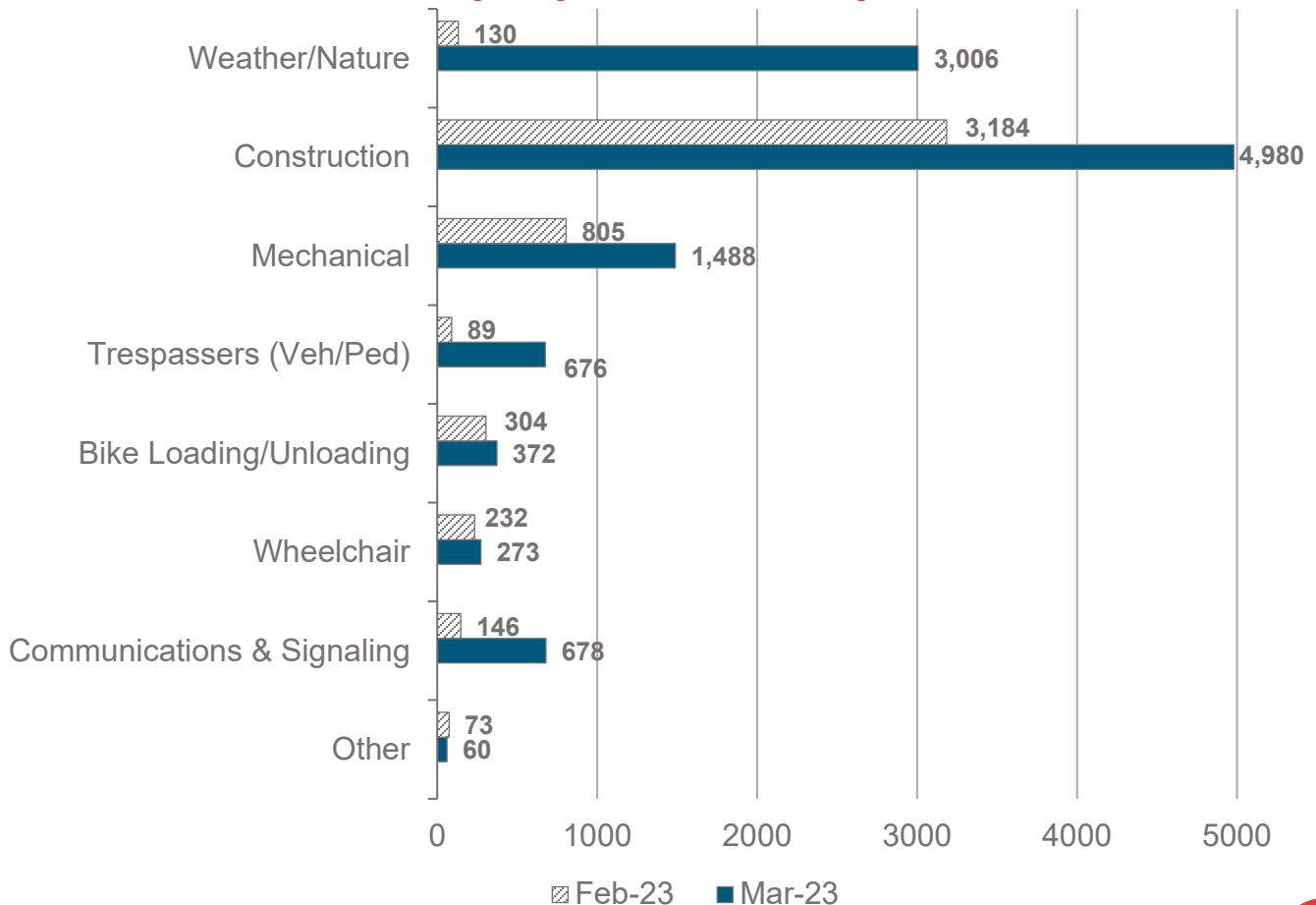


Delays and Cancellations

	<u>Jan-23</u>	<u>Feb-23</u>	<u>Mar-23</u>
Number of Late Trains	414	157	413
Average Minutes Late for Late Trains	24	14	16
Number of Cancelled Trains	56	2	44

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

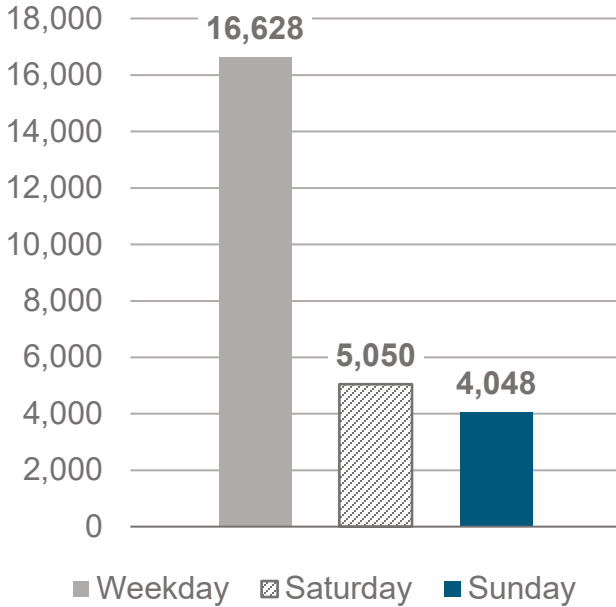
Reasons for Train Delays, by Minutes of Delay





Ridership and Revenue

Average Daily Ridership (Mar-23)

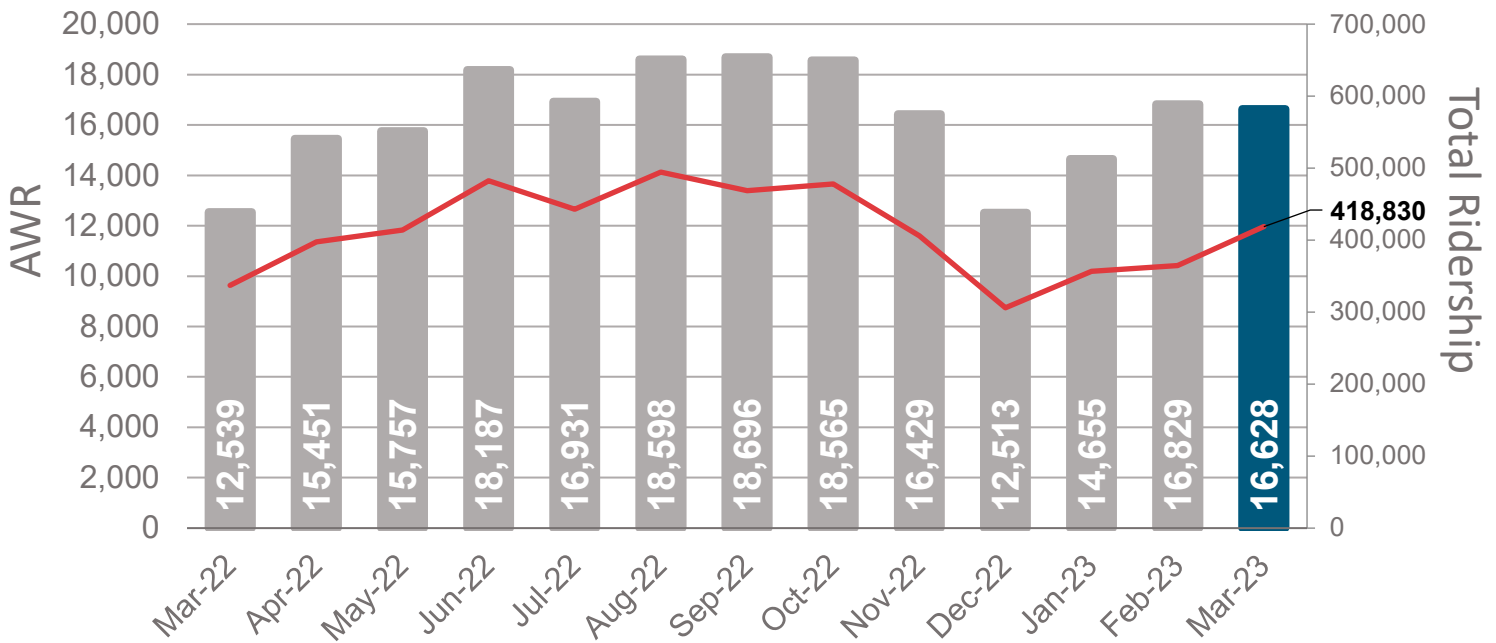


Both total and average weekday ridership (AWR) increased significantly from the same month in the prior year due to the receding impacts of the COVID-19 pandemic, including gradual introduction of return-to-office policies and increased leisure activities such as special events at Oracle Park and Chase Center.

Ridership in the Past Year

■ Average Weekday Ridership

— Total Monthly Ridership



Since April 2020, ridership estimates have been developed using daily conductor counts at 14 key stations and Clipper cards used at all stations due to significant impacts to ticket sales and usage patterns from the COVID-19 pandemic.





Ridership and Revenue

Special Service Ridership Report

Giants

- One pre-season home game in March.
- Total preseason ridership boarding at San Francisco Station was 2,262, a 34% increase compared to 2019 average preseason ridership (1,683).
- One post event Special Train was provided.

Sharks

- Eight regular season home games in March.
- Total additional ridership boarding at San Jose Diridon station was 487.
- Year-to-date additional ridership is 2,436, a 15% decrease compared to 2021-22 (2,850) and a 73% decrease compared to 2019 (9,141).
- *Please note, due to PCEP construction, a reduced level of service was in effect for the 3/4 and 3/11 games.*

Warriors

- Eight regular home season games in March.
- Total additional post-game ridership boarding at San Francisco station was 1,338.
- Year-to-date additional ridership is 8,231, a 39% decrease compared to 2021-22 (13,499).
- *Please note, due to PCEP construction, a reduced level of service was in effect for the 3/11 game.*

Other Special Events

- Bellator MMA at SAP
 - Total additional ridership was 77.



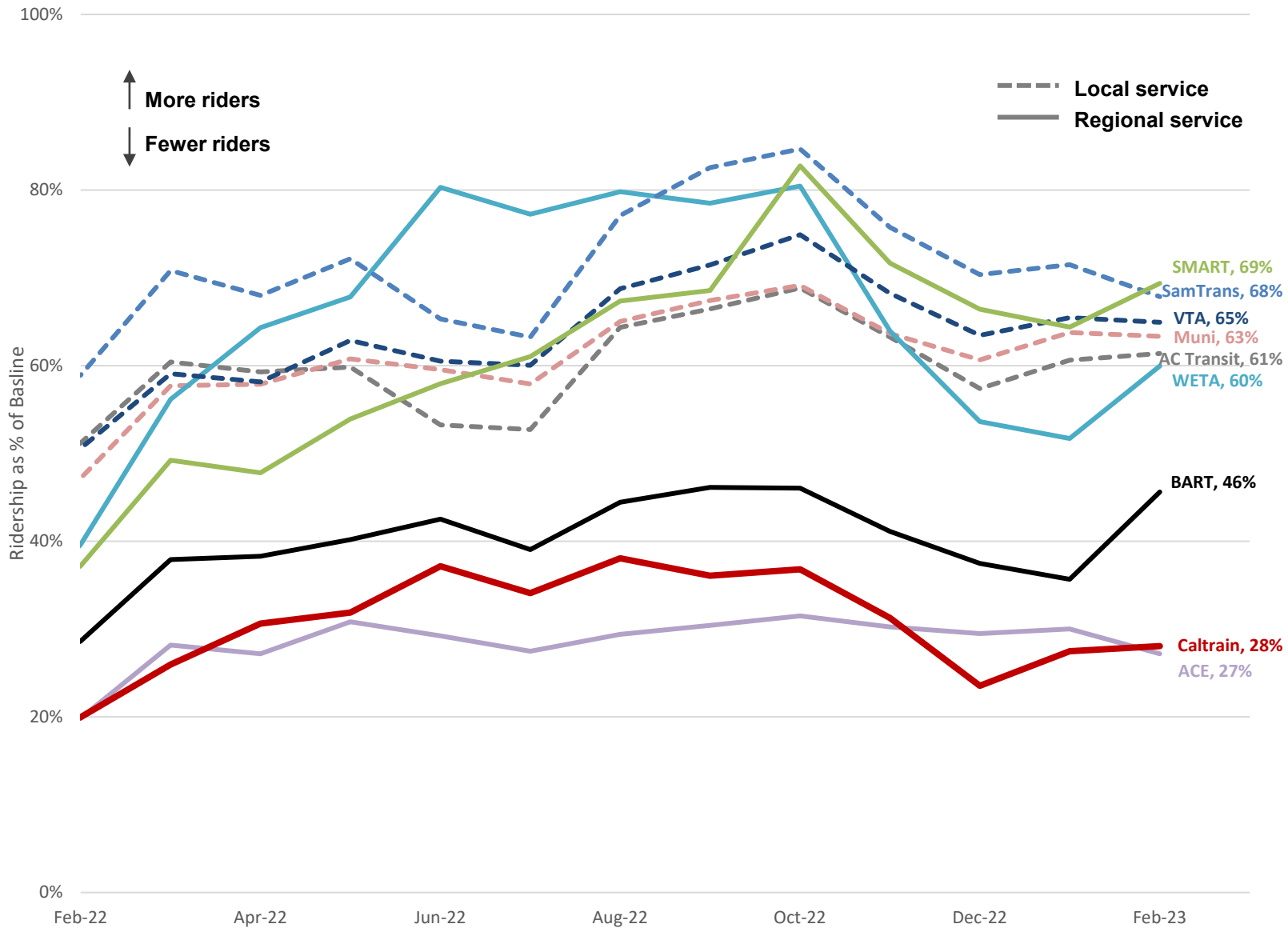


Ridership and Revenue

Public Transit Ridership Recovery in the Bay Area

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

Total Monthly Ridership as a Share of Pre-Pandemic Levels



Sources:

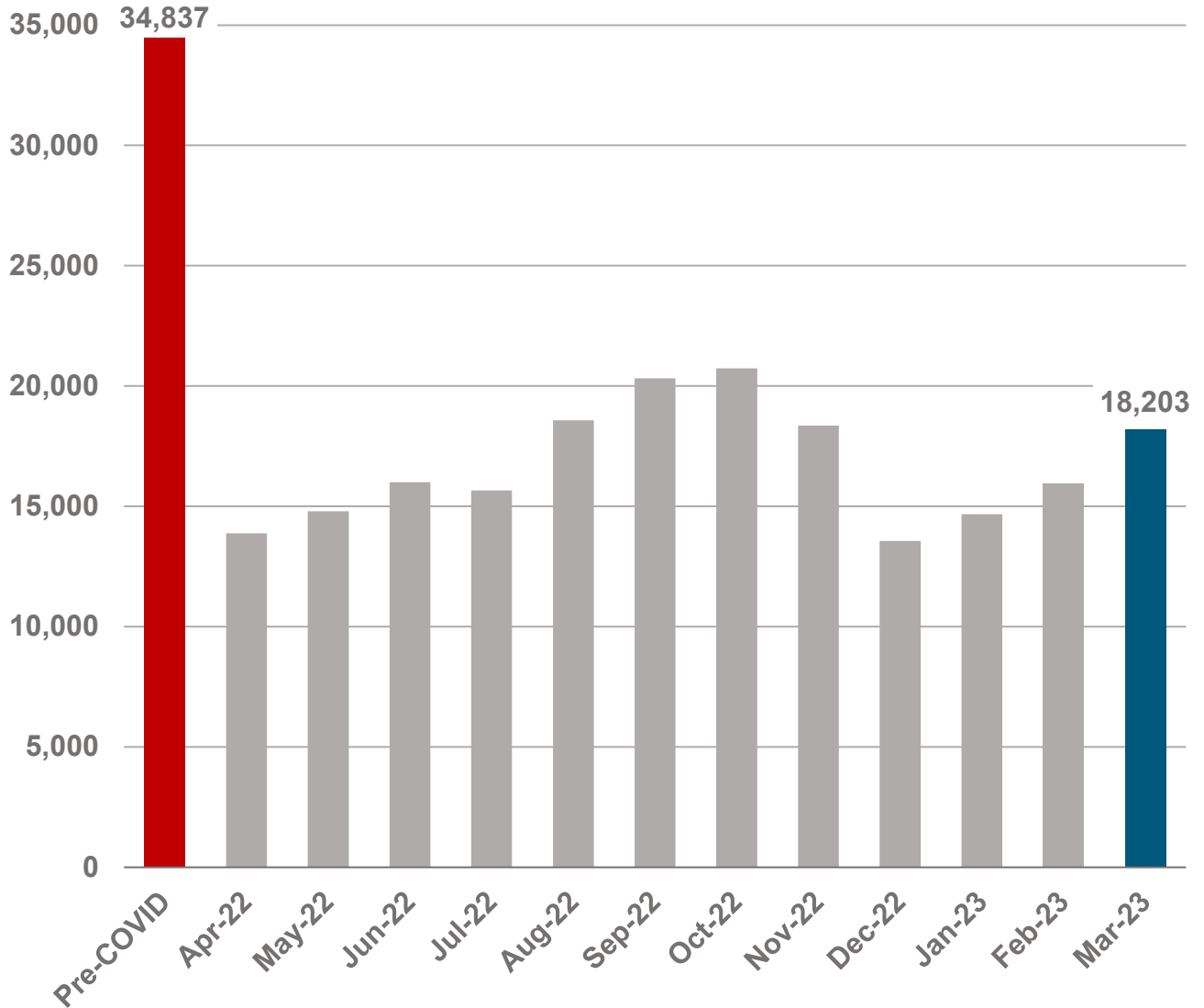
- Caltrain ridership estimates based on conductor counts & Clipper data
- Ridership data for all other agencies retrieved from the National Transit Database





Ridership and Revenue

Monthly BART Transfers at Millbrae in the Past Year



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

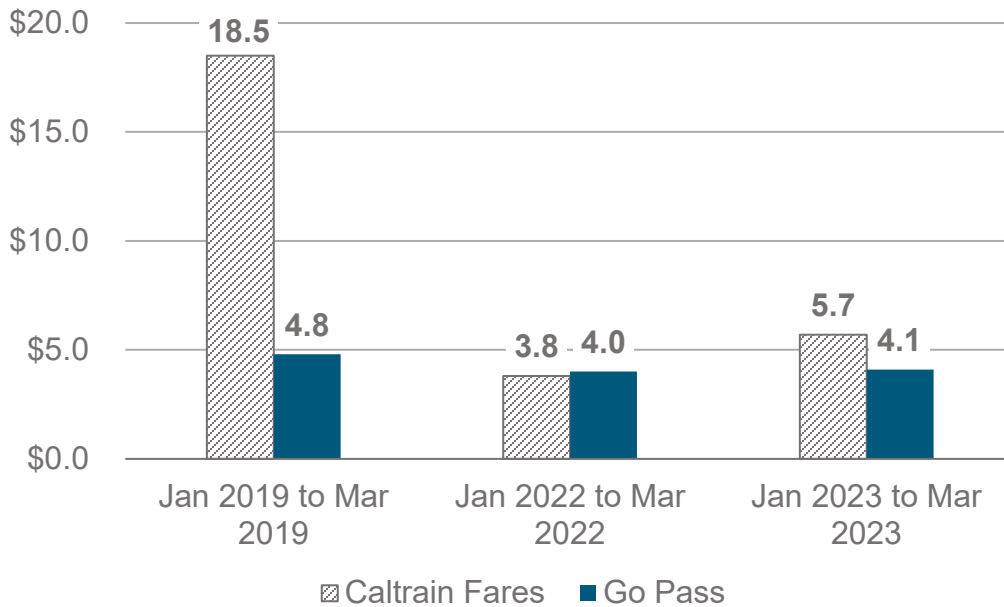
Pre-COVID data is provided for comparison purposes and represents average monthly transfers during the one-year period from March 2019 to February 2020.





Ridership and Revenue

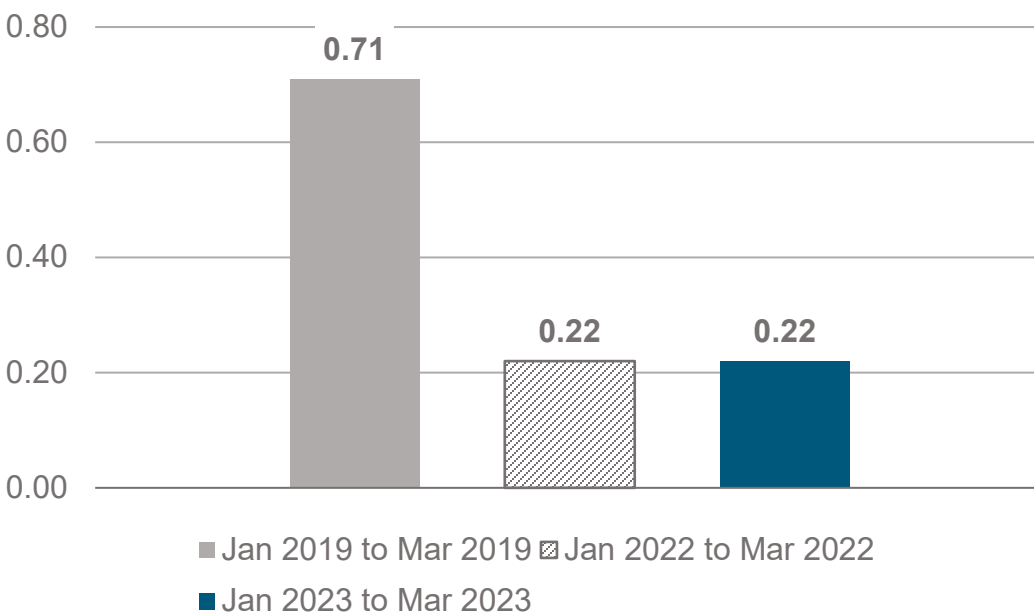
Total Fare Revenues (\$M) - Past 3 Months Comparison



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

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

Farebox Recovery Ratio (3-Month Rolling Average)



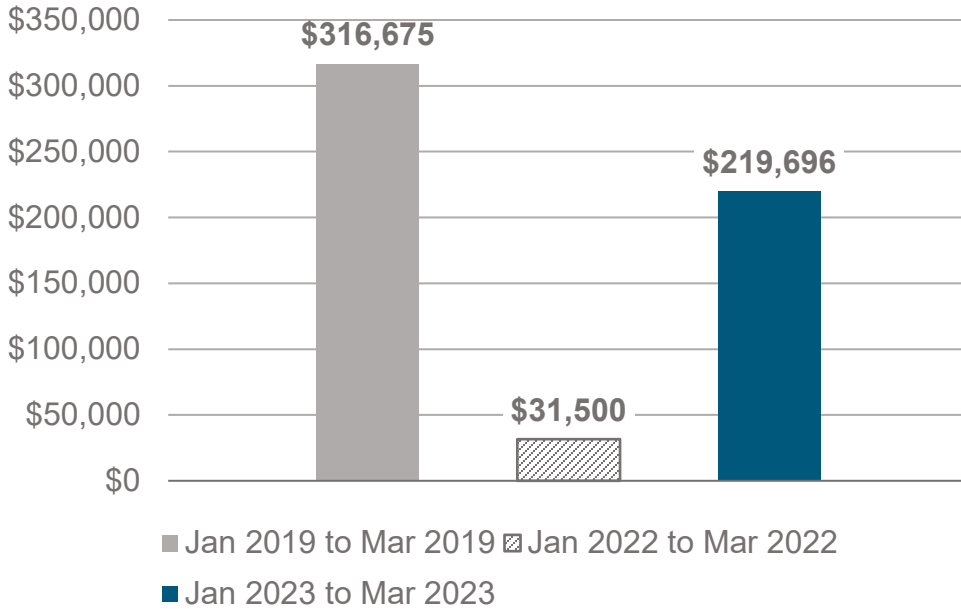
Farebox Recovery Ratio represents how much of the cost of providing service is covered by customer fares. A higher ratio indicates that a greater share of costs are covered by riders.





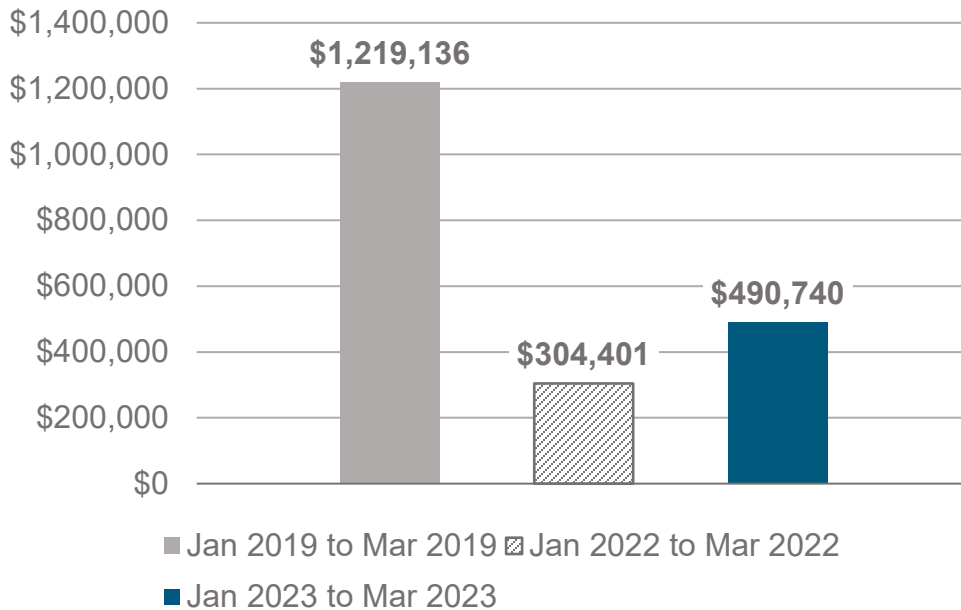
Ridership and Revenue

Advertising Revenue (3-Month Rolling Average)



Advertising Revenue declined substantially for transit agencies throughout the country with the onset of the COVID-19 pandemic. The most recent 3-month period represents half of the advertising revenue received for the same 3-month period in 2019.

Parking Revenue (3-Month Rolling Average)



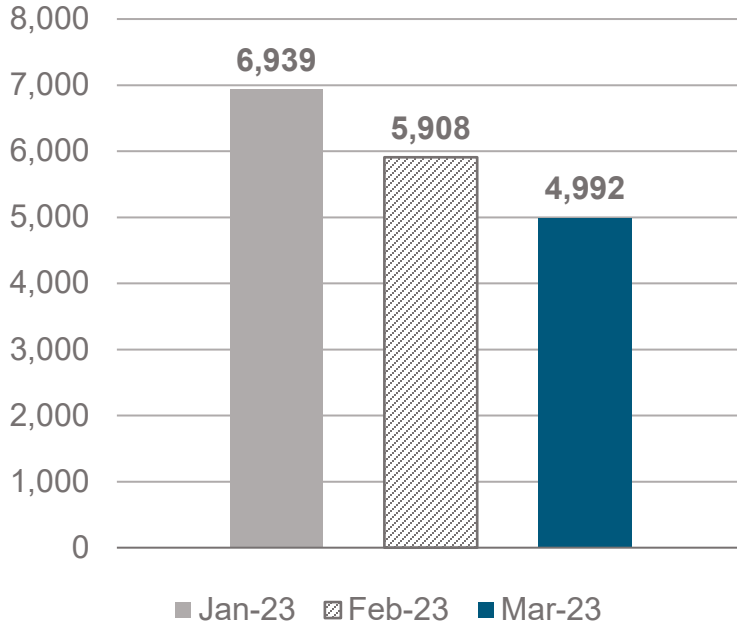
Parking Revenue is generated by purchases of daily and monthly parking permits for parking at Caltrain-owned lots.





Maintenance Performance

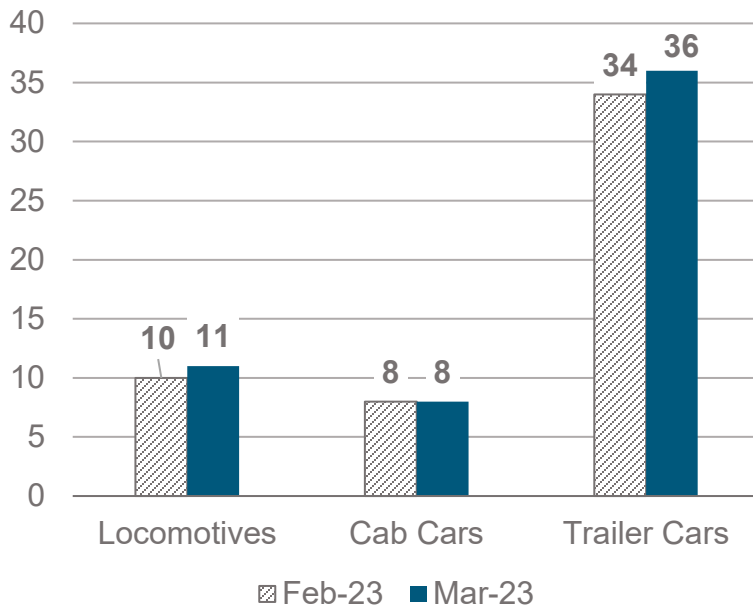
Mean Distance Between Failure (Locomotives)



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

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

Equipment in Maintenance/Repair



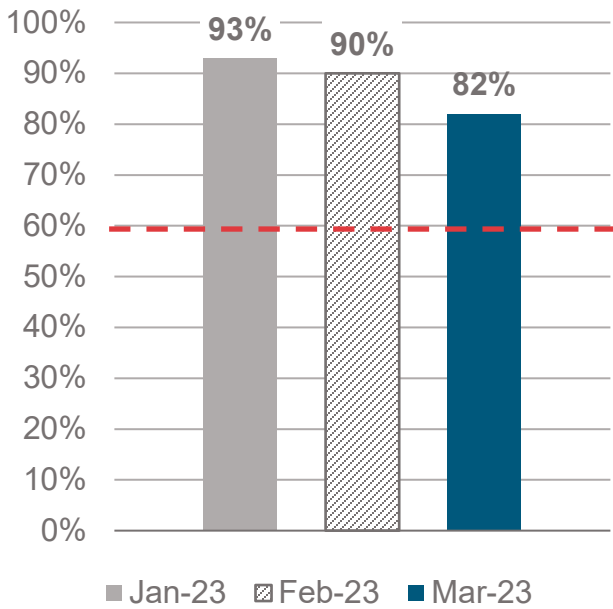
Equipment in Maintenance/Repair represents the number of locomotives and cars that are out of service on an average day each month due to routine and preventative maintenance or other repairs.





Maintenance Performance

Equipment Availability (Locomotives)

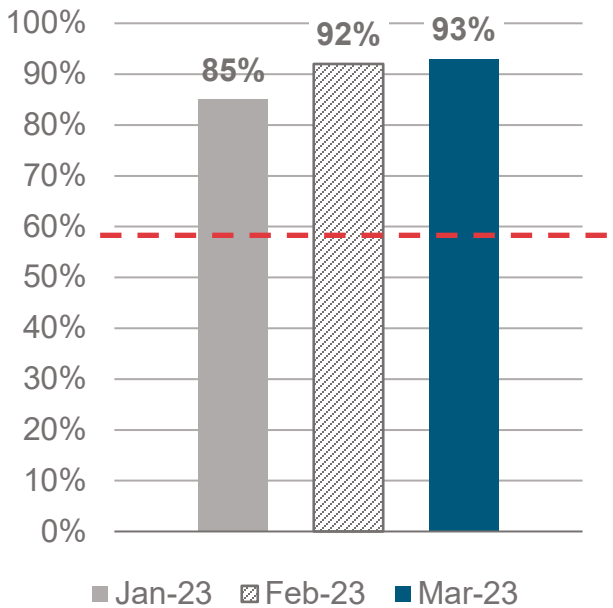


Equipment Availability is the number of cars or locomotives available for service on an average day each month as a percentage of the daily equipment required to run base service.

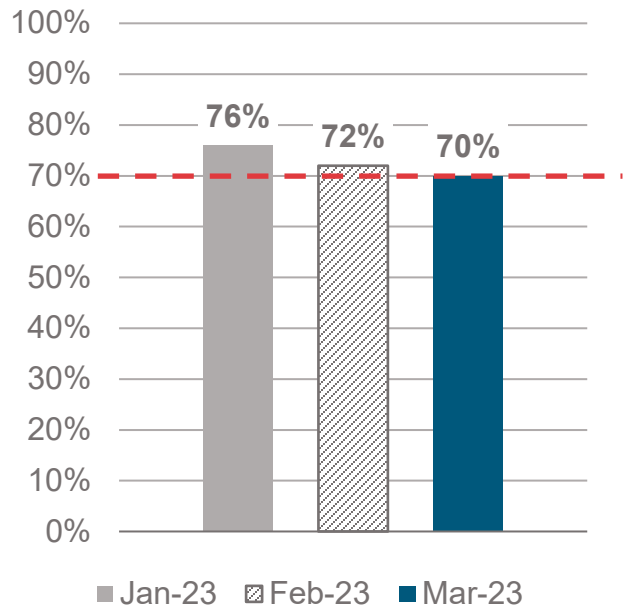
Caltrain currently owns 29 passenger locomotives, with 18 required daily; 36 cab cars, with 21 required daily; and 98 trailer cars, with 69 required daily.

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

Equipment Availability (Cab Cars)



Equipment Availability (Trailer Cars)



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





Service and Program Updates

Temporary Weekend Service Reductions for Electrification Construction

Caltrain will be suspending its service between Menlo Park and Santa Clara Stations on the weekends of April 22-23 and 29-30 and May 6-7 and 13-14 in order to accommodate Caltrain Electrification construction and testing.

Caltrain encourages riders to seek alternative transit options. Limited bus service, known as a bus bridge, will be provided to Caltrain-dependent riders traveling to or from the affected area, although it will not serve Lawrence Station.

These will be the ninth through twelfth of 31 weekends in 2023 in which service will be adjusted to accommodate construction and testing for electrified service, which is expected to launch passenger service in fall 2024.

Caltrain Seeks Volunteers for Citizens Advisory Committee

Caltrain is seeking volunteers from San Francisco, San Mateo and Santa Clara counties to apply for its Citizens Advisory Committee (CAC).

The CAC currently has openings for six seats, two each per county. Two of the seats available in San Francisco and Santa Clara are for alternate committee members. Committee members are asked to serve a three-year term.

The CAC is comprised of nine community members who serve in an advisory capacity to the Caltrain board of directors, providing input on the needs of current and potential rail customers.

Residents interested in joining the advisory committee can find an application on the CAC web page [here](#), or by calling 650.508.6347. Applications for the CAC are due by Friday, May 5, 2023.





Communications and Marketing Update

Caltrain Communications and Marketing Campaigns for March 2023

- Press Release: "Caltrain Suspends Weekend Train Service Between Millbrae and Hillsdale for Electrification Construction"
- Weekend Service Change
- Clipper Mobile (ongoing)
- 20% off Caltrain Monthly pass (ongoing)
- Clipper Start (ongoing)

Digital Communications Report

In March, our messaging focused on weekend closures as shutdowns in Millbrae and San Francisco continued. This service change has had an impact on communication channels including social media, web, and mobile platforms. We received positive feedback regarding the frequency and effectiveness of our communication efforts.

As part of International Women's Month, Caltrain celebrated by shining a light on the women of our agency, both at our central office and onboard our trains. We posted spotlights, carousels, interviews, and other content to highlight their contributions.

Despite facing multiple severe storms, our teams came together to communicate and provide assistance, even during weekend shutdowns.

We also celebrated Transit Driver/Worker Appreciation Day by posting content that highlighted the hard work and dedication of our conductors and engineers through videos and photos.

March Digital Marketing Highlights

- Women's History Month
- Weekend closures
- Go Pass donation program
- Winter Storms
- Announced the Transit in Entertainment Awards
- Transit Driver Appreciation Day

Caltrain Web Numbers

- March: 443,277
- February: 398,247
- January: 450,053





Capital Projects Update

Project: Guadalupe River Bridge Replacement

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
JPB will replace the MT-1 railroad bridge and extend and seismically retrofit the MT-2 railroad bridge over the Guadalupe River in the City of San Jose, Santa Clara County, California. The project is located just north of Willow Street and east of State Route (SR) 87 between the Tamien and San Jose Diridon stations.	●	●	●	●
Project Phase: 6 – Procurement/Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	63,699	14,809	11,418	02/16/25
Percentages	100.00%	23.2%	17.9%	
Project Highlights – Recent and Upcoming Work				
<p>On 3/9/2023, Walsh removed the ballast from MT2. On 3/22/2023, Walsh removed the aerial girders from MT2. On 3/29/2023, MT2 sheet pile installation commenced.</p> <p>In April 2023, JPB anticipates the implementation of MT1 bracing, the installation of temporary sheet piling, the removal of MT2 abutment 5, and the formal issuance of an Encroachment Permit by Valley Water.</p> <p>Funding status light yellow until planned FY25 funding appropriated by the Board in May 2024. Schedule status light yellow from mutual agreement with Contractor to delay NTP seven days.</p>				

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

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Ticket Vending Machine (TVM) Upgrade

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
This project will upgrade the existing TVM Server and retrofit and refurbish existing TVM machines to include functions planned for the Clipper program. The new machines will be able to dispense new Clipper cards (excluding discount Clipper cards that require verification of eligibility) and allow customers to add value to existing Clipper cards. In addition, the scope was increased to include upgrades to the credit card reader and database.	●	●	●	●
Project Phase: 6 - Procurement/Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	3,892	2,720	2,098	09/30/23
Percentages	100.00%	69.9%	53.9%	
Project Highlights – Recent and Upcoming Work				
The vendor Ventek began Phase 4 of the TVM Upgrade project and upgraded 12 TVMs at 9 stations. Ventek will continue to upgrade a total of 27 TVMs for Phase 4.				

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

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Broadband Wireless Communications

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
The project will design a broadband wireless communications system along the Caltrain corridor for the wayside train maintenance diagnostics and passenger Wi-Fi service. The project will investigate leveraging the existing infrastructure such as the Overhead Contact System (OCS) poles and JPB fiber network to communicate with passing trains. Wayside antennas may be mounted on the OCS poles at a constant interval to communicate with moving trains that will be equipped with radios and antennas.	●	●	●	●
Project Phase: 6 – Procurement/Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	28,820	12,458	6,953	
Percentages	100.00%	43.2%	24.1%	9/30/24
Project Highlights – Recent and Upcoming Work				
<p>Held bi-weekly meetings with the contractor Nomad Digital. The contractor began their trackside site survey and will complete the survey in April. The contractor submitted their preliminary system design, and it was reviewed, and comments were provided to the contractor.</p> <p>Complete the trackside site and EMU surveys. The EMU survey will be done in Salt Lake City. Receive a revised preliminary system design.</p>				

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

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Bayshore Station Bridge Painting

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
This project will perform rehabilitation of the coatings of the existing steel pedestrian overpass bridge at the Bayshore Station in Brisbane. The bridge's paint coatings are in need of rehabilitation due to surface rust. This work combined with a complete repainting of the bridge will bring the structure to a state of good repair.	●	●	●	●

Project Phase: 6 – Procurement/Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	6,870	3,865	3,045	09/29/23
Percentages	100.00%	56.3%	56.3%	

Project Highlights – Recent and Upcoming Work

Continued to work with the Construction Management team to prepare and conduct weekly meetings with the Contractor Top Line Engineers. Continued to work with the Safety, Rail Operations, PCEP, Rail Customer Experience and Government Community Affairs team to identify a viable option to close the East and West Towers without affecting Train operations.

Continued to work with the Contractor in submitting a time impact analysis of the delays of the project in order to determine the extent of delays caused by the Owner or Contractor. Continued to work with PCEP team to identify OCS schedule to better align with the Bayshore Painting operations.

Continued to work with Contracts and Legal Team in resolving the subcontractor substitution, stop payments, and legal actions from the Prime's Subcontractor.

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

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: MP-36 Locomotive Mid-Life Overhaul Project

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
<p>This project involves performing mid-life overhaul of six MP-36-3C Locomotives. The mid-life overhaul includes complete disassembly of the main diesel engine, overhauling by reconditioning re-usable main frame components and re-assembly with new engine components and replacement of Separate Head-End Power (SEP-HEP) unit and all electrical components of the SEP-HEP compartment. All areas of the locomotive car body, trucks, wheels and electrical components shall be reconditioned to like-new condition or replaced with new material. The project work is occurring off-site at the contractor's facility location. The 6 locomotives to be overhauled are Locomotive #'s 923, 924, 925, 926, 927 & 928. In order to maintain daily service, only 1 to 2 of these locomotives are released at a time for overhaul work that is expected to take approximately 8 months per locomotive. Due to this restriction, the overall completion of this work is expected to take approximately 4 years.</p>	●	●	●	●
Project Phase: 6 – Procurement/Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	14,833	13,173	5,798	
Percentages	100%	88.8%	39.1%	05/31/24
Project Highlights – Recent and Upcoming Work				
<p>Alstom has obtained EPA waiver for 925 and 926 while waiting for EPA approval and compliance certificates issued. Locomotive 924 was operated on a test train and was shopped due to a failure on #4 traction motor. Testing was not completed, and motor will be replaced. Locomotive 925 was near completion but will be held at Alstom due to traction motor being removed and sent to CEMOF.</p> <p>Unit 924 to complete dynamic testing after motor replacement on Caltrain and begin service. Ship unit 925.</p>				

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

Statuses: ● – Green ● – Yellow ● – Red



Acknowledgements

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

Caltrain Planning

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

Communications Division

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

Finance Administration

Ryan Hinchman, Director, Financial Planning & Analysis
Bruce Thompson, Manager, Fare Program Operations
Dapri Hong, Budget Analyst III

Rail Administration / Rail Operations & Maintenance

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

Rail Development

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

Additional Support

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



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

Draft Minutes of March 29, 2023

Members Present: P. Burt (arrived at 9:18 am), R. Medina, S. Heminger, S. Walton, M. Zmuda, D. Davis (Vice Chair), J. Gee (Chair)

Members Absent: C. Chavez, R. Mueller

Staff Present: T. Bartholomew, M. Bouchard, J. Harrison, C. Fromson, D. Seamans, P. Shrestha, M. Tseng

1. Call to Order / Pledge of Allegiance

Chair Jeff Gee called the meeting to order at 9:01 am and Director Monique Zmuda led the pledge of allegiance.

2. Roll Call

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

3. Suspend Section 4 of the JPB Rules of Procedure to Authorize Regular Meeting to Occur on March 29, 2023, rather than April 6, 2023

James Harrison, Legal Counsel, noted that the Rules of Procedure designates the first Thursday of the month as the regular meeting, so an action needed to be taken for the regular meeting to occur on March 29, 2023.

Motion/Second: Davis, Medina

Ayes: Burt, Davis, Gee, Heminger, Medina, Walton, Zmuda

Noes: None

Absent: Chavez, Mueller

4. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances – There were no requests made.

5. Public Comment for Items Not on the Agenda

Adrian Brandt commented on fare evasion and enforcement policy. He also commented that it should be tracked on a regular basis.

6. Report of the Executive Director

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

- Thanked the Board for shifting the meeting with financial workshop on April 6th to discuss the financial outlook and upcoming budget strategies to address future deficits

- Appreciated the quick response from railroad and partners during the recent storms
- Work on a corridor-wide tree assessment taking place over the next few months
- MTC (Metropolitan Transportation Commission) Fare Integration Task Force approved the regional fare program that will support ridership growth. It will be brought to the Board for approval later this year.
- Participated in Bay Area Council in Washington, D.C. and emphasized the need for a zero-emission corridor. Grant application in rail vehicle replacement program would fund three additional EMU (electric multiple unit) trains
- Addressed public comments regarding fare enforcement policy and identified areas for improvements. Fare enforcement activities will be included in either the Executive Director's Report or upcoming Safety and Security Report.

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

- Support fare enforcement report to be under Safety and Security
- Trains slowed due storms and agendaize an item on weather related activities and how the organization reacts
- Add a weather category to the report for delays, which would include flooding

Public Comment

Jeff Carter appreciated report on addressing tree issues.

Adrian Brandt commented on an equity aspect for the fare structure.

Adina Levin, Friends of Caltrain, commented on scope of finance workshop, expressed appreciation and support for the free and reduced cost transfers, and the tree issues.

7. Consent Calendar

7.a. Meeting Minutes of March 2, 2023

7.b. Accept Statement of Revenues and Expenses for the Period Ending February 28, 2023

7.c. 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) – Approved by Resolution No. 2023-18

7.d. 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* – Approved by Resolution No. 2023-19

7.e. Authorize Rejection of Bid for Churchill Avenue Grade Crossing Improvements Project and Re-Advertisement of the Solicitation*

7.f. Authorize Execution of Agreement with Valley Transportation Authority (VTA) for Bus Bridge Services for the Caltrain Peninsula Corridor Electrification Project (PCEP) Signal Cutovers and OCS Testing* – Approved by Resolution No. 2023-20

Motion/Second: Medina, Davis
Ayes: Burt, Davis, Gee, Heminger, Medina, Walton, Zmuda
Noes: None
Absent: Chavez, Mueller

8. Arab American Heritage Month – Approved by Resolution No. 2023-21

Tasha Bartholomew, Communications Manager, provided highlights on the resolution.

Motion/Second: Davis, Walton
Ayes: Burt, Davis, Gee, Heminger, Medina, Walton, Zmuda
Noes: None
Absent: Chavez, Mueller

9. Reports

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

- Brian Shaw, CAC Chair, provided an update on CAC discussions, which included the following:
 - Public hearing held on the audit of Measure RR tax revenue and expenditures for fiscal year ending June 30, 2022, where members commented:
 - Requested a budget planning report on how Caltrain uses funds
 - Timing of this audit versus the fiscal year and staff said the budget would be a two-year budget going forward and the audit would look at spendings from prior years
 - Next audit to provide what funds were obligated and spent
 - Interest income was \$22,000 and having future higher investment returns
 - Have the audit report closer to January than March next year
 - Corridor crossing strategy being limited in grade separation design due to Union Pacific freight's one percent grade requirement
 - Improve access and circulation for all modes of transportation
 - Flooding with the dipped under passes and hostile to pedestrian crossing, and the design must have permanent pumping facilities
 - Report that the vehicles on track have all occurred after dark and a CAC member suggested lighting to prevent further incidents

9.b. Report of the Chair

Chair Gee reported attending a couple of meetings with the regional rail partnership discussing how to improve ridership and the need to build relationships.

9.c. Report of the Local Policy Maker Group (LPMG)

Director Burt, LPMG Chair, provided an update on LPMG discussions, which included the following:

- Received update from the High-Speed Rail Authority
- Next steps on city's grade separation approaches and update from staff on technical and design standards that will impact costs and preferred alternatives in communities
- How cities can develop programs that will drive ridership

9.d. Report of the Transbay Joint Powers Authority (TJPA)

Chair Gee reported on the following:

- Update on the FY23-24 budget forecast
- Resolution for RM3 for all the transit properties
- Appointments to the CAC
- The amendment to the Letter of Agreement with the JPB
- Update on DTX (Downtown Rail Extension) project

Public comment:

Adrian Brandt expressed his concerns with grade separation and underpass floods.

Adina Levin commented on moving forward with rail partnership, working together to regrow ridership, and LPMG starting talks about programs to drive ridership on city level.

Jeff Carter appreciated that agencies are working together.

Abby supported the agencies are working together.

10. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report

Michelle Bouchard provided an update, which included the following:

- Thanked Board for strong input and Chair Gee for outreach to BBI (Balfour Beatty) executive leadership
- Traction and attention of all levels in the Balfour organization. Seen increase in production in last three weeks
- New leadership from Balfour Beatty and discussed road map to completion

Pranaya Shrestha, CalMod Chief Officer, provided updates, which included the following:

- Re-forecast schedule where project end date is not changing and no changes in budget
- Balfour Beatty organizational changes with 18 more professionals
- Provide Balfour Beatty performance update to the Board at the May meeting
- Working closely with Pacific Gas and Electric (PG & E) Company

Casey Fromson, Chief Communications Officer, provided an update, which included the following:

- Total of 31 shutdowns with 5 weekend shutdowns completed and bus bridge service was well executed
- Weekday service changes in April
- Communications included the website, newspapers, ambassadors at locations, connection with SF (San Francisco) Giants, and with customers and partners

The Board had a robust discussion with clarifying questions and feedback to staff on the following:

- Thanked staff for their dedication and communication pertaining to project
- Written plans documented
- Deep dive discussions to include the schedule
- PG & E delays and how completion of work is tied into BBI plans

Public comment

Jeff Carter commented sharing same concerns raised by Director Heminger. He expressed appreciation for load bank testing before short circuit testing.

Adrian Brandt commented disappointment on status of project.

Adina Levin supported importance of electrification and focusing on rider communication on weekend shutdowns and other changes.

11. Correspondence

Chair Jeff Gee noted the correspondence was available online.

12. Board Member Requests

There were no Board Member requests.

13. Date/Time of Next Regular Meeting: Thursday, May 4, 2023 at 9:00 am.

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.

14. Adjourn

Meeting adjourned at 10:22 am

An audio/video recording of this meeting is available online at 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.

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

Draft Minutes of April 6, 2023

Members Present: P. Burt, C. Chavez, R. Medina, S. Heminger, R. Mueller (arrived at 9:07 am), S. Walton, M. Zmuda, D. Davis (Vice Chair), J. Gee (Chair)

Members Absent: None

Staff Present: M. Bouchard, J. Harrison, A. Burnett, M. Bell, D. Seamans, M. Tseng

1. Call to Order / Pledge of Allegiance

Chair Jeff Gee called the meeting to order at 9:00 am and Director Steve Heminger led the pledge of allegiance.

2. Roll Call

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

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

There were none.

4. Receive Update on Caltrain's Fiscal Cliff Analysis and Strategic Financial Plan

Michelle Bouchard, Executive Director, welcomed everyone to the workshop and noted:

- Pivotal moment as they prepare for the first two-year budget
- Focus on the fiscal cliff and the strategic financial plan
- Facing significant structural financial difficulties that impact both operations and capital as work is done to complete the electrification project while ridership growth and financial recovery has been slower than anticipated
- Earmarked \$60 million in Measure RR revenues for electrification program. And further investments from State and Federal partners, provided ability to redirect funds to operating costs and push the fiscal cliff off for at least 2 years until 2026
- Opportunity to leverage a near-term option on the Stadler Contract for additional train sets that could save the railroad more than \$100 million in future funds and accelerate the retirement of our diesel fleet
- Secured the services of Bell Burnett & Associates, with considerable experience in laying out short-term and long-term strategies

Alex Burnett, financial strategy consultant with Bell Burnett & Associates, presented the update, which included the following:

- Looking at a longer-term view of 10 years and not only 2 years

- Ridership declined by 98 percent with the advent of the pandemic - returned gradually to around 26 percent
- Reviewed recent ridership trends and peak versus non-peak ridership
- Ridership remains an absolute priority
- GoPass - important component and accounts for nearly 35 percent of fare box

Public comment

Vaughn Wolffe commented on historical ridership from 40 years ago to now and current service levels increased, but ridership is still the same as in 1992

Jeff Carter commented on his previously sent notes on point-to-point fare matrix and opined that distanced-based fares (zones) discourages ridership and it is costly to implement Clipper.

Adrian Brandt commented on the fare structure being long overdue (as unanimously requested by the Citizens Advisory Committee and distance-based fare versus single fare zone boundaries.

Adina Levin commented on long-term strategy approach to ridership regrowth and elevating transportation demand management function across cities.

Aleta Dupree commented on Clipper functionalities and possibilities of working with hotels, technology companies, and other institutions to move them from shuttles to trains.

Don Cecil commented on looking at strategies is now and TDM (Transportation Demand Management) for a large residential project in South San Francisco.

Andrea Horbinski commented on train schedules and transfers and fares with partnering agencies.

Ian Griffiths, Seamless Bay Area, commented on ridership growth and the need for a more permanent funding source.

Richard Gallo commented on the need for more well-coordinated service.

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

- Linking fare increase to electrification for substantially improved service
- Implementing all Clipper as fare payment method
- Reasoning for sales tax calculation at 2 percent

- Educating cities along corridor, new elected officials, and policy makers on TDM (Transportation Demand Management) and TDA (Transportation Development Act)

Mr. Burnett continued with presentation on service levels, which included the following:

- Proposal to maintain off-peak service and existing commitment to FTA (Federal Transit Administration)
- Review alternatives annually to determine where service should be
- Advance service sooner for a fourth train to South County and serving both Morgan Hill and Gilroy
- Postpone increase in service consistent with the existing FFGA (Full Funding Grant Agreement) until ridership returns to pre-pandemic levels

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

- Reiterated the importance of conversations with the FTA
- Justification for current levels of service with current ridership as well as robust service in the peak period for GoPass riders
- Redefining service based on what people are asking for in regard to work schedules, special events, and non-peak hours

Mr. Burnett continued with presentation on capital investment, which included the following:

- State of Good Repair - absolute priority for the railroad
- Key capital drivers - large megaprojects, such as DTX (Downtown Extension), Diridon, Redwood City, and Railyards
- Create Capital Endowment Fund (CEF) for long-term stable revenue
- Create dedicated funding stream that includes the State and Federal Government and using local money to raise additional funding for critical capital investment

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

- Support for Capital Endowment Fund and capital contributions provides leverage for these contributions

Director Shamann Walton left at 10:58 am

Public comment

Vaughn Wolffe commented on Pacific Gas and Electric's (PG&E) debt and ridership growth.

Anthony Lazarus, Member of Redwood City Planning Commission, commented on ridership and looking forward to electric trains.

Adrian Brandt commented on SFPUC (San Francisco Public Utilities Commission) providing power to San Francisco Muni buses and light rail Metro trains, a correspondence letter from Clem Teller, and the schedule for electrification.

Jeff Carter commented on PG&E rate tariffs and SFPUC and Caltrain frequency.

Adina Levin commented supporting a longer-term schedule that has more weekend off-peak service, commuter needs, and moving away from diesel fleet to save the maintenance expense and potentially increase efficiency.

Dennis Murphy supported off-peak service and train frequency.

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

- Reliance on electricity will create strains on its availability, reliability, and cost
- Develop mega projects, set expectations on Caltrain capacity, and look at incremental operational implications
- Endowment fund creates opportunities

Mr. Burnett summarized the presentation, which included the following:

- Robust discussion on fare products and how to drive ridership
- Using \$15 million SRA (State Rail Assistance)/LCTOP (Low Carbon Transit Operations Program) funds
- Maintain level of off-peak service
- Advance South County service with fourth train to Gilroy
- Match service levels with ridership and ridership growth
- Explore the Capital Endowment Fund and exercise option in rolling stock
- Retiring diesel fleet sooner for environmental cost and operational reasons is critical

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

- Supported staff recommendations
- Regional coordinated efforts, such as transfer connections, fares, and endowment fund or some other mechanism
- Concerns with remote work in relation to service levels

Public comment

Adrian Brandt commented on endorsing staff points about right sizing train sets and staffing on trains.

Adina Levin commented on working together with regional partners and making sure there are stable operating funds.

5. Adjourn

The workshop meeting adjourned at 12:01 pm.

DRAFT

**Peninsula Corridor Joint Powers Board
Staff Report**

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

<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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Action

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

1. Renew findings previously adopted by the Board pursuant to California Public Contract Code section 22050(c)(2) (Resolution No. 2023-19) on March 29, 2023, 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; 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; and
2. Continue to authorize emergency repairs of the north channel embankment of the San Francisquito Creek Bridge;
3. Delegate authority to approve all plans and/or designs with regard to the emergency repairs to the Executive Director, or designee; and
4. Authorize the Executive Director, or designee, to take all other actions required to respond to said emergency.

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.” The Board made these findings at its March 29, 2023 meeting (Resolution 2023-19). Section 22050(c) requires the

Board to review the emergency action at its next regularly scheduled meeting and at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action by a four-fifths vote.

The time required to obtain competitive bids will unduly delay the JPB's ability to make emergency repairs to these essential facilities, and given the erosion, the need for emergency actions cannot be delayed. The schedule for (1) preparing a design, (2) issuing an invitation for bids, (3) receiving proposals, (4) evaluating proposals, (5) awarding and executing a contract, and (6) mobilizing a contractor does not allow for construction to occur during the summer creek window from 6/15/23 to 10/15/23. The JPB must therefore continue to act as expeditiously as possible to repair necessary facilities to prevent or mitigate loss or damage to life, health, property or essential public services.

Budget Impact

Staff intend to use contingency funds to support the emergency repairs. However, project cost may exceed available contingency funds. Therefore, additional funding sources are under consideration.

Background

The 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). 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 conducted the following actions:

1. Prepared and issued (or will soon prepare and issue) work directive proposal request (WDPR) packages to retain an on-call bench consultants (WSP, AECOM, Jacobs, and TRC), to assist the JPB in obtaining the required environmental permits, design the repair, provide a rough order magnitude cost for the proposed work, and provide construction management support.
2. Increased frequency of visual inspections of the Bridge and conducted immediate inspections during/after a storm.
3. Engaged with Walsh Construction II, LLC, to determine Walsh's capacity to execute the north channel embankment repair.

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. In the weeks since the Board took action on March 29, 2023, the project team has worked with the USACE to review the planned work and is in the process of obtaining the necessary permits.

Staff provided a draft scope to Walsh on April 19, 2023. Walsh is preparing a preliminary cost estimate for discussion. Staff 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 to 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**

* * *

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

Whereas, the Board previously authorized repair pursuant to California Public Contract Code section 22050 by a four-fifths vote of the Board on March 29, 2023 (Resolution 2023-19), making findings that: there was an emergency to repair the north channel embankment of the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks; 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; and

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

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

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

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

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

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

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

Whereas, there is a continued and ongoing emergency to repair the north channel embankment of the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks; and

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

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

Whereas, JPB staff have 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. Renews findings from March 29, 2023, that an emergency, as defined by Section 1102 of the California Public Contract Code, exists at the north channel embankment at the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks; and

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

Be It Further Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board has reviewed the emergency action taken on March 29, 2023, to remediate emergency conditions at the embankment of the San Francisquito Bridge, and will continue to conduct such a review at every subsequent regularly scheduled meeting until the action is terminated to

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

Regularly passed and adopted this 4th day of May, 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: JPB Finance Committee
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Accept Statement of Revenues and Expenses for the Period Ending March 31, 2023**

<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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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 March 31, 2023.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through March 31, 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 March 2023, augmented by analyzing trends and reviewing details with cost center managers to develop projections through the rest of the year. There is no change from the prior published forecast. 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 and high inflations. 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 \$0.3 million lower than budget due to vacancies.

Year-to-Date Revenues: As of March's year-to-date actual, the Grand Total Revenue (page 1, line 16) is \$7.7 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 March's year-to-date actual, the Grand Total Expense (page 2, line 50) is \$4.7 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 March 2023.

Prepared By: Thwe Han	Financial Reporting Accountant	650.508.7912
Danny Susantin	Grants & Capital Accounting Manager	650.622.8073

PENINSULA CORRIDOR JOINT POWERS BOARD									
STATEMENT OF REVENUE AND EXPENSE									
Fiscal Year 2023									
March 2023									
% OF YEAR ELAPSED							75.0%		
	JULY TO MARCH				ANNUAL				
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE		
REVENUE									
OPERATIONS:									
1	Caltrain Fares	19,460,556	21,958,000	(2,497,444)	(11.4%)	30,151,000	27,000,000	(3,151,000)	1
2	Go Pass	12,841,747	12,195,000	646,747	5.3%	16,260,000	17,000,000	740,000	2
3	Parking Revenue	1,402,893	1,422,000	(19,107)	(1.3%)	1,896,000	1,797,505	(98,495)	3
4	Rental Income	957,738	701,523	256,215	36.5%	935,357	1,235,357	300,000	4
5	Other Income	4,217,579	1,308,240	2,909,339	222.4%	1,744,319	4,044,319	2,300,000	5
6									6
7	TOTAL OPERATING REVENUE	38,880,514	37,584,763	1,295,751	3.4%	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	8,571,180	8,466,120	105,060	1.2%	11,288,161	11,288,161	-	11
12	Measure RR	91,069,633	84,731,753	6,337,880	7.5%	114,300,000	119,292,000	4,992,000	12
13									13
14	TOTAL CONTRIBUTED REVENUE	99,680,813	93,237,873	6,442,940	6.9%	125,628,161	130,620,161	4,992,000	14
15									15
16	GRAND TOTAL REVENUE	138,561,326	130,822,636	7,738,690	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
March 2023

% OF YEAR ELAPSED 75.0%

	JULY TO MARCH				ANNUAL		
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE
18 EXPENSE							
19							
20 DIRECT EXPENSE:							
21 Rail Operator Service	73,194,639	73,693,329	(498,690)	(.7%)	98,257,758	98,257,758	-
22 Security Services	5,727,936	5,951,532	(223,596)	(3.8%)	7,935,381	8,028,807	93,426
23 Shuttle Services	62,236	101,140	(38,904)	(38.5%)	121,600	121,600	-
24 Fuel and Lubricants*	11,663,830	13,154,418	(1,490,588)	(11.3%)	17,539,232	17,539,232	-
25 Timetables and Tickets	12,842	101,511	(88,669)	(87.3%)	135,350	135,350	-
26 Insurance	8,360,342	8,403,480	(43,138)	(.5%)	9,299,730	9,299,730	-
27 Claims, Payments, and Reserves	2,149,584	990,000	1,159,584	117.1%	1,320,000	1,336,926	16,926
28 Facilities and Equipment Maintenance	6,091,099	5,464,249	626,850	11.5%	7,258,788	7,107,788	(151,000)
29 Utilities	1,935,257	1,963,197	(27,940)	(1.4%)	2,617,600	2,617,600	-
30 Maint & Services-Bldg & Other	1,023,308	1,315,587	(292,279)	(22.2%)	1,754,100	1,754,100	-
31							
32 TOTAL DIRECT EXPENSE	110,221,074	111,138,443	(917,369)	(.8%)	146,239,539	146,198,891	(40,648)
33							
34 ADMINISTRATIVE EXPENSE							
35 Wages and Benefits	9,678,043	10,802,617	(1,124,574)	(10.4%)	13,809,330	13,532,312	(277,018)
36 Managing Agency Admin OH Cost	2,846,187	2,675,035	171,152	6.4%	3,565,453	3,565,453	-
37 Board of Directors	11,591	42,948	(31,357)	(73.0%)	57,275	57,275	-
38 Professional Services	4,988,317	6,967,623	(1,979,306)	(28.4%)	9,422,755	9,305,755	(117,000)
39 Communications and Marketing	189,193	302,796	(113,603)	(37.5%)	403,730	403,730	-
40 Other Office Expenses and Services	1,512,332	2,071,955	(559,623)	(27.0%)	2,762,496	2,956,896	194,400
41							
42 TOTAL ADMINISTRATIVE EXPENSE	19,225,663	22,862,974	(3,637,311)	(15.9%)	30,021,039	29,821,421	(199,618)
43							
44 TOTAL OPERATING EXPENSE	129,446,737	134,001,417	(4,554,680)	(3.4%)	176,260,578	176,020,312	(240,266)
45							
46 Governance	270,829	262,503	8,326	3.2%	350,000	350,000	-
47							
48 Debt Service Expense	1,769,943	1,936,314	(166,371)	(8.6%)	2,581,752	3,711,375	1,129,623
49							
50 GRAND TOTAL EXPENSE	131,487,509	136,200,234	(4,712,725)	(3.5%)	179,192,330	180,081,687	889,357
51							
52 NET SURPLUS / (DEFICIT)	7,073,817	(5,377,598)	12,451,416	(231.5%)	(2,577,493)	1,615,655	4,193,148
53							
54 Draw from FY2022 surplus	-				2,577,493	-	
55 ADJUSTED NET SURPLUS / (DEFICIT)	7,073,817				-	1,615,655	
56							
57 Reserve, Beginning Balance	16,115,624				16,115,624		
58 FY23 Set aside	-				10,763,226		
59 Reserve, Ending Balance	16,115,624				26,878,850		
60							
61 * Fuel and Lubricants costs were decreased by a realized gain of \$1,510,878 from the fuel hedge program.							



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 MARCH 31, 2023

MICHELLE BOUCHARD
EXECUTIVE DIRECTOR

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted) *	Liquid Cash	2.831%	10,173,414	10,173,414
County Pool (Unrestricted)	Liquid Cash	2.319%	567,547	567,547
Other (Unrestricted)	Liquid Cash	4.261%	25,844,656	25,844,656
Other (Restricted) **	Liquid Cash	1.000%	39,313,161	39,313,161
			\$ 75,898,778	\$ 75,898,778

Interest Earnings for March 2023 \$ 241,752.50
Cumulative Earnings FY2023 2,787,290.95

* 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	Mar-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	485,901	4,725,183
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	1,276,841	11,649,978
401420 (Central)	64,908	20,799	309,748	39,911	5,139	945	9,901	11,080	2,767	826	2,263	1,602	5,563	40,085
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	265,221	2,524,874
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	54,013	520,436
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	1,478,585	12,841,747
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	3,566,123	32,302,303
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	1,478,585	12,841,747
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	2,087,539	19,460,556
Tickets Sold					Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-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	52,063	47,432	53,222	595,258
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	148,634	164,277	1,432,680
Central	9,167	5,044	-	4,032	319	145	770	879	477	50	275	233	731	3,879
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	31,164	314,266
# 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	226,228	224,453	249,394	2,346,083
AVG Revenue Per Ticket					Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-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	\$ 8.36	\$ 9.13	\$ 7.94
Clipper	\$ 15.51	\$ 6.32	\$ 8.61	\$ 6.32	\$ 7.19	\$ 8.96	\$ 7.75	\$ 8.24	\$ 8.56	\$ 9.10	\$ 7.54	\$ 8.18	\$ 7.77	\$ 8.13
Central	\$ 7.08	\$ 9.90	\$ -	\$ 9.90	\$ 16.11	\$ 6.52	\$ 12.86	\$ 12.60	\$ 5.80	\$ 16.53	\$ 8.23	\$ 6.88	\$ 7.61	\$ 10.33
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	\$ 8.51	\$ 8.03
Total	\$ 12.40	\$ 11.86	\$ 8.74	\$ 7.56	\$ 7.51	\$ 9.05	\$ 8.40	\$ 8.13	\$ 8.49	\$ 8.82	\$ 7.46	\$ 8.41	\$ 8.37	\$ 8.29

PENINSULA CORRIDOR JOINT POWERS BOARD							
July 2022 to March 2023						Annual Budget	
Farebox Revenues by Ticket Type	FY2019	FY2020	FY2021	FY2022	FY2023	FY2023	% of Budget
REVENUE							
401400 (TVM)	13,556,475	10,475,115	1,412,784	4,600,891	4,725,183		
401410 (Clipper)	40,675,031	39,387,786	1,951,062	5,181,189	11,649,978		
401420 (Central)	40,434	42,569	-	28,240	40,085		
401430 (Mobile App)	3,083,906	5,594,402	460,711	1,869,551	2,524,874		
401500 (Gilroy)	1,441,321	1,512,573	120,698	289,288	520,436		
401700 (Go-Pass)	15,602,837	18,444,142	22,772,003	11,482,593	12,841,747		
total Farebox Revenue	74,400,004	75,456,587	26,717,258	23,451,751	32,302,303	46,411,000	70%
Less: Go-Pass							
401700 (Go-Pass)	15,602,837	18,444,142	22,772,003	11,482,592	12,841,747	16,260,000	79%
Revenues without Go-Pass	58,797,167	57,012,445	3,945,255	11,969,159	19,460,556	30,151,000	65%
Tickets Sold							
TVM	1,766,141	1,422,441	200,597	503,421	595,258		
Clipper	2,590,144	2,585,370	200,705	793,332	1,432,680		
Central	5,332	5,044	-	2,857	3,879		
Mobile	346,968	650,842	65,595	248,383	314,266		
# of tickets sold (without go-pass)	4,708,585	4,663,697	466,897	1,547,993	2,346,083		
AVG Revenue Per Ticket							
TVM	\$ 7.68	\$ 7.36	\$ 7.04	\$ 9.14	\$ 7.94		
Clipper	\$ 15.70	\$ 15.23	\$ 9.72	\$ 6.53	\$ 8.13		
Central	\$ 7.58	\$ 8.44	\$ -	\$ 9.88	\$ 10.33		
Mobile	\$ 8.89	\$ 8.60	\$ 7.02	\$ 7.53	\$ 8.03		
Total	\$ 12.49	\$ 12.22	\$ 8.45	\$ 7.73	\$ 8.29		

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Amend and Increase the Fiscal Year 2023 Caltrain Capital Budget by \$171,941 from \$127,204,412 to \$127,376,353 to Receive Additional Funding in Support of the Middle Avenue Undercrossing Project**

<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB or Caltrain) amend the Fiscal Year (FY) 2023 Capital Budget, included as Attachment B, as follows:

- 1) Include \$171,941 for the Middle Avenue Undercrossing Project.

Significance

Staff proposes an amendment to the FY2023 Caltrain Capital Budget to include an additional \$171,491 covering reimbursable expenses for the above-mentioned project, and as further discussed below.

Budget Impact

In FY2023, the Board approved a budget of \$400,000 for the Middle Avenue Undercrossing Project. The execution of a new Service Agreement with the City of Menlo Park will provide additional funding that will increase the total project budget by \$171,941, from \$400,000 to \$571,941, increasing the Caltrain FY2023 Capital Budget from \$127,204,412 to \$127,376,353.

Background

The additional funding that is the subject of this report will be provided via an updated Service Agreement with the City of Menlo Park to cover Caltrain costs for the performance of tasks undertaken in support of the Middle Avenue Undercrossing Project. These tasks and the Service

Agreement itself are more fully described in a staff report that will be presented to the April 2023 Technology, Operations, Planning, and Safety Committee (TOPS) given TOPS' jurisdiction over various maintenance, repair and planning projects funded partially or wholly by third parties. The Agreement executed by the parties is meant to cover Caltrain's costs to conduct critical project development tasks for the transition from City-led activities (planning, environmental clearance and preliminary engineering/design) into Caltrain-led activities (final design and construction).

The Board adopted the FY2023 Capital Budget on June 2, 2022 for a total amount of \$90,956,662. On October 6, 2022, the Board approved the first amendment to the FY2023 Capital Budget to increase the total budget to \$102,593,584. On December 1, 2022 the Board approved the second amendment to the FY2023 Capital Budget to increase the total budget to \$126,409,412. On March 2, 2023, the Board approved the third amendment to the FY2023 Capital Budget to increase the total budget to \$127,004,412. On March 29, 2023 the Board approved the fourth amendment to the FY2023 Capital Budget to increase the total budget to \$127,204,412. The proposed amendment described above would increase the FY2023 Capital Budget from \$127,204,412 to \$127,376,353.

Prepared By: Claudette Valbuena Manager, Budgets
 Ladi Millard-Olmeda Director, Budgets

Resolution No. 2023 –

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

* * *

Amend the Fiscal Year 2023 Capital Budget by \$171,491 for a New Total of \$127,376,353

Whereas, in 2022, the Peninsula Corridor Joint Powers Board (JPB or Caltrain) and the City of Menlo Park (City) negotiated and executed a Service Agreement describing the parties' cooperation on the Middle Avenue Undercrossing Project (Project), and authorizing reimbursement from City to Caltrain for such efforts; and

Whereas, a new Service Agreement will provide additional funding for the next phase of work.

Whereas, the Fiscal Year 2023 Capital Budget includes \$400,000 for the Project; and

Whereas, staff recommends that the Board increase the total Project budget by \$171,941, from \$400,000 to \$571,941, increasing the Caltrain Fiscal Year 2023 Capital Budget from \$127,204,412 to \$127,376,353.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board approves an amendment to the Caltrain Fiscal Year 2023 Capital Budget to cover the additional reimbursable expenses of \$171,941.

Regularly passed and adopted this 4th day of May 2023 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary



FY2023 AMENDED CAPITAL BUDGET

Attachment B
Amendment 5
May 2023

Item #	PROJECT NAME	FY2023 Adopted CAPITAL BUDGET	Amendment 5	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	10,959,443		10,959,443	6,353,943	-	-							4,605,500	-	4,605,500	10,959,443
	Total Project Budget (Post-Amendment): \$27,312,250																
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	14,820,241		14,820,241	-	-	5,193,586	-	-	-	-	-	9,626,655	-	9,626,655	-	14,820,241
	Total Project Budget (Post-Amendment): \$28,820,241																
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	18,500,000		18,500,000	-	-	-	-	-	-	-	-	18,500,000	-	18,500,000	-	18,500,000
	Total Project Budget (Post-Amendment): \$22,000,000																
26	Middle Ave Undercrossing*	400,000	171,941	571,941	-	-	-	-	-	-	-	-	571,941	-	571,941	-	571,941
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	3,471,550		3,471,550	-	-	-	-	-	-	-	-	3,471,550	-	3,471,550	-	3,471,550
	Total Project Budget (Post-Amendment): \$5,471,550																
42	Mountain View Transit Grade Separation ²	7,000,000		7,000,000	-	-	-	-	-	-	-	7,000,000	-	-	7,000,000	-	7,000,000
	Total Project Budget (Post-Amendment): \$18,200,000																
	Total	83,635,124	171,941	83,807,065	-	-	15,248,919	-	-	-	-	-	16,626,655	51,931,491	68,558,146	-	83,807,065
iv. PLANNING/STUDIES																	
29	DTX Support ³	4,614,545		4,614,545	-	-	500,000	-	-	-	-	4,114,545	-	-	4,114,545	-	4,614,545
	Total Project Budget (Post-Amendment): \$4,925,874																
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



FY2023 AMENDED CAPITAL BUDGET

Attachment B
Amendment 5
May 2023

Item #	PROJECT NAME	FY2023 Adopted CAPITAL BUDGET	Amendment 5	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			
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	3,000,000		3,000,000	-		-						3,000,000			3,000,000		3,000,000
	Total Project Budget (Post-Amendment): \$5,223,935																	
	Total	10,764,545	-	10,764,545	-	-	2,075,000	250,000	975,000	-	350,000	1,575,000	7,114,545	-	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	127,204,412	171,941	127,376,353	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	51,931,491	80,278,191	-	80,278,191	127,376,353

* 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 \$4,114,545 is funded by Transbay Joint Powers Authority (TJPA) through a Letter of Agreement (LOA) and 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: Pranaya Shrestha, Chief Officer, CalMod
Subject: **Authorize Execution of an Eighteen-Month Lease Extension at 2121 South El Camino Real in San Mateo to Support the Caltrain Modernization Program**

<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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Action

Staff and the Peninsula Corridor Electrification Project (PCEP or Project) Change Management Board (CMB) recommend that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB or Caltrain):

- Authorize the Executive Director to enter into an 18-month lease extension for the Peninsula Corridor Joint Power Board’s (JPB) rental of office space located on the third floor of the office building, covering a total of 12,181 square feet, at 2121 South El Camino Real in San Mateo, CA, to support PCEP. The lease extension runs from May 1, 2023 until October 31, 2024, at a total cost of \$1,029,745.20.

Significance

The Peninsula Corridor Electrification Project (PCEP) infrastructure contract with Balfour Beatty Infrastructure, Inc. (BBII) requires PCEP to provide BBII 35 parking spaces and 12,000 square feet of office until final acceptance of the Project. In order to secure the JPB’s control of the office space through the date of final acceptance and Project close-out staff recommends that JPB extend the lease until October 31, 2024.

Budget Impact

- The total cost associated with the additional 18-month extension will be \$1,029,745.20. This covers inflation-based lease increases and Common Maintenance Area costs for which JPB is responsible. The lease extension costs are included in the approved PCEP budget of \$2.44 billion.

Background

Resolution 2014-47 authorized the JPB to enter into a six-year lease, with a single one-year option to support the Caltrain Modernization Program; and Resolution 2020-15 authorized the First Amendment to the lease, which was executed on April 27, 2020, to exercise the one-year option.

Resolution 2021-25 authorized an additional lease extension for a portion of the current leasehold area for eighteen months (November 2021 through April 2023). The lease extension covers 12,181 square feet located on the 3rd Floor of the building at 2121 El Camino Real, which has been occupied by BBII.

Staff negotiated an additional lease extension at a cost of \$4.65 per square foot from May 2023 through April 2024, and \$4.79 per square foot from May 2024 through October of 2024.

Prepared By: Sherry Bullock

CalMod Program Director

[650-722-7733]

Resolution No. 2023-

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

* * *

Authorize Execution of an Eighteen-Month Lease Extension at 2121 South El Camino Real in San Mateo to Support the Caltrain Modernization Program

Whereas, the Peninsula Corridor Joint Powers Board's (JPB or Caltrain) Peninsula Corridor Electrification Project (PCEP or Project) infrastructure contract with Balfour Beatty Infrastructure, Inc. (BBII) requires PCEP to provide BBII 35 parking spaces and 12,000 square feet of office until final acceptance of the Project; and

Whereas, Resolution 2014-47 authorized the JPB to enter into a six-year lease, with a single one-year option to support the Caltrain Modernization Program; and Resolution 2020-15 authorized the First Amendment to the lease, which was executed on April 27, 2020, to exercise the one-year option; and

Whereas, Resolution 2021-25 authorized an additional lease extension for a portion of the current leasehold area for eighteen months (November 2021 through April 2023). The lease extension covers 12,181 square feet located on the 3rd Floor of the building at 2121 El Camino Real, which has been occupied by BBII; and

Whereas, in order to secure the JPB's control of the office space through the date of final acceptance and Project close-out, staff recommends that JPB extend the lease until October 31, 2024; and

Whereas, staff negotiated an additional lease extension at a cost of \$4.65 per square foot from May 2023 through April 2024, and \$4.79 per square foot from May 2024 through October of 2024; and

Whereas, staff and the PCEP Change Management Board recommend that the Board of Directors (Board) of the JPB authorize the Executive Director to enter into an 18-month lease extension for the JPB’s rental of office space located on the third floor of the office building, covering a total of 12,181 square feet, at 2121 South El Camino Real in San Mateo, CA, to support PCEP, for the period from May 1, 2023 until October 31, 2024, at a total cost of \$1,029,745.20; and

Whereas, the total cost associated with the additional 18-month extension will be \$1,029,745.20. This covers inflation-based lease increases and Common Maintenance Area costs for which JPB is responsible. The lease extension costs are included in the approved PCEP budget of \$2.44 billion.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director to enter into an 18-month lease extension from May 1, 2023, to October 31, 2024, at a total cost of \$1,029,745.20 for the JPB’s rental of office space located on the third floor of the office building, covering a total of 12,181 square feet, at 2121 South El Camino Real in San Mateo, CA, to support PCEP.

Regularly passed and adopted this 4th day of May, 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: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Deputy Chief Caltrain Planning
Subject: **Authorize an Amendment to the On-Call Transportation Planning and Consultant Support Services Contracts**

<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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Action

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

1. Authorize Amendment No. 1 to the On-Call Transportation Planning and Consultant Support Services contracts to increase the not-to-exceed contract capacity amount by \$10,000,000, from \$25,000,000 to \$35,000,000 to be shared as a pool for authorized tasks amongst the consultant firms and contract numbers listed below:
 - a. Fehr & Peers (20-J-P-006A)
 - b. HNTB Corporation (20-J-P-006B)
 - c. Kimley-Horn and Associates, Inc. (20-J-P-006C)
 - d. Arup North America, Ltd (20-J-P-006D)
 - e. Mott MacDonald Group, Inc. (20-J-P-006E)
 - f. WSP USA Inc. (20-J-P-006F)
2. Authorize the Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

Significance

Execution of this amendment will allow the JPB to maintain uninterrupted services in connection with current and upcoming on-call transportation planning work directives through the current end date of June 30, 2025. Additional contract authority of \$10 million is required because major projects have driven high value work directives, the contracts have been used by departments beyond planning to fulfill a variety of related needs, and some planning needs could not have been foreseen at the time of contract development and initiation.

Current contract capacity remaining as of April 6, 2023, is just \$4,559,948 (55% time elapsed and 82% capacity used). An increase in capacity of \$10 million would increase the remaining contract capacity to \$14,559,949 (58% capacity used of \$35,000,000).

As described in more detail below, there will be no budget impact to authorize this increase in contract capacity, as Caltrain will use available funds within the approved operating and capital budgets to fund any future work directives issued under this contract.

Budget Impact

There is no budget impact for the contract amendment. On-call contracts inherently do not fund activities; individual work directives are issued and must have funds identified prior to issuance. Funds for the proposed contract amendment are available in the current-year Board-approved capital and operating budgets, and any additional funding needs will be included in future year capital and/or operating budgets. A variety of funding sources is used for each project and may include Federal, State and local funds, as well as funds provided by project sponsors or partners via project-specific agreements to reimburse Caltrain for its work.

Background

Pursuant to Resolution No. 2020-18, after a competitive procurement process, the Board awarded five-year base term contracts in an aggregate not-to-exceed amount of \$25,000,000 with two 1-year option terms for an aggregate not-to-exceed amount of \$10,000,000 to be shared as a pool among six firms for authorized tasks.

Additional contract authority of \$10 million is needed for several reasons. First, large regional planning efforts have required more higher value work directives than anticipated at the time of contract development and initiation, such as San Francisco Railyards, Downtown Rail Extension and the Diridon Integrated Station Concept Plan and subsequent Business Case. These projects are partially funded by external sources but have utilized approximately \$8.1 million in contract capacity. Second, a few Caltrain departments and shared services teams have utilized approximately \$3.8 million in contract capacity for related activities such as communications and outreach, grant support and seconded staff. Lastly, some necessary planning activities could not have been foreseen, such as pandemic-related business planning, service restoration and ridership recovery efforts, which utilized approximately \$1.5 million in contract capacity.

Prepared By:	Lawrence Leung	Manager, Rail Contracts & Budget	650-508-6328
	Melissa Reggiardo	Manager, Caltrain Planning	650-868-9925

Resolution No. 2023 –

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

* * *

Authorize Amendment of Contracts for the On-Call Transportation Planning and Consultant Support Services to Increase Contract Amount by \$10,000,000

Whereas, pursuant to Resolution No. 2020-18, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) awarded contracts for on-call transportation planning and consultant support services to an on-call bench including Fehr & Peers, HNTB Corporation, Kimley-Horn and Associates, Inc., Arup North America, Ltd, Mott MacDonald Group, Inc., and WSP USA Inc. (collectively, the "Consultants") for a five-year base term with two, one-year option terms; and

Whereas, additional contract capacity is required due to increased scope of services for existing and new projects, which were not anticipated when the contracts were awarded; and

Whereas, the Executive Director recommends, and the Staff Coordinating Council concurs, that the Board authorize amendments:

1. To the contracts with the Consultants to increase the contract amount by \$10,000,000, from \$25,000,000 to \$35,000,000, to be shared in the aggregate amongst the six firms, and
2. With the understanding that increasing the total contract authority will not obligate the JPB to purchase any specific level of services from any firm, as services are provided on an as-needed basis.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Joint Powers Board hereby authorizes amendments to the contracts for on-call transportation planning and consultant support services with the Consultants, as set forth above; and authorizes the Executive Director, or designee, to execute the amendments and to take any other actions necessary to give effect to this resolution.

Regularly passed and adopted this 4th day of May, 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: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Authorization to Execute a Master Agreement with the California Department of Transportation for Federally Funded Projects**

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 the Board of Directors authorize the Executive Director, or her designee, to:

1. Execute a new Master Agreement with the California Department of Transportation (Caltrans) to continue to be eligible to receive funding for federal aid projects from Caltrans; and to
2. Execute subsequent Program Supplements to receive funding for specific project(s), and to allow for the release and payment of federal aid funds for these projects.

Significance

Caltrans Division of Local Assistance has prepared a new Master Agreement that establishes general terms and conditions that are applicable to all local agencies that are funding recipients for federal-aid projects. Execution of the new Master Agreement is required prior to the execution of project-specific funding agreements and the pass-through of federal aid funds for new projects.

Budget Impact

There is no impact to the budget. Projects funded through Caltrans Program Supplements are approved by the Board as part of the adoption of and/or amendments to the capital budgets. Program Supplements provide the mechanism for the JPB to receive funding from Caltrans to carry out approved capital projects. The timely execution of the Master Agreement is needed to avoid project delays.

Background

All project sponsors who receive federal aid from Caltrans are required to execute a Master Agreement before the pass through of federal funds can be made for project implementation.

The JPB has an existing Master Agreement with Caltrans, which was executed in 2006. Caltrans has recently updated the Master Agreement to incorporate the various changes in regulations and policies. All project sponsors are required to execute a new Master Agreement in order to continue to be eligible to receive funding for federal aid projects with the Division of Local Assistance.

Prepared By: Lisha Mai Manager, Grants and Fund Programming (650) 508-6353

Resolution No. 2023-

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

* * *

**Authorization to Execute a Master Agreement with the California
Department of Transportation for Federally Funded Projects**

Whereas, the Congress of the United States has enacted the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and subsequent Transportation Authorization Bills to fund transportation programs; and

Whereas, the Legislature of the State of California has enacted legislation by which certain federal-aid funds may be made available for use on local transportation related projects of public entities qualified to act as recipients of these federal-aid funds in accordance with the intent of federal law; and

Whereas, before federal funds will be made available for a specific program project, recipient agency and State are required to enter into a Master Agreement to establish terms and conditions applicable to the recipient agency when receiving federal funds for a designated project facility and to the subsequent operation and maintenance of that completed facility; and

Whereas, the Peninsula Corridor Joint Power Board (JPB) is eligible to receive federal and/or state funding for certain transportation projects, through the California Department of Transportation (Caltrans); and

Whereas, Caltrans Division of Local Assistance has presented the JPB with a new Master Agreement that supersedes the existing Master Agreement between the JPB and Caltrans that has been in effect since December 14, 2006; and

Whereas, staff recommends that the JPB authorize the Executive Director, or her designee, to execute the new Master Agreement and any subsequent project-specific Program Supplements, and any amendments thereto.

Now, Therefore, Be It Resolved that the Board of Director of the Peninsula Corridor Joint Powers Board authorizes the Executive Director, or her designee, to execute a Master Agreement with the California Department of Transportation, all subsequent Program Supplements for State-funded transit projects, and any amendments thereto.

Regularly passed and adopted this 4th day of May, 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: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Authorize the Execution of a Fund Transfer Agreement for and Receipt of State General Fund for the Caltrain Crossing Optimization Project**

<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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Action

Staff proposes the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) authorize the Executive Director, or designee, to:

- 1) Execute a Fund Transfer Agreement with the California Department of Transportation (Caltrans) and receive \$3,000,000 in State General Fund from Caltrans as part of the State Priority Legislative Budget Projects (PLBP), which will help fund the Caltrain Crossing Optimization Project; and
- 2) Take such actions as may be necessary to give effect to this resolution, including any related amendments and any other documentation required for the Peninsula Corridor Joint Powers Board (PCJPB) to receive the funds.

Significance

The California Legislature authorized \$260 million in State General Funds for Priority Legislative Budget Projects (PLBP) Program as part of the Budget Act of 2022 to appropriate funds for the 2022-2023 fiscal year. PCJPB applied for and was selected to receive \$3,000,000 in PLBP funds for the Caltrain Crossing Optimization Project. To receive the funds, the Board must adopt a resolution authorizing the Executive Director, or designee, to execute a Fund Transfer Agreement (FTA) with Caltrans.

Budget Impact

The Caltrain Crossing Optimization Project is included in the overall budget for Positive Train Control (PTC). PTC has an approved budget of \$295.1 million. The additional funds of \$3,000,000 resulting from the Fund Transfer Agreement will be within the scope of the approved budget for PTC.

Background

The Crossing Optimization Project is an advanced technology solution to improve grade crossing warning time performance. Implementing a wireless optimized crossing system would reduce gate down time at grade crossings along the Caltrain corridor from the 2-Speed Check (2SC) signal system that facilitates the transition to electrified rail service. This solution is integrated with the Caltrain PTC system which received Federal Railroad Administration safety certification in December 2020. Reduction in gate down time would facilitate greater vehicle throughput at crossings and greater operational flexibility to advance Caltrain's 2040 Service Vision which calls for increased service, frequency, and longer trains.

Prepared By: Lisha Mai

Manager, Grants and Fund
Programming

(650) 508-6353

Resolution No. 2023-

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

* * *

**Authorization of the Execution of a Fund Transfer Agreement for and
Receipt of State General Fund for the Caltrain Crossing Optimization Project**

Whereas, the Peninsula Corridor Joint Powers Board (JPB) is eligible to receive Federal and State funding for certain transit projects through the California Department of Transportation (Caltrans); and

Whereas, the JPB applied for and was selected to receive \$3,000,000 in State General Funds under the Priority Legislative Budget Projects (PLBP) Program for the Caltrain Crossing Optimization Project; and

Whereas, the statutes require a local or regional implementing agency to execute an agreement with Caltrans before such funds can be claimed for project expenditures; and

Whereas, Caltrans utilizes Fund Transfer Agreement, along with associated Program Supplements, for the purpose of administering State funds to local agencies for transit projects; and

Whereas, staff recommends that the JPB authorize the Executive Director, or her designee, to execute the Fund Transfer Agreement and any subsequent project-specific Program Supplements, and any amendments thereto.

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

1. Authorizes the Executive Director, or her designee, to execute a Fund Transfer Agreement with the California Department of Transportation, all subsequent Program Supplements for State-funded transit projects, and any amendments thereto; and
2. Agrees to comply with all conditions and requirements set forth in the Fund Transfer Agreement, project-specific Program Supplements, and applicable statutes, regulations and guidelines for all State-funded transit projects.

Regularly passed and adopted this 4th day of May, 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: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Award of Contract for Preliminary Engineering Design Services for the South Linden Avenue and Scott Street Grade Separation Project**

<input type="checkbox"/> Finance Committee Recommendation	<input checked="" type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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Action

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

1. Award a contract to RSE Corporation of Belmont, California (RSE) to provide Preliminary Engineering Design Services for the South Linden Avenue and Scott Street Grade Separation Project (Project) for a not-to-exceed negotiated amount of \$4,287,044 for a two-year base term.
2. Authorize the Executive Director or designee to execute a contract with RSE in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreement, and in a form approved by legal counsel.
3. Authorize the Executive Director or designee to exercise up to four additional one-year option terms, for RSE to perform additional Project-related engineering and design services for a total not-to-exceed amount of \$12,190,218 as funding becomes available, and if deemed in the best interest of the JPB.

Significance

The Project is needed to address existing safety and traffic operational issues. The Project will construct grade separation structures at South Linden Avenue in the City of South San Francisco and Scott Street in the City of San Bruno to improve safety by eliminating pedestrian, bicycle, and motor vehicle conflicts with trains. The Project will also help improve traffic flow, decrease train delays, and reduce train horn noise, which is expected to become exacerbated in the future due to growth in vehicular traffic, greater frequency of Caltrain service, and the eventual addition of high-speed rail.

Although the South Linden Avenue and Scott Street grade crossings are in different cities, the two grade separations are being undertaken as a combined effort because of their proximity to one another. The two crossings, which are the only remaining at-grade crossings in their respective cities, are at the epicenter of economic growth and, while today's traffic volume is moderate, they are forecasted to be major traffic bottlenecks in the future.

Approval of the above actions will provide JPB with a qualified firm to provide Preliminary Engineering Design Services for the Project and support the JPB in obtaining the necessary environmental clearances for Project construction. In addition, the actions would authorize the Executive Director or designee to exercise options for RSE to perform additional related services, if deemed in the best interest of the JPB. The base contract not-to-exceed amount will include funding for the required Tasks 1 through 6, as shown below. The optional tasks, Tasks 7 through 13, will be authorized by the JPB via task order as additional services are needed and funding becomes available.

Base Contract and Options	Services and Tasks	Not-To-Exceed Amounts
Base Contract	Task 1 – Project Management	\$361,904
Base Contract	Task 2 – Preliminary Studies (35% Design)	\$449,961
Base Contract	Task 3 – Preliminary Engineering (35% Design)	\$2,960,058
Base Contract	Task 4 – Environmental Clearance & Right of Way Support	\$250,018
Base Contract	Task 5 – Utility Coordination	\$229,063
Base Contract	Task 6 – Project Working File Transfer	\$36,040
	Total – Base Contract	\$ 4,287,044
Option	Task 7 – Final Design (35% to 65%, 95% & 100%)	\$ 8,722,860
Option	Task 8 – Submittal of Invitation for Bids (IFB) Plans and Specifications	\$772,274
Option	Task 9 – Project Renderings	\$261,064
Option	Task 10 – Design Support During Utilities Relocation & Right of Way Phase	\$294,447
Option	Task 11 – Design Support During Construction Procurement Phase	\$134,661
Option	Task 12 – Design Support During Construction	\$1,347,653
Option	Task 13 – Design Support for Construction Manager/General Contractor (CMGC) Project Delivery Method	\$657,259
	Total – Options	\$12,190,218
	Total Contract with Base plus all Options	\$16,477,262

Budget Impact

An initial \$650,000 in San Mateo County Transportation Authority (TA) funding for the Project was included in the JPB's Fiscal Year 2014 Capital Budget. Additional Project funding has been approved and included in the JPB's Capital Budgets for Fiscal Years 2016, 2017, and 2019, increasing the total Project budget to \$895,000. The Fiscal Year 2023 Capital Budget added \$5,500,000 for the Project from the TA, the City of South San Francisco, and the City of San Bruno, bringing the total Project budget to \$6,395,000.

Background

On October 13, 2022, the JPB issued Request for Proposals solicitation number 23-J-P-005 for the Preliminary Engineering Design Services and advertised it in a newspaper of general circulation and on the JPB procurement website. Staff held a virtual pre-proposal conference and 24 potential proposers attended. Two firms submitted proposals as follows:

1. RSE Corporation, Belmont, CA
2. Mark Thomas & Company, Inc., San Jose, CA

In accordance with federal and state law governing the procurement of architecture and engineering services, proposals were evaluated, scored and ranked solely on qualifications, with price being negotiated only with the highest-ranked firm. A Selection Committee, composed of qualified staff from JPB's Capital Program Delivery and Engineering Department, with staff from the City of San Bruno and the City of South San Francisco serving as advisors, reviewed and scored the proposals in accordance with the following weighted criteria:

Company Qualifications, Experience & References	10 Points
Qualifications and Experience of Key Personnel	25 Points
Understanding the Required Scope of Work	30 Points
Project Management Plan	15 Points
Quality Management Plan	20 Points
Small Business Enterprise (SBE) Preference	5 Points

After the scoring of the technical proposals and conducting interviews, the Committee determined RSE to be the highest-ranked firm with the most qualified proposal and approach for the Services. The firm possesses the requisite experience and qualifications as defined in the solicitation documents. RSE and its key subconsultants have experience with grade separation projects throughout California, including: 1) San Bruno Grade Separation Project; 2) South San Francisco Station Improvement Project; and 3) Burlingame Broadway Grade Separation Project.

Staff successfully negotiated the prices with RSE for Tasks 1 through 6 under the base contract, which are required for the Preliminary Engineering and Environmental Clearance phase, conducted a price analysis for the base contract and optional services, and deemed the prices to be fair, reasonable, and consistent with those paid by other public agencies in the Bay Area for similar services. Staff may negotiate RSE's pricing for optional Tasks 7 through 13, as the need to authorize those additional services arises and funding becomes available.

The Office of Civil Rights assessed SBE preference submissions. RSE committed to utilizing SBEs for 76% of the required Services. RSE received 5 out of 5 preference points in accordance with its level of SBE utilization. Staff will provide Project updates to the Board at future meetings and present Project construction contracts for approval following the requisite competitive processes.

Prepared By:	Patrick Ng, Procurement Administrator II	650.622.8018
	Alex Acenas, Senior Project Manager	650.730.0502

Resolution No. 2023 –

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

* * *

Awarding a Contract to RSE Corporation for Preliminary Engineering Design Services for the South Linden Avenue and Scott Street Grade Separation Project for a Total Not-To-Exceed Amount of \$4,287,044 for a Two-Year Base Term, and Authorizing up to Four One-Year Option Terms to Perform Additional Services for a Total Not-To-Exceed Amount of \$12,190,218

Whereas, on October 13, 2022, the Peninsula Corridor Joint Powers Board (JPB) issued Request for Proposals (RFP) solicitation number 23-J-P-005 for Preliminary Engineering Design Services for the South Linden Avenue and Scott Street Grade Separation Project (Project); and

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

Whereas, the Selection Committee (Committee) scored, interviewed, and ranked the proposals according to the qualifications-based evaluation criteria set forth in the RFP; and

Whereas, the Committee completed its evaluation process, and determined that RSE Corporation of Belmont, California (RSE) is the highest-ranked proposer and possesses the necessary qualifications and requisite experience to successfully perform the scope of services defined in the solicitation documents; and

Whereas, staff completed negotiations with RSE, conducted a price analysis for the base contract and optional services, and determined that RSE has agreed to perform the specified services at fair and reasonable prices; and

Whereas, RSE has pledged 76 percent Small Business Enterprise (SBE) participation, as verified by the Office of Civil Rights, in which RSE is a certified SBE, and subcontracted work to

four certified SBE firms: AMC Consulting Engineers, Inc., Callander Associates Landscape Architecture, Inc., CHS Consulting Group, and PARIKH Consultants, Inc.; and

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

Whereas, staff recommends that the Board of Directors (Board) award a contract to RSE for Preliminary Engineering Design Services for the Project for a total not-to-exceed amount of \$4,287,044 for a two-year base term, and authorize the Executive Director or designee to exercise up to four one-year option terms for additional related services for a total not-to-exceed amount of \$12,190,218, as funding becomes available and if in the best interest of the JPB.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to RSE Corporation of Belmont, California for the Preliminary Engineering Design Services for the South Linden Avenue and Scott Street Grade Separation Project for a total not-to-exceed amount of \$ 4,287,044 for a two-year base term; and

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

Be It Further Resolved that the Board authorizes the Executive Director or designee to exercise up to four additional one-year option terms for RSE to perform additional related services for a total not-to-exceed amount of \$12,190,218, as funding becomes available and if deemed in the best interest of the JPB.

Regularly passed and adopted this 4th day of May, 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: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Award of Contract for Construction Manager General Contractor Pre-Construction Services for the Mountain View Transit Center Grade Separation and Access Project**

<input type="checkbox"/> Finance Committee Recommendation	<input checked="" type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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Action

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

1. Award a Contract to Stacy & Witbeck, Inc. and Myers & Sons Construction (SWM), a joint venture headquartered in Alameda, CA to provide Pre-Construction Services (Services) for the Mountain View Transit Center Grade Separation and Access Project (Project) for an amount of \$1,488,869.
2. Authorize the Executive Director or designee to execute a contract with SWM in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreement, and in a form approved by legal counsel.

Significance

The Project will close the Caltrain grade crossing at Castro Street in Downtown Mountain View to vehicles, re-direct vehicular traffic from Castro Street to Shoreline Boulevard via a ramp from West Evelyn Avenue, and modify traffic movements at the Central Expressway/Moffett Boulevard intersection. The Project will also provide new access to and from the Mountain View Transit Center and downtown Mountain View via a shared use pathway and vertical circulation for pedestrians and bicycles under the tracks and Central Expressway.

Construction will be confined to the railroad, City of Mountain View, Central Expressway rights-of-way and may require temporary construction easements to enter onto private property as required. Caltrain will make accommodations to maintain Caltrain service and to facilitate traffic movements, including on Central Expressway, will be provided during staged construction of the Project.

Board approval of the above actions will provide the JPB with a qualified firm to provide CMGC pre-construction services for the final design, including the review of plans, specifications, and preparation of estimates and schedules, for the Project.

Pre-Construction Services:

The CMGC will work closely with the JPB staff and other consultants to perform pre-construction services to assist in the development of the final design and packaging of the construction work. The CMGC will work with the final designer, HNTB Corporation, in reviewing the Schematic Design Documents, the Design Development Documents, and the Construction Documents to ensure an efficient design and construction. The CMGC will participate in design decisions by providing information, estimates, schemes, and recommendations regarding construction materials, means and methods, systems, phasing, and costs within the budget and schedule for the Project.

During the Pre-Construction Services Phase, the CMGC will work closely with the JPB and the HNTB team to:

- Provide input on long-lead material procurement times, pricing, procurement strategies and alternatives for materials and equipment;
- Identify the recommended division of construction work into bid packages and order of bidding, and develop a detailed preliminary construction schedule;
- Perform periodic reviews of evolving design and make suggestions with regard to means and methods of construction; provide constructability recommendations and guidance; assist the JPB and HNTB with time and cost control;
- Identify phased construction opportunities and constraints;
- Employ detailed constructability reviews and workshops including trade sequencing optimization, identify early work packages and long lead items, and recognition of and development of prefabrication/pre-assembly economies;
- Monitor market conditions for Project with subcontractors and material suppliers to assess workloads, bonding capacity availability, and worker/mechanic availability and to develop interest in the Project and in bidding on the Work; and
- Identify areas of space for storage, parking, and temporary facilities throughout construction phasing.

Budget Impact

On October 6, 2022, the JPB authorized the execution of the amended cooperative agreement to receive funding for additional final design cost and the construction manager general contractor (CMGC) Pre-Construction Phase and amendment of the Project budget from \$11,200,000 to \$18,000,000.

Following execution of the Amendment to the Cooperative Agreement between the JPB, VTA, and City for the Mountain View Transit Center Grade Separation and Access Project, JPB staff included the additional funding contribution of \$7 million from VTA into the FY2023 Capital budget for the Project as follows: an additional \$3 million for the Final Design, Environmental

Permitting and Right-of-Way Engineering phases, and \$4 million for the CMGC Pre-Construction Phase.

Background

On August 4, 2022, the JPB adopted the CMGC Findings and authorized the use of the CMGC Project Delivery Method pursuant to Public Utilities Code Section 103393 et seq. for the Mountain View Transit Center Grade Separation and Access Project.

On October 25, 2022, the JPB issued a Request for Proposals (RFP), solicitation number 23-J-C-011, for the Services and advertised it in a newspaper of general circulation and on the JPB procurement website. Staff held a pre-proposal video conference and 10 potential Proposers attended.

On December 22, 2022, the following five firms and joint ventures submitted Proposals:

1. Clark / Shimmick Joint Venture, San Francisco, CA
2. Flatiron / Herzog Joint Venture, Concord, CA
3. Stacy and Witbeck / Myers Joint Venture, Alameda, CA
4. Walsh Construction Company II, Concord, CA
5. Kiewit Infrastructure West Co., Fairfield, CA

A Selection Committee composed of qualified staff from JPB’s Capital Program Delivery and Engineering Departments and the City of Mountain View and Santa Clara Valley Transit Authority, reviewed and scored the Proposals in accordance with the following weighted criteria:

Team Organization and Management Plan	5 Points
Company Qualifications, Experience, and References	20 Points
Qualifications and Experience of Key Personnel	20 Points
Understanding the Required Scope of Services	30 Points
Plans	10 Points
Cost Proposal and/or Labor Rates	15 Points
Small Business Enterprise (SBE) Preference	5 Points

After the initial scoring of the technical proposals, the Committee determined SWM to be the highest-ranked firm with the most qualified Proposal and approach for the Services. The firm possesses the requisite experience and qualifications as defined in the solicitation documents. SWM and its key subcontractors have experience with CMGC delivery process and worked on grade separation projects including: 1) Mid-Coast Transit Corridor CMGC Project, San Diego, CA; 2) Portland Milwaukie LRT Extension, Portland, OR; and 3) SR 140 Ferguson Rockslide Restoration, Mariposa, CA.

Staff successfully negotiated the Pre-Construction Phase prices with SWM, conducted a price analysis for the base contract, and determined the prices to be fair, reasonable, and consistent

with those paid by other public agencies in the Bay Area for similar services. The Office of Civil Rights assessed SBE preference submissions from all five proposers. SWM committed to utilizing SBEs for 12.4 percent of the required Services. SWM received 4 points out of the 5 preference points in accordance with its level of SBE utilization. Staff will provide Project updates to the Board at future meetings and will seek Board approval for the award of the Construction Phase.

Prepared By:	Kevin Yin	Director, Contracts and Procurement	650.622.7860
	Alvin Piano	Project Manager	650.453.8099

Resolution No. 2023 –

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

* * *

Awarding a Contract to Stacy & Witbeck, Inc. and Myers & Sons Construction, a Joint Venture, for the Construction Manager General Contractor Pre-Construction Services for the Mountain View Transit Center Grade Separation and Access Project for \$1,488,869

Whereas, on August 4, 2022, pursuant to Resolution No. 2022-45, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) authorized the use of the Construction Manager General Contractor (CMGC) for the Mountain View Transit Center Grade Separation and Access Project; and

Whereas, on October 25, 2022, the JPB issued a Request for Proposals (RFP), solicitation number 23-J-C-011, for Construction Manger General Contractor (CMGC) Pre-Construction Services for the Mountain View Transit Center Grade Separation and Access Project (Project); and

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

Whereas, the Selection Committee (Committee) scored and ranked the proposals according to the weighted evaluation criteria set forth in the RFP; and

Whereas, the Committee completed its evaluation process, and determined that Stacy & Witbeck, Inc. and Myers & Sons Construction (SWM), a joint venture incorporated in Alameda, California, is the highest-ranked proposer and possesses the necessary qualifications and requisite experience to successfully perform the scope of services defined in the solicitation documents; and

Whereas, staff completed negotiations with SWM, conducted a price analysis for the base contract and optional services, and determined that SWM has agreed to perform the specified services at fair and reasonable prices; and

Whereas, SWM has pledged 12.4 percent Small Business Enterprise (SBE) participation, which has been verified by the Office of Civil Rights; and

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

Whereas, staff recommends that the Board award a contract to SWM for the CMGC Pre-Construction Services, at a total amount of \$1,488,869.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Stacy & Witbeck, Inc. and Myers & Sons Construction, a Joint Venture, of Alameda, California for the Construction Manager General Contractor Pre-Construction Services for the Mountain View Transit Center Grade Separation and Access Project for a total amount of \$1,488,869; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to execute a Contract with SWM in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreement, and in a form approved by legal counsel; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to file any other required documentation and to take any other actions necessary to give effect to this Resolution.

Regularly passed and adopted this 4th day of May 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: Joint Powers Board
Through: Michelle Bouchard, Executive Director
From: Robert Barnard, Deputy Chief, Rail Development
Subject: **Authorize Use of Construction Manager General Contractor (CMGC) Project Delivery Method Pursuant to Public Utilities Code Section for the Rengstorff Avenue Grade Separation Project**

<input type="checkbox"/> Finance Committee Recommendation	<input checked="" type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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Action

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

1. Make findings that use of the Construction Manager/General Contract (CMGC) project delivery method for the Rengstorff Avenue Grade Separation Project (Project) will accomplish one or more of the following objectives: reduce project costs, expedite the project's completion, or provide features not achievable through the more traditional Design-Bid-Build (DBB) method, as required to utilize this project delivery method pursuant to Public Utilities Code section 103395.
2. Authorize the use of the CMGC project delivery method for the Project based on these findings; and
3. Authorize the Executive Director, or designee, to file any other required documentation and to take any other actions necessary to give effect to this action.

Significance

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

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

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

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

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

The Project objectives are to:

- Improve safety for all modes of travel
- Improve overall traffic flow
- Reduce traffic delays pollution caused by gate down times
- Support the pedestrians and bicyclists

After assessment of the respective merits of both the DBB and CMGC project delivery methods and how these different project delivery methods would best address the unique features and complexities of the Rengstorff Avenue Grade Separation Project, staff have determined that the use of the CMGC project delivery method will provide features that are not achievable through the DBB process. The CMGC project delivery method will allow contractor collaboration with the designer, providing opportunities to improve the project with innovative solutions. CMGC project delivery is also anticipated to result in reduced project costs and expedited project completion. Proof of the cost and schedule benefits resulting from CMGC project delivery are documented in many industry documents and reports. A listing of some of the available industry documents and reports related to CMGC project delivery cost and schedule benefits are included in the *References* section of the *Alternative Project Delivery Decision Report* dated April 2023, documenting the methods and results of the March 2023 Project Delivery Assessment Workshop. The *Alternative Project Delivery Decision Report* is available upon request.

Staff recommends that the Board make these findings and authorize the use of the CMGC method for the Project. In the future, staff will seek authorization from the Board to (1) enter into agreements with City of Mountain View and Santa Clara Valley Transportation Authority (VTA) to add to the budget to the Final Design and Pre-Construction phase; (2) amend the FY23 capital budget to include new funds; and (3) amend the Project budget authority.

Budget Impact

There is no immediate budget impact as the result of Board action to authorize use of the CMGC contracting approach over the traditional DBB contracting process for the Rengstorff Avenue Grade Separation Project.

Separate from this Board action, project cost updates and project delivery contract negotiations affecting the Rengstorff Avenue Grade Separation Project budget will be discussed and reflected in future JPB budgets.

Background

The Rengstorff Avenue Grade Separation Project is one of the grade separation projects in Santa Clara County funded by Measure B, which was passed in Santa Clara County in 2016. The 2016 Measure B establishes \$700 million in funding for grade separations in the cities of Palo Alto, Mountain View, and Sunnyvale. Rengstorff Avenue Grade Separation project is located in the City of Mountain View.

Assessment of Project Delivery Method

In March 2022, in order to select a project delivery method for the Project, eleven representatives of the local government bodies involved in the project (three from Caltrain, two from the City of Mountain View, three from VTA, two from the City of Sunnyvale and one from the City of Palo Alto) met and conducted a facilitated Project Delivery Assessment Workshop. The objective of the Workshop was to allow the evaluators to compare and score DBB and CMGC project delivery methods.

The Workshop participants then completed the Transportation Cooperative Research Program (TCRP) Report 131-based analytical project delivery method assessment and the issue rankings were noted. This analytical project delivery assessment was conducted as a facilitated group discussion with the issue ranking completed using a consensus approach. Following the TCRP Report 131-based project delivery method assessment, the participants individually and without discussion completed the Modified Caltrans Quantitative Project Delivery Assessment Worksheets. The participants’ worksheet scores were recorded by the facilitator. The ranking summary is as follows:

Ranking or Scoring Method	DBB	CMGC
TCRP Report 131 Analytical Method	51	65
Modified Caltrans Quantitative Method	48	118

Based on the results of the two-project delivery method assessment analyses, the CMGC project delivery method will achieve the Project schedule objectives and reduce Project costs, providing the dominant and obvious choice for delivering the Rengstorff Avenue Grade Separation Project. The conclusion reached by the evaluation team is that the CMGC project delivery method offers several advantages over traditional Design-Bid-Build method, including potential time and cost savings and providing opportunities for project innovation.

Conclusions of the Assessment

As noted in the Assessment of Project Delivery Method section, the project delivery evaluation team conducted two detailed analyses of potential project delivery methods in a facilitated Workshop. The results of these analyses presented in the previous section demonstrate the CMGC project delivery method is superior to the traditional DBB project delivery method. The Workshop methods and analysis results are documented in the *Alternative Project Delivery Decision Report* dated April 2023.

Use of the CMGC project delivery method to design and construct the Rengstorff Avenue Grade Separation Project will: (a) result in substantial costs savings and reduce risk to the JPB; (b) allow the JPB to select a highly qualified contractor with the specialized expertise required to deliver the project; (c) benefit the public by improving safety and coordination during construction; and (d) avoid favoritism and promote competition.

Specific findings which substantiate these conclusions are as follows:

Findings: The CMGC project delivery method will result in substantial savings and reduced financial risk to the JPB. Reduced risk provides a significant value and potential savings.

- a. **Reduced Financial Risk:** The project will occur during challenging economic conditions within the construction industry. It would be very costly and disruptive if these economic conditions created undue risk and potentially negative financial impacts on the JPB's projects. Using the CMGC project delivery method will allow the JPB to look deeply into the contractor's financial strength and expertise and eliminate participation by those companies who do not have the financial strength or qualifications to successfully complete the project.
- b. **Total Contract Price (TCP) establishes a total contract price prior to starting construction:** The contractor will be able to obtain a complete understanding of the JPB's needs, the Owner's design intent, the scope of the project, the condition of the existing facilities, and the operational needs of the JPB by participating in the development of the design documents. By participating in this pre-construction phase of the project, the contractor will be able to offer value engineering (VE) suggestions for cost and schedule savings, improvements to the design, and focus the design on the contractor's preferred construction means and methods. With the benefit of this

knowledge, the contractor will be able to negotiate a TCP paid by the JPB for the project, before JPB executes the construction contract.

- c. **Fewer Change Orders:** When the contractor participates in the pre-construction design process, fewer change orders will occur during the construction process. This is due to the contractor's better understanding of the owner's needs and the designer's intent. As a result, the project is more likely to be completed on time and on budget. In addition, fewer change orders reduce project management costs for both the JPB and the contractor.
- d. **TCP Change Orders are Reduced:** The traditional DBB project delivery method requires the designer to anticipate the low-bid contractor's preferred means and methods and to develop construction plans to accommodate a range of potential construction means and methods. With the contractor's participation in the pre-construction design phase, the designer will focus its design solutions to accommodate the contractor's preferred means and methods, reducing design effort and optimizing construction cost. Industry experience shows contractor participation during the pre-construction design phase avoids and in some cases eliminates contractor Value Engineering proposals and constructability claims during construction. Industry experience shows these benefits are achievable regardless of when contractor participation begins during the pre-construction design phase.
- e. **TCP Change Orders Cost Less:** The traditional Design-Bid-Build project delivery method typically results in contractors charging up to 20% mark-up on construction contract change orders. The CMGC project delivery method applies predetermined mark-ups less than this value. If construction change orders are encountered, the industry experience has been to establish the allowable contractor fixed fee mark-up in the range of 5% to 10%.
- f. **Contractor Construction Fee is Less:** Contracts with the contractor are designed to create a better working relationship between all parties resulting in better risk identification and allocation and reduced risk to the contractor. As a consequence, the contractor's overhead and profit fee is generally in the 3% to 5% range which is lower than the mark-up usually applied to traditional design-bid-build projects.
- g. **The JPB has an Off-Ramp:** In the event the JPB and the contractor cannot reach agreement on the TCP for the construction phase work, the JPB will not execute the contractor's construction phase contract and will advertise and award the project using any other method of project delivery permitted by law.

Prepared By:	Arul Edwin	Senior Project Manager	650 339 8845
	Robert Barnard	Deputy Chief, Rail Development	650.508.7783

Resolution No. 2022 –

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

* * *

Authorize Use of Construction Manager General Contractor (CMGC) Project Delivery Method Pursuant To Public Utilities Code Section 103395 for the Rengstorff Avenue Grade Separation Project

Whereas, the City of Mountain View (City) and the Santa Clara Valley Transportation Authority (VTA) desire to close the Rengstorff Avenue at-grade crossing and Grade Separate the Caltrain tracks to improve safety and reduce traffic congestion; and

Whereas, the Rengstorff Avenue Grade Separation Project objectives are to: improve safety for all modes of travel, improve overall traffic flow, reduce traffic delays caused by gate down times, and support pedestrians and bicyclists; and

Whereas, the Legislature enacted Assembly Bill 797 in 2013 to authorize the San Mateo County Transit District to use the Construction Manager General Contractor (CMGC) project delivery approach for public transit projects within its jurisdiction. This authorization extends to the Peninsula Corridor Joint Powers Board (JPB) pursuant to the Joint Powers Agreement, which established the JPB; and

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

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

Whereas, agency staff representatives of the Peninsula Corridor JPB, City of Mountain View, and VTA have investigated different project delivery methods and have evaluated the respective merits of delivering the Rengstorff Avenue Grade Separation Project through the CMGC project delivery method versus the DBB method; and

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

Whereas, in light of this evaluation, Staff recommends that the Board make findings that the use of the CMGC project delivery method is in the best interest of the JPB and authorize the use of the CMGC project delivery method to complete the Rengstorff Avenue Grade Separation Project; and

Now, Therefore, Be It Resolved the Board of Directors of the Peninsula Corridor Joint Powers Board hereby finds that utilizing the CMGC project delivery method pursuant to Public Utilities Code section 103395 for the Rengstorff Avenue Grade Separation Project will be in the best interest of the JPB as it will accomplish the objectives of providing project features not achievable through the traditional DBB project delivery method and will likely also reduce project costs and expedite completion; and

Be It Further Resolved based upon these findings, the Board hereby authorizes staff to proceed with using the CMGC project delivery method pursuant to Public Utilities Code Section 103395.

Be It Further Resolved that the Board authorizes the Acting Executive Director, or designee, to file any other required documentation and to take such additional actions as may be necessary to give effect to this resolution.

Regularly passed and adopted this 4th day of May 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: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Robert Barnard, Deputy Chief, Design & Construction
Subject: **Authorize Amendment of Cooperative Agreement between JPB, VTA, and ACE to Accept Funds from ACE for Guadalupe River Bridge Replacement Project and to Extend Term of Agreement**

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 (the “Board”) of the Peninsula Corridor Joint Powers Board (“JPB”) authorize the Executive Director, or designee, to execute an amendment to, and restatement of, the Ninth Amended and Restated Cooperative Agreement (“Cooperative Agreement”) between JPB, the Santa Clara Valley Transportation Authority (“VTA”), and the San Joaquin Regional Rail Commission, operator of the Altamont Corridor Express (“ACE”) to:

1. Accept a cost contribution from ACE in the amount of \$1,330,429 as funding for the Guadalupe River Bridge Replacement Project.
2. Extend the Cooperative Agreement from June 30, 2023, to June 30, 2028.
3. Take any other actions necessary to give effect to the amendment.

Significance

The Guadalupe River Bridge is owned by the JPB and supports rail traffic for multiple rail services, including ACE. The terms of ACE’s usage of JPB assets such as the Guadalupe River Bridge are defined in an existing Cooperative Agreement between the JPB, VTA, and ACE. The Cooperative Agreement specifies a cost sharing arrangement wherein ACE agrees to pay a portion of JPB’s costs of future improvements, capitalized maintenance, and/or capacity additions.

The cost sharing arrangement in the Cooperative Agreement is applicable to the Guadalupe River Bridge Replacement Project. As such, ACE has indicated its willingness to contribute to the cost of the Guadalupe River Bridge Replacement Project per the terms of the Cooperative Agreement.

JPB recommends acceptance of an ACE cost contribution of \$1,330,429 for the Guadalupe River Bridge Replacement Project. This value is derived upon a formula contained in previous amendments to the Cooperative Agreement using ACE's usage percentage of the corridor and JPB's costs for the project. The recommended \$1,330,429 ACE contribution value is identical to the projected ACE contribution proposed by staff in the Guadalupe River Bridge Replacement Project funding plan approved by the Board on October 6, 2022.

Staff recommends that the Cooperative Agreement should be amended for two primary purposes. First, the Cooperative Agreement must be amended to reflect the ACE cost contribution for the Guadalupe River Bridge Replacement Project. Second, the Cooperative Agreement is scheduled to expire on June 30, 2023, and should be extended to the mutual benefit of all parties to the agreement for an additional term of five years.

Budget Impact

Following execution of the amendment to the Cooperative Agreement, staff will include the additional funding contribution of \$1,330,429 from ACE in the FY24 and FY25 capital budget for the Guadalupe River Bridge Replacement Project. The JPB will continue receiving annual cost-share revenue from ACE for Station User Fees, Trackage User Fees, and Storage/Layover Trackage Fees.

Background

The current Cooperative Agreement is the Ninth Amended and Restated Cooperative Agreement by and among the JPB, VTA, and ACE, dated September 20, 2018. If approved, the current agreement will be superseded by the Tenth Amended and Restated Cooperative Agreement by and among the same parties.

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

Resolution No. 2023 –

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

* * *

Authorize Amendment of Cooperative Agreement between JPB, VTA, and ACE to Accept Funds from ACE for Guadalupe River Bridge Replacement Project and Extend Term

Whereas, the San Joaquin Regional Rail Commission currently operates the Altamont Corridor Express (“ACE”) on right-of-way owned and maintained by the Peninsula Corridor Joint Powers Board (“JPB”); and

Whereas, the JPB, the Santa Clara Valley Transportation Authority (“VTA”), and ACE are parties to a Ninth Amended and Restated Cooperative Agreement dated September 20, 2018 (“Cooperative Agreement”); and

Whereas, the current Cooperative Agreement is scheduled to expire on June 30, 2023;

Whereas, the Cooperative Agreement contains a cost sharing arrangement whereby ACE agrees to pay a portion of JPB costs for future improvements, capitalized maintenance, and/or capacity additions; and

Whereas, the JPB is undertaking the Guadalupe River Bridge Replacement Project, a capital maintenance project to replace and extend a bridge which is owned by JPB and used, in part, by ACE; and

Whereas, JPB staff recommends that \$1,330,429 is a fair and reasonable value of a cost contribution by ACE to the Guadalupe River Bridge Replacement Project based on the terms of the Cooperative Agreement; and

Whereas, JPB staff recommends that the Cooperative Agreement be amended to extend its term from June 30, 2023, to June 30, 2028 and to incorporate the aforementioned cost contribution by ACE to the Guadalupe River Bridge Replacement Project; and

Whereas, JPB staff recommends that Board authorize the Executive Director, or designee, to execute an amendment reflecting these changes to the Cooperative Agreement; and

Whereas, JPB staff recommends that the Board authorize the Executive Director to accept an ACE cost contribution of \$1,330,429 as funding for the Guadalupe River Bridge Replacement Project and to extend the term of the Cooperative Agreement from June 30, 2023 to June 30, 2028;

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, and restatement of, the Cooperative Agreement by and among JPB, VTA, and ACE to;

1. Receive an ACE funding contribution in the amount of \$1,330,429 as funding for the Guadalupe River Bridge Replacement Project;
2. Extend the term of the Cooperative Agreement from June 30, 2023 to June 30, 2028; and
3. Take any other actions necessary to give effect to this resolution.

Regularly passed and adopted this 4th day of May 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: Technology, Operations, Planning and Safety Committee
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Deputy Chief, Caltrain Planning
Subject: **Authorize the Executive Director to Execute a Service Agreement (Agreement) with the City of Menlo Park for Activities Undertaken in Support of the Middle Avenue Undercrossing Project**

<input type="checkbox"/> Finance Committee Recommendation	<input checked="" type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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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 a Service Agreement (Agreement) For Reimbursement from the City of Menlo Park for Activities Undertaken in Support of the Middle Avenue Undercrossing Project (Project) for \$571,940.60 of reimbursable Caltrain expenses; and
- 2) Amend the Project budget from \$400,000 to \$571,941, to include additional \$171,941 reimbursable expenses from the Agreement, increasing the Caltrain FY2023 Capital Budget from \$127,204,412 to \$127,376,353.

Significance

The City of Menlo Park is the project sponsor for a proposed new bicycle and pedestrian undercrossing of the Caltrain right-of-way (“ROW”) near Middle Avenue in Menlo Park. The project would be located near Caltrain mile post 29.15, north-east of the intersection of El Camino Real and Ravenswood Avenue. The City proposes the installation of a pedestrian and bicycle undercrossing near Burgess Drive and Alma Street to facilitate access between the eastern and western sides of the Caltrain ROW, as well as to and from Alma Street and El Camino Real, both of which run parallel to Caltrain tracks in the project area.

An initial Service Agreement between the City and Caltrain was executed on March 9, 2022, and included coordination with Caltrain staff pertaining to the technical review of the project’s preliminary engineering phase (30% design).

The purpose of the Agreement subject to this staff report is for Caltrain to perform:

- Task 1: Alternative Contract Delivery Analysis;
- Task 2: Development of a Memorandum of Understanding (MOU);
- Task 3: Development of Request(s) for Proposals (RFPs) for advancing the project beyond the Preliminary Engineering (PE) and Environmental Clearance phase into final design and construction in accordance with the consensus alternative delivery method recommendation.

The Agreement assumes that Caltrain and the City will work to ascertain the most efficient means of completing the project's NEPA Environmental Clearance and CEQA Determination and that the decision will be further defined as part of the scope described in the MOU.

The Agreement provides an initial not-to-exceed amount of \$571,940.60, of which \$89,278.60 is included as contingency funds, to cover Caltrain costs for the performance of the tasks listed above.

The Agreement will expire on June 30, 2024, unless extended by mutual agreement of the parties. Staff will return to the Board for authorization before proceeding with any procurement and construction activities for the final design work.

Budget Impact

In FY2023, the Board approved a budget of \$400,000 for the Middle Avenue Undercrossing Project. The execution of the Agreement with the City of Menlo Park will provide additional funding that will increase the total project budget by \$171,941, from \$400,000 to \$571,941, increasing the Caltrain FY2023 Capital Budget from \$127,204,412 to \$127,376,353.

Background

The Middle Avenue Undercrossing Project will construct a grade separated pedestrian and bicycle rail crossing under the Caltrain railway to create a pedestrian and bicycle connection opportunity. The undercrossing will be located near Middle Avenue, connecting Alma Street near Burgess Park to El Camino Real at the open space plaza that is part of Stanford's Middle Plaza at 500 El Camino Real project. The undercrossing will improve connectivity for neighborhoods on both sides of the Caltrain tracks to City amenities, schools, public transit and downtown Menlo Park. Once constructed, the undercrossing will also provide much needed connectivity in the area during construction of the future planned Menlo Park Grade Separation Project, which would grade separate Ravenswood, Oak Grove, and Glenwood Avenues.

To date the project has received \$21,788,000 in funding to support design and construction, including Measure A/W Pedestrian/Bicycle Program (San Mateo County Transportation Authority), Middle Plaza Development Agreement contribution (Private, Stanford University), City of Menlo Park Transportation Impact Fees, Stanford Recreational Mitigation Grant, One Bay Area Grant (Metropolitan Transportation Commission) and the Federal Omnibus Budget Bill (USDOT). The City continues to pursue County, State, and Federal funding for the project and is in the process of purchasing property to support implementation of the undercrossing.

The Agreement executed by the parties is meant to cover Caltrain's costs to conduct critical project development tasks for the transition from City-led activities (planning, environmental clearance and preliminary engineering/design) into Caltrain-led activities (final design and construction).

Prepared By:	Nicole Soutanov	Deputy Director, Capital Program Planning	650-632-6867
	Dennis Kearney	Consultant, Capital Planning Support	

Resolution No. 2023 –

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

* * *

**Authorize the Executive Director to Execute a Service Agreement with the City of Menlo Park
in Support of the Middle Avenue Undercrossing Project**

Whereas, in 2022, the Peninsula Corridor Joint Powers Board (JPB or Caltrain) and the City of Menlo Park (City) negotiated and executed a Service Agreement describing the parties' cooperation to complete technical review of the locally preferred alternative during the project's preliminary engineering phase (30% design), and authorizing reimbursement from City to Caltrain for such efforts; and

Whereas, this new Service Agreement (Agreement) is for the next phase of work, including performance of an analysis for Alternative Contract Delivery, providing for the development and execution of an MOU, and prepare (a) Request(s) for Proposals (RFPs) for advancing the project beyond the Preliminary Engineering (PE)/Environmental Clearance phase into final design and construction in accordance with the consensus alternative delivery method recommendation.

Whereas, the Caltrain FY2023 Capital Budget includes \$400,000 for the Middle Avenue Undercrossing Project; and

Whereas, the execution of the Agreement between Caltrain and the City of Menlo Park will provide additional funding that will increase the project budget by \$171,941, from \$400,000 to \$571,941, increasing the Caltrain FY2023 Capital Budget from \$127,204,412 to \$127,376,353.

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 Agreement Regarding Reimbursement for Activities Undertaken in Support of the Middle Avenue Undercrossing Project, with the City of Menlo Park for \$571,940.60 of reimbursable Caltrain expenses, and to take any other action necessary to implement the Agreement; and

Be It Further Resolved that the Board of Directors authorizes the amendment of Middle Avenue Undercrossing project budget from \$400,000 to \$571,941, and the Caltrain FY2023 Capital Budget from \$127,204,412 to \$127,376,353.

Regularly passed and adopted this 4th day of May 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: Advocacy and Major Projects (AMP) Committee
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief Communications Officer
Subject: **State and Federal Legislative Update and Approval of Legislative Proposal:
Support Assembly Bill (AB) 463 (Hart)**

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 the Committee recommend the Board:

1. Receive the attached State and Federal Legislative Updates
2. Approve Legislative Proposal: Support AB 463 (Hart)

Significance

The 2023 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Budget Impact

None.

Background

None.

Prepared By: Devon Ryan

Government &
Community Affairs Officer

650.730.6172

State Legislative Matrix 3/9/2023

Bill Number (Author)	Summary	Location	Position
<p>AB 6 (Friedman D)</p> <p>Transportation planning.</p>	<p>Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. This bill would state the intent of the Legislature to enact subsequent legislation that would require regional transportation agencies to prioritize and fund transportation projects, including those funded by a local sales tax measure, that significantly contribute towards the goals outlined in a region’s sustainable communities strategy and the state’s climate goals.</p> <p>Introduced: 12/5/2022</p>	<p>Assembly Print</p>	<p>Watch</p>
<p>AB 7 (Friedman D)</p> <p>Transportation: funding: capacity projects.</p>	<p>Existing law requires the Department of Transportation to improve and maintain the state’s highways, and establishes various programs to fund the development, construction, and repair of local roads, bridges, and other critical transportation infrastructure in the state. This bill would state the intent of the Legislature to enact subsequent legislation that would eliminate single occupancy vehicle freeway capacity projects, and allow capacity projects only for bus rapid transit, rail, active transportation purposes, projects that significantly add safety, and projects that significantly reduce congestion, without interfering with existing maintenance and rehabilitation needs.</p> <p>Introduced: 12/5/2022</p>	<p>Assembly Print</p>	<p>Watch</p>
<p>AB 96 (Kalra D)</p> <p>Public employment: local public transit agencies: autonomous transit vehicle technology.</p>	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matters subject to collective bargaining. This bill would require a public transit employer to provide written notice to the exclusive employee representative of the workforce affected by autonomous transit vehicle technology of its determination to begin, or its substantive progress toward initiating, any procurement process or a plan to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of the workforce to which the autonomous transit vehicle technology applies not less than 12 months before commencing the process, plan, or deployment. The bill would require a public transit employer, upon a written request of the exclusive employee representative, to provide specified information to the exclusive employee</p>	<p>Assembly Public Employment and Retirement</p> <p>3/22/2023 9 a.m. - State Capitol, Room 444 ASSEMBLY PUBLIC EMPLOYMENT AND RETIREMENT, MCKINNOR, TINA, Chair</p>	<p>Watch</p>

	<p>representative, including the potential gaps in skills that may result from the new service. The bill would require the public transit employer, following the written request for information by the exclusive employee representative, and within 30 days of receiving the specified information, to commence collective bargaining on specified subjects, including creating plans to train and prepare the affected workforce to fill new positions created by the autonomous transit vehicle technology.</p> <p>Introduced: 1/9/2023</p>		Item #8.o. 5/4/2023
<p>AB 241 (Reyes D) Clean Transportation Program.</p>	<p>The California Alternative and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon Reduction Act of 2007 creates the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission, to provide funding to certain entities to develop and deploy innovative technologies that transform California’s fuel and vehicle types to help attain the state’s climate change policies. This bill would state the intent of the Legislature to enact future legislation related to the Clean Transportation Program.</p> <p>Introduced: 1/13/2023</p>	Assembly Print	Watch
<p>AB 457 (Patterson, Joe R) Surplus Land Act: exempt surplus land: leases.</p>	<p>Existing law prescribes requirements for the disposal of surplus land, as defined, by a local agency, as defined. Existing law requires land to be declared surplus land or exempt surplus land, as supported by written findings, before a local agency takes any action to dispose of it consistent with the agency’s policies or procedures. Existing law requires any local agency disposing of surplus land to send, prior to disposing of that property or participating in negotiations to dispose of that property with a prospective transferee, a written notice of availability of the property pursuant to prescribed procedures. This bill would expand “exempt surplus land” to include land that is (1) identified in an approved plan for the agency’s future use, (2) no larger than 2 acres, (3) proposed to be leased to a property owner or business located within one-half mile of the applicable land, and (4) proposed to be leased for a term no longer than 15 years.</p> <p>Amended: 2/27/2023</p>	Assembly Local Government	Watch
<p>AB 463 (Hart D) Electricity: prioritization of service: public transit vehicles.</p>	<p>Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations and gas corporations. Existing law requires the commission to establish priorities among the types or categories of customers of every electrical corporation and every gas corporation, and among the uses of electricity or gas by those customers, to determine which of those customers and uses provide the most important public benefits and serve the greatest public need, and to categorize all other customers and uses in order of descending priority based on these standards. Existing law requires the commission, in establishing those priorities, to consider, among other things, the economic, social, and other effects of a temporary discontinuance in electrical or gas service to certain customers or for certain uses, as specified. If an electrical or gas corporation experiences a shortage of capacity or capability and is unable to meet all demands by its customers, existing law requires the commission to order that service be temporarily reduced by an amount that reflects the established priorities for the</p>	<p>Assembly U. & E. 3/22/2023 1:30 p.m. - State Capitol, Room 437 ASSEMBLY UTILITIES AND ENERGY, GARCIA, EDUARDO, Chair</p>	Watch

	<p>duration of the shortage. This bill would require the commission, in establishing those priorities, to also consider the economic, social equity, and mobility impacts of a temporary discontinuance in electrical service to the customers that rely on electrical service to operate public transit vehicles. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/6/2023</p>		<p>Item #8.o. 5/4/2023</p>
<p>AB 480 (Ting D) Surplus land.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements before disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local agency send a notice of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. Existing law defines terms for purposes of these provisions, including the term “exempt surplus land,” which includes, among other things, surplus land that is put out to open, competitive bid by a local agency, as specified, for purposes of a mixed-use development that is more than one acre in area, that includes not less than 300 housing units, and that restricts at least 25% of the residential units to lower income households with an affordable sales price or an affordable rent for a minimum of 55 years for rental housing and 45 years for ownership housing. This bill would modify these provisions to require that the mixed-use development include not less than 300 residential units.</p> <p>Introduced: 2/7/2023</p>	<p>Assembly Local Government</p>	<p>Watch</p>
<p>AB 557 (Hart D) 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 providing for the ability of the public to observe and provide comment. 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. Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those</p>	<p>Assembly Local Government</p>	<p>Watch</p>

	<p>findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Existing law requires a legislative body that holds a teleconferenced meeting 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, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Existing law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely. The bill would also extend the period for a legislative body to make the above-described findings related to a continuing state of emergency and social distancing to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/8/2023</p>		<p>Item #8.o. 5/4/2023</p>
<p>AB 610 (Holden D)</p> <p>Youth Transit Pass Pilot Program: free youth transit passes.</p>	<p>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Upon the appropriation of moneys by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by the department, for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program, as specified. The bill would authorize a transit agency to submit a grant application in partnership with one or more educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare free program, as provided. The bill would authorize a transit agency with an existing fare free program that enables a person 18 years of age or younger to use a transit agency's bus and rail services without paying any additional fare or charge to submit an application without an educational institution partner, as provided. The bill would require the department to submit a report to specified committees of the Legislature on or before January 1, 2028, on, among other things, the outcomes of the program and the funding conditions associated with offering free youth transit passes, the status of transit pass programs statewide, and whether these provisions led to reductions in the emissions of greenhouse gases and vehicle miles traveled, as provided. The bill would repeal its provisions as of January 1, 2029. This bill contains other existing laws.</p>	<p>Assembly Transportation</p> <p>3/13/2023 2:30 p.m. - 1021 O Street, Room 1100 ASSEMBLY TRANSPORTATION, FRIEDMAN, LAURA, Chair</p>	<p>Watch</p>

<p><u>AB 744 (Carrillo, Juan D)</u></p> <p>California Transportation Commission: data, modeling, and analytic software tools procurement.</p>	<p>Introduced: 2/9/2023</p> <p>Existing law establishes the California Transportation Commission in the Transportation Agency. Existing law vests the California Transportation Commission with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Upon the appropriation of funds by the Legislature, this bill would require the commission to acquire public domain or procure commercially available or open-source licensed solutions for data, modeling, and analytic software tools to support the state’s sustainable transportation, congestion management, affordable housing, efficient land use, air quality, and climate change strategies and goals. The bill would require the commission to provide access to the data, modeling, and analytic software tools to state and local agencies, as specified. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/13/2023</p>	<p>Assembly Transportation</p> <p>3/20/2023 2:30 p.m. - 1021 O Street, Room 1100 ASSEMBLY TRANSPORTATION, FRIEDMAN, LAURA, Chair</p>	<p>Item #8.o. 5/4/2023</p> <p>Watch</p>
<p><u>AB 756 (Papan D)</u></p> <p>Department of Transportation: contaminated stormwater runoff: salmon and steelhead trout bearing surface waters.</p>	<p>Existing law vests the Department of Transportation with full possession and control of all state highways. This bill would require the department, in consultation with the State Water Resources Control Board, the Department of Toxic Substances Control, and the Department of Fish and Wildlife, to develop a programmatic environmental review process to prevent 6PPD and 6PPD-quinone from entering salmon and steelhead trout bearing surface waters of the state. The bill would require the department’s 6PPD and 6PPD-quinone programmatic environmental review process to include, among other specified components, a pilot project at a particular highway crossing over the San Mateo Creek to study the effectiveness and cost effectiveness of installing and maintaining bioretention and biofiltration comparatively along department rights-of-way to eliminate the discharge of 6PPD and 6PPD-quinone into surface waters of the state, as specified. The bill would require, no later than December 31, 2026, the Director of Transportation to submit a report to the Legislature describing the department’s strategy to eliminate the discharge of 6PPD and 6PPD-quinone by the department to all salmon and steelhead trout bearing surface waters of the state. This bill contains other related provisions.</p> <p>Amended: 3/2/2023</p>	<p>Assembly Transportation</p> <p>3/27/2023 2:30 p.m. - 1021 O Street, Room 1100 ASSEMBLY TRANSPORTATION, FRIEDMAN, LAURA, Chair</p>	<p>Watch</p>
<p><u>AB 761 (Friedman D)</u></p> <p>Transit Transformation Task Force.</p>	<p>Existing law establishes the Transportation Agency, which consists of various departments and state entities, including the California Transportation Commission and the Department of Transportation. Under existing law, the agency is under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. Existing law provides for the funding of public transit, including under the Transportation Development Act. This bill would require the secretary, on or before July 1, 2024, to establish and convene the Transit Transformation Task Force to include representatives from the department, the Controller’s office, various local agencies, academic institutions, nongovernmental organizations, and other</p>	<p>Assembly Transportation</p> <p>3/20/2023 2:30 p.m. - 1021 O Street, Room 1100 ASSEMBLY TRANSPORTATION, FRIEDMAN, LAURA, Chair</p>	<p>Watch</p>

	<p>stakeholders. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit ridership and improve the transit experience for all users of those services. The bill would require the secretary, in consultation with the task force, to prepare and submit a report of findings based on the task force's efforts to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2025. The bill would require the report to include a detailed analysis of specified issues and recommendations on specified topics. The provisions of the bill would be repealed on January 1, 2028. This bill contains other existing laws.</p> <p>Introduced: 2/13/2023</p>		Item #8.o. 5/4/2023
<p>AB 817 (Pacheco D)</p> <p>Local government: open meetings.</p>	<p>Existing law, the Ralph M. Brown Act, requires each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. This bill would make nonsubstantive changes to a provision of the Ralph M. Brown Act.</p> <p>Introduced: 2/13/2023</p>	Assembly Print	Watch
<p>AB 819 (Bryan D)</p> <p>Crimes: public transportation: fare evasion.</p>	<p>Existing law makes it a crime, punishable as an infraction and subsequently as a misdemeanor, for an adult to evade payment of a fare of a public transportation system, the misuse of a transfer, pass, ticket, or token with the intent to evade the payment of a fare, or the unauthorized use of a discount ticket, as specified. Under existing law, a 3rd or subsequent violation of fare evasion or other listed associated violations is a misdemeanor and punishable by a fine of up to \$400 or by imprisonment in a county jail for a period of not more than 90 days, or both. This bill would no longer categorize as a misdemeanor a 3rd or subsequent violation, by an adult, of evading the payment of a fare of a public transportation system, the misuse of a transfer, pass, ticket, or token with the intent to evade the payment of a fare, or the unauthorized use of a discount ticket, and would make a 3rd or subsequent violation punishable only by a fine of up to \$400.</p> <p>Introduced: 2/13/2023</p>	<p>Assembly Public Safety</p> <p>3/21/2023 9 a.m. - State Capitol, Room 126 ASSEMBLY PUBLIC SAFETY, JONES-SAWYER, REGINALD, Chair</p>	Watch
<p>AB 832 (Cervantes D)</p> <p>California Transportation Commission: membership.</p>	<p>Existing law establishes the California Transportation Commission in the Transportation Agency. Existing law vests the California Transportation Commission with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Under existing law, the commission consists of 13 members, including 9 members appointed by the Governor with the advice and consent of the Senate, one member appointed by the Speaker of the Assembly, and one member appointed by the Senate Committee on Rules, as specified. Existing law requires the Governor, in appointing those members to the commission, to make every effort to ensure, among other things, the commission has a diverse membership with expertise in transportation issues, taking into consideration factors, including, but not limited to, socioeconomic</p>	<p>Assembly Transportation</p> <p>3/20/2023 2:30 p.m. - 1021 O Street, Room 1100 ASSEMBLY TRANSPORTATION, FRIEDMAN, LAURA, Chair</p>	Watch

	<p>background and professional experience, which may include experience working in, or representing, disadvantaged communities. This bill would require that at least one of those Governor-appointed members of the commission have expertise in transportation issues and professional experience that includes experience working in, or representing, disadvantaged communities.</p> <p>Amended: 3/1/2023</p>		Item #8.o. 5/4/2023
<p>AB 837 (Alvarez D)</p> <p>Surplus land: exempt surplus land: SPA plans.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency. Existing law defines terms for these purposes, including, among others, “surplus land” to mean land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use. Existing law defines “exempt surplus land” to mean, among other things, surplus land that a local agency is exchanging for another property necessary for the agency’s use and surplus land that a local agency is transferring to another local, state, or federal agency for the agency’s use. Existing law provides that an agency is not required to follow the requirements for disposal of surplus land for “exempt surplus land,” except as provided. This bill would add to the definition of “exempt surplus land” land acquired by a local agency for the development of a university and innovation district in accordance with a sectional plan area (SPA) plan adopted by the local agency prior to January 1, 2019, provided that the land is developed in a manner substantially consistent with the SPA plan. This bill contains other related provisions.</p> <p>Introduced: 2/14/2023</p>	Assembly Local Government	Watch
<p>AB 980 (Friedman D)</p> <p>Active Transportation Program: guidelines: hearings.</p>	<p>Existing law establishes the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. Existing law requires the California Transportation Commission to develop guidelines and project selection criteria for the program and authorizes the commission to amend the adopted guidelines after conducting at least one public hearing. This bill would instead require the commission to conduct at least one public hearing in northern California and one public hearing in southern California before amending the adopted guidelines.</p> <p>Introduced: 2/15/2023</p>	<p>Assembly Transportation</p> <p>3/27/2023 2:30 p.m. - 1021 O Street, Room 1100 ASSEMBLY TRANSPORTATION, FRIEDMAN, LAURA, Chair</p>	Watch
<p>AB 1335 (Zbur D)</p> <p>Local government: transportation planning and land use: sustainable communities strategy.</p>	<p>(1)Existing law requires specified designated transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, as described. Existing law requires the plan to include specified information, including a sustainable communities strategy prepared by each metropolitan planning organization, and requires each transportation planning agency to adopt and submit, every 4 years, an updated plan to the California Transportation Commission and the Department of Transportation. This bill, commencing January 1, 2024, would require each transportation planning agency to follow certain population projection procedures when updating the regional transportation plan. The bill would require the sustainable communities strategy to be based on population projections produced by the Department of Finance and regional population</p>	<p>Assembly Transportation</p> <p>3/20/2023 2:30 p.m. - 1021 O Street, Room 1100 ASSEMBLY TRANSPORTATION, FRIEDMAN, LAURA, Chair</p>	Watch

	forecasts used in determining applicable city and county regional housing needs, in consultation with each council of governments. The bill would impose similar reconciliation procedures, as described above, when there are differences in the population forecast provided by the council of governments and the Department of Finance. By imposing additional duties on transportation planning agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Introduced: 2/16/2023		Item #8.o. 5/4/2023
AB 1348 (Grayson D) Local government: open meetings.	Existing law, the California Public Records Act, requires state agencies and local agencies to make public records available for inspection, subject to specified criteria, and with specified exceptions. Existing law, the Ralph M. Brown Act, requires the meetings of the legislative body of a local agency to be conducted openly and publicly, with specified exceptions. Existing law makes agendas of public meetings and other writings distributed to the members of the governing board disclosable public records, with certain exceptions. This bill would make nonsubstantive changes to the public record provisions governing the writings related to agendas of public meetings. Introduced: 2/16/2023	Assembly Print	Watch
ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.	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 existing laws. Introduced: 12/5/2022	Assembly Print	Support
SB 84 (Gonzalez D) Clean Transportation Program.	The California Alternative and Renewable Fuel, Vehicle Technology, Clean Air, and Carbon Reduction Act of 2007 creates the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission, to provide funding to certain entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. This bill would state the intent of the Legislature to enact future legislation related to the Clean Transportation Program. Introduced: 1/13/2023	Senate Rules	Watch
SB 229 (Umberg D)	Existing law prescribes requirements for the disposal of land determined to be surplus land by a local agency. Those requirements include a requirement that a	Senate Gov. & F.	Watch

<p>Surplus land: disposal of property: violations: public meeting.</p>	<p>local agency, before disposing of a property or participating in negotiations to dispose of that property with a prospective transferee, send a written notice of availability of the property to specified entities, depending on the property's intended use, and send specified information in regard to the disposal of the parcel of surplus land to the Department of Housing and Community Development. Existing law, among other enforcement provisions, makes a local agency that disposes of land in violation of these disposal provisions, after receiving notification of violation from the department, liable for a penalty of 30% of the final sale price of the land sold in violation for a first violation and 50% for any subsequent violation. Under existing law, except as specified, a local agency has 60 days to cure or correct an alleged violation before an enforcement action may be brought. This bill would require a local agency that has received a notification of violation from the department to hold an open and public session to review and consider the substance of the notice of violation. The bill would require the local agency's governing body to provide prescribed notice no later than 14 days before the public session. The bill would prohibit the local agency's governing body from taking final action to ratify or approve the proposed disposal until a public session is held as required. By imposing new duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 2/23/2023</p>		<p>Item #8.o. 5/4/2023</p>
<p>SB 411 (Portantino D)</p> <p>Open meetings: teleconferences: bodies with appointed membership.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a legislative body to use alternate teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. The bill would</p>	<p>Senate Gov. & F.</p>	<p>Watch</p>

	<p>alternatively define “legislative body” for this purpose to mean a board, commission, or advisory body of a local agency, the membership of which board, commission, or advisory body is appointed and which board, commission, or advisory body is otherwise subject to the act. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/9/2023</p>		Item #8.o. 5/4/2023
<p>SB 434 (Min D)</p> <p>Transit operators: street harassment survey.</p>	<p>Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. Existing law requires the Mineta Transportation Institute at San Jose State University to, on or before December 31, 2023, develop and make available on its internet website a survey for the purpose of promoting consistency in the collection of specified survey data to inform efforts to improve the safety of riders and reduce street harassment on public transit. This bill would require a transit operator, as defined, upon allocation of certain funds by the Legislature, to collect specified survey data for the purpose of informing efforts to improve the safety of riders and reduce street harassment on public transit on or before June 30, 2024. The bill would require a transit operator to conduct outreach activities with subpopulations of riders who are underrepresented in surveys and impacted by street harassment to gain insight into the perspectives of these riders based on their experiences. The bill would provide that specified information collected by a transit operator in the 5 years before the effective date of this bill is deemed to be survey data collected by the transit operator for purposes of the bill. To the extent the bill imposes additional duties on a local agency, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/13/2023</p>	<p>Senate Transportation</p> <p>3/28/2023 1:30 p.m. - 1021 O Street, Room 1200 SENATE TRANSPORTATION, GONZALEZ, LENA, Chair</p>	Watch
<p>SB 532 (Wiener D)</p> <p>Ballot measures: local taxes.</p>	<p>Existing law requires that the ballots used when voting upon a measure proposed by a local governing body or submitted to the voters as an initiative or referendum measure, including a measure authorizing the issuance of bonds or the incurrence of debt, have printed on them a true and impartial statement describing the purpose of the measure. If the proposed measure imposes a tax or raises the rate of a tax, existing law requires the ballot to include in the statement of the measure the amount of money to be raised annually and the rate and duration of the tax to be levied. This bill would exempt from this requirement a measure that imposes or increases a tax with more than one rate or authorizes the issuance of bonds. The bill would instead permit for these types of measures the statement of the measure to include the words “See voter guide for measure information statement.” This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/14/2023</p>	<p>Senate Gov. & F.</p>	Watch
<p>SB 537 (Becker D)</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 providing for the ability of the public to observe and provide comment. The act allows for meetings to occur</p>	<p>Senate Rules</p>	Watch

	through teleconference, subject to specified requirements. This bill would state the intent of the Legislature to enact subsequent legislation that expands local government’s access to hold public meetings through teleconferencing and remote access. Introduced: 2/14/2023		Item #8.o. 5/4/2023
SB 617 (Newman D) Public contracts: regional transportation agencies: design-build procurement.	Existing law authorizes a regional transportation agency to utilize the design-build method of procurement to design and construct projects on or adjacent to the state highway system, including related nonhighway portions of the project, based on either best value or lowest responsible bid. Existing law also authorizes a regional transportation agency to utilize the design-build method of procurement, based on either best value or lowest responsible bid, to design and construct projects on expressways that are not on the state highway system if the projects are developed pursuant to an expenditure plan, as specified. This bill would provide that the above-described authorizations to use design-build procurement also include authorization to use progressive design-build procurement, as defined. Introduced: 2/15/2023	Senate Transportation	Watch
SB 670 (Allen D) Transportation: vehicle miles traveled.	Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Existing law imposes various requirements related to transportation planning, including a requirement that certain transportation planning agencies prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires certain transportation planning programs and processes to, among other things, identify opportunities to reduce vehicle miles traveled or measure the impact of certain policies on vehicle miles traveled. This bill would require state and local transportation agencies to create a single model for vehicle miles traveled mapping to be used for transportation planning and funding. By imposing additional duties on local transportation agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Introduced: 2/16/2023	Senate Transportation	Watch
SB 747 (Caballero D) Surplus land: notice of exemption determination.	Existing law, commonly referred to as the Surplus Land Act, imposes specified requirements on a local agency before it disposes of its surplus land, and imposes specified enforcement and reporting duties on the Department of Housing and Community Development. Among those requirements on a local agency, existing law requires a written notice of availability for developing low- and moderate-income housing to be sent to certain local public entities and to housing sponsors that have notified the department of their interest in surplus land. Existing law exempts the disposal of certain surplus land from the requirements of the Surplus Land Act, and defines “exempt surplus land,” for purposes of the act. Existing law authorizes a local agency, on an annual basis, to declare multiple parcels as “surplus land” or “exempt surplus land,” for purposes of the act, as supported by written findings. Existing administrative law requires a local agency making a determination that property is exempt surplus land to provide a copy of the written determination, as specified, to the department at least 30 days before disposition. This bill would authorize a local	Senate Gov. & F.	Watch

	<p>agency to declare administratively that land is exempt surplus land if the declaration and findings are published and available for public comment, and the local public entities and housing sponsors described above are notified at least 30 days before the declaration takes effect. This bill contains other existing laws.</p> <p>Introduced: 2/17/2023</p>		<p>Item #8.o. 5/4/2023</p>
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Caltrain Federal Report February 2023 – March 2023

Administration Update

FTA to Pursue Transit Flexibility in FY 2024 Budget

- Recipients of transit formula dollars would be provided increased flexibility under [President Biden's FY 2024 budget request](#). The proposal would allow large transit agencies to utilize Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Program funds and flexed Federal-Aid Highway for operations and capital costs.
- The FTA announced this proposal while acknowledging ongoing pandemic-related difficulties that public transit operators have ensured. Federal officials hope this new flexibility will allow transit providers to target federal dollars to the most pressing needs, like operational costs.
- Despite the announcement, the Republican majority in the House may not accept the change. Upon the release of President Biden's FY 2024 budget request, Republican leadership was quick to condemn the request and the trillions of dollars in federal spending.

Secretary Buttigieg Calls for Increased Scrutiny of Rail Industry

- Following the train derailment in East Palestine, Ohio that resulted in toxic chemicals released into the environment, U.S. Department of Transportation (DOT) Secretary Pete Buttigieg called for increased scrutiny of the rail industry.
- Secretary Buttigieg called on Congress and the rail industry to increase rail safety. DOT also outlined new actions it would take after the derailment. Among the steps to be taken by the Biden administration are increased inspections and pursuing new rulemaking on railcar transportation.
- In its recommendations to the rail industry, and specifically to Norfolk Southern, the rail operator responsible for the derailment, DOT calls on industry to:
 - Join FRA's [Confidential Close Call Reporting Program](#) - allowing railroad workers to report unsafe events and conditions.
 - Deploy new inspection technologies
 - Require the owners of tank cars they operate to expedite the phase-in of safer (DOT 117) tank cars in advance of the Congressionally mandated 2029 deadline

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- Provide proactive advance notification to state emergency response teams when they are transporting hazardous gas tank cars through their states
- Provide paid sick leave to rail workers.

DOT Releases RFI on Equitable Transportation Community Explorer

- On February 17, DOT released a request for information (RFI) on its Equitable Transportation Community Explorer updates. The Equitable Transportation Community Explorer allows individuals to view the various disadvantages communities in the United States face.
- The tool is located online, and several search criteria can help identify communities suffering from environmental, economic, and other disadvantages. Given the Biden Administration's focus on funding projects in underserved communities, applicants to discretionary grant programs can use the online tool to focus their proposals on underserved communities.
- Interested parties may submit comments by March 18, 2023 through the [RFI portal](#) on the federal register.

Congressional Update

Senators Release Rail Safety Legislation

- Following the train derailment in East Palestine, Ohio, Sens. Sherrod Brown (D-OH), and JD Vance (R-OH), released legislation adding new safety regulations to the freight rail industry. This bipartisan legislation would make several changes to existing railway safety regulations and invest in recovery efforts after derailments.
- The bipartisan Railway Safety Act ([S. 576](#)) would require freight rail operators transporting hazardous substances to abide by new regulations. Under the bill, freight trains carrying high-hazard flammable materials would be subject to new inspections and increased requirements on the minimum amount of personnel required on a train. Operators would also be subject to larger fines if in violation of railway safety regulations.
- Upon the bill's introduction, Senate Majority Leader Chuck Schumer (D-N.Y.) vowed to pass the legislation in the Senate. However, House Republicans have been less enthusiastic about additional regulation for the rail industry and have tempered expectations for those hoping to pass the Railway Safety Act.

FTA Rail Vehicle Replacement Grant Program

- The Federal Transit Administration’s Rail Vehicle Replacement Grant Program will distribute \$600 million over two fiscal years in up to six project awards and makes funding available to help fund capital projects to replace rail rolling stock. The program is a set-aside of the State of Good Repair Formula Grants Program.
- Caltrain applied to this program on January 5, 2023 for three new, high-performance electric trains to replace diesel locomotive trains. Award announcements are expected in April 2023.

Round-Up of Open Grant Opportunities

- FRA [Corridor Identification and Development Grant Program](#). \$365 million available. All applications due by March 27, 2023.
- FTA [FY22 Federal-State Partnership for Intercity Passenger Rail Grant Program](#). \$2.2 billion available. All applications due by April 21, 2023.
- DHS [Fiscal Year \(FY\) 2023 Transit Security Grant Program \(TSGP\)](#). \$93 million available. All applications due by May 18, 2023.
- DOT [Charging and Fueling Infrastructure \(CFI\) Discretionary Grant Program](#). \$700 million available. All applications due by May 30, 2023.



March 10, 2023

TO: Caltrain Board of Directors

FM: Joshua W. Shaw, Matt Robinson & Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson & Bridget McGowan, Edelstein Gilbert Robson & Smith LLC

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

General Update

The bill introduction deadline was on February 17. By this date, over 2,600 bills were introduced. Many of these bills are “spot” or “intent” bills that do not yet have substantive language and are serving as placeholders until formal bill language is finalized. For these bills to move forward, they will need to be amended with substantive language before being heard in a policy committee.

On February 14, the Senate Rules Committee voted to establish the Senate Select Committee on Bay Area Public Transit. The committee will be comprised of Senators Scott Wiener (serving as Chair), Dodd, McGuire, Skinner, and Wahab. While the committee has not formalized its agenda, Senate staff have highlighted that the committee will highlight challenges and opportunities facing Bay Area transit agencies, including, but not limited to, decarbonization, regional coordination, and homelessness.

On February 27, the Assembly and Senate Transportation Committees held a joint hearing titled “Short Term Crisis and Long Term Transformation: How to Bring Back and Build Transit Ridership in California.” The committee and panels discussed both the challenges and paths to increasing ridership, including but not limited to increasing transit-oriented development, improving rider experience, integration among systems, restructuring transit funding models, and increasing state funding for transit operations in light of the fiscal cliff.

Bills with Recommended Action

AB 463 (Hart) - Public Transit Electricity Prioritization. This bill would require the California Public Utilities Commission (CPUC) to consider the impacts of stopping electrical service to the operation of public transit vehicles when establishing priorities for electrical services that provide public benefits. The bill was set for hearing in the Assembly Utilities and Energy Committee on March 22. *Recommend Support.*

Bills with Action Taken

ACA 1 (Aguiar – Curry) – Local Government Financing. Assemblymember Aguilar-Curry reintroduced ACA 1, which would reduce the voter-approval threshold from 2/3 to 55% for cities and counties to issue bonds or raise taxes for public infrastructure and affordable housing projects. Caltrain supported this measure in 2021. *Support.*

Legislation of Interest

AB 6 (Friedman) – Transportation Planning. AB 6 is an intent bill that declares the Legislature’s intent to require regional transportation agencies to prioritize and fund transportation projects (including those funded by a local sales tax measure) that contribute to the goals outlined in the region’s sustainable community strategy and the state’s climate goals.

AB 7 (Friedman) – Transportation Funding for Capacity Projects. Assemblymember Friedman introduced a second intent bill that states intent to eliminate single occupancy vehicle freeway projects and allow for capacity projects only for bus transit, rail and active transportation projects that significantly add safety and reduce congestion without interfering with existing maintenance and rehabilitation needs.

AB 96 (Kalra) – Local Public Transit Agencies: New Technologies. Assemblymember Kalra reintroduced a version of AB 2441 from last year, which was ultimately vetoed by the Governor. The bill imposes requirements on public transit employers relating to the introduction of new technologies that could eliminate job functions and requires public transit employers to provide 12 month notice to employee representatives prior to procuring, acquiring or deploying these technologies and subject this to collective bargaining, among other requirements. The bill is set for hearing in the Assembly Public Employment and Retirement Committee on March 22.

AB 557 (Hart) - Brown Act Teleconference Flexibilities. This bill would remove the sunset established in AB 361 (R. Rivas) as well as increase the time period when the Board must renew the findings of an emergency or need for social distancing from 30 days to 45 days.

AB 610 (Holden) - Free Youth Transit Passes. Assemblymember Holden reintroduced AB 1919 from last session that requires the creation of a Youth Free Transit Pass Pilot program. The bill is set to be heard in the Assembly Transportation Committee on March 13.

AB 817 (Pacheco - Open Meetings: Teleconferencing: Subsidiary Body. This bill would authorize a subsidiary body, defined as a body of a local agency that acts exclusively in an advisory capacity and is not authorized to take final action on legislation, regulations, contracts, or any other entitlements, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency.

Grants

Transit and Intercity Rail Capital Program – The Transit and Intercity Rail Capital Program (TIRCP) provides grants from the Greenhouse Gas Reduction Fund to fund transformative capital improvements that will modernize California’s intercity, commuter, and urban rail systems, and bus and ferry transit systems, to significantly reduce emissions of greenhouse gases, vehicle miles traveled, and congestion. Eligible projects include zero-emission vehicles and associated fueling or charging infrastructure of facility modifications.

Current Guidelines: Cycle 6 guidelines found [here](#)

Status: Grant funding awarded

Last year, the CTC [hosted workshops](#) for the three SB 1 programs it oversees – the Solutions for Congested Corridors Program (SCCP), Local Partnership Program (LPP), and the Trade Corridor Enhancement Program (TCEP). The CTC solicited applications for the next round of funding in Summer 2022 and will announce project awards in Summer 2023. As a reminder, in late-2020, the California Transportation Commission [awarded grants](#) for three SB 1 programs – the [Solutions for Congested Corridors Program](#), [Local Partnership Program](#), and the [Trade Corridor Enhancement Program](#).

Caltrans – Caltrans has released the FY 2023-24 Sustainable Transportation Planning Grant application guide and call for applications. The program has a total of \$84 million available for transportation planning projects statewide.

Current Guidelines: Guidelines can be found [here](#).

Status: Caltrain applied on March 9, 2023. Award announcement expected summer 2023.

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. The [2022 STIP](#), adopted in March 2022, includes \$796 million in new STIP funding capacity. Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

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.

Resolution No. 2023-

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

* * *

Recognizing Asian American & Pacific Islander Heritage Month

Whereas, the Peninsula Corridor Joint Powers Board pays tribute to the many contributions of generations of Asian-Americans and Pacific Islanders (AAPI) who have enriched the history of the United States; and

Whereas, the AAPI community helped develop our nation in countless ways, including those that are recognized, unrecognized, and unrecorded; and

Whereas, the month of May was selected for Asian-American/Pacific Islander Heritage Month because the first Japanese immigrants arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from Chinese immigrants; and

Whereas, a recent rider survey showed that the AAPI community make up 28% of Caltrain ridership; and

Whereas, the AAPI community is an inherently diverse population, comprised of more than 45 distinct ethnicities and more than 100 language dialects; and

Whereas, in July 2021, the JPB adopted a resolution in support of diversity, equity, inclusivity and anti-racism; and

Whereas, in the last few years, Caltrain held a panel and listening session on racism in Asian-American and African-American communities, and held a Diversity Day event that will be celebrated again this year on May 23; and

Now, therefore, be it resolved that the Peninsula Corridor Joint Powers Board does hereby recognize May as Asian-American & Pacific Islander Heritage Month and celebrate the immense contributions that Asian-Americans and Pacific Islanders have made in San Mateo County and the United States.

Regularly passed and adopted this 4th day of May, 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: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Award of Contract for Shuttle Services for the Bayshore Station Painting Project**

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

1. Award a single-source contract to Compass Transportation, a wholly owned subsidiary of Transdev of Lombard, IL (Compass) to provide Shuttle Services for the Bayshore Station Painting Project for total amount of \$475,000.
2. Authorize the Executive Director or designee to execute a contract in a form approved by legal counsel, and to take any other actions necessary to give effect to the agreement

Significance

The Bayshore Station Painting Project (Project) is in its final stages. Painting the tower portion of the overcrossing was a contract option. With receipt of favorable bids, the availability of additional Local Partnership Program funding, and the significant corrosion uncovered during the bridge work, the team elected to exercise this option. After extensive analysis of available options to implement the tower painting work using “safety first and always” and customer experience as our guiding principles, staff is recommending the shuttle service option for consideration. For context, both towers must be entirely encircled with scaffolding and wrapped with shrink wrap to facilitate abrasive blasting of the existing paint and the corroded areas. Because the existing paint contains lead, passengers cannot access the containment area during operations to remove the paint.

Staff have determined that the East and West Towers at the station must be closed for 90 days in order to complete the painting of the towers. Because of the requirement to close the Towers, there is need for the use of a shuttle to ferry passengers to access the platforms at the station until the completion of the project.

Board approval of this contract ensures continuous service for Caltrain passengers who use the Bayshore Station during this final phase of construction.

Budget Impact

The funds for the services provided by Compass are within the Board-approved budget of \$6,870,000 for the Project.

The Project was originally approved by the Board in FY2020 for \$2,300,000, funded by STA SOGR and San Francisco Prop K. Amendments in FY2022 increased the Project's budget by \$4,570,000, funded by STA SOGR and LPP funds, resulting in a total project budget of \$6,870,000.

Background

On April 7, 2022, the Board adopted a resolution awarding the contract for the Project to Top Line Engineers, Inc. of Hayward, California. The Project has reached the final phase of construction to complete corrosion repair and painting work at the East and West Towers. To support this work, both Towers will need to completely shut-down for ninety-days (90), which effectively closes the pedestrian overpass and prevents passengers from accessing the Southbound Platform. During this Tower closure, train service will continue both the Northbound and Southbound Platforms. Access to the Northbound Platform will remain unaffected. To ensure that passengers can access the Southbound Platform, a shuttle service will be provided to transport riders from the east side of the station adjacent to Tunnel Avenue to the Southbound Platform and vice versa utilizing local streets and across the private property adjacent to the Southbound Platform. An amendment to a construction easement agreement previously obtained for construction storage and access is being obtained to permit access by the shuttle service.

The closure of the East and West Towers will allow completion of a state of good repair project at the station and is required to enhance safety by physically separating construction work from passenger service, mitigate risk of PCEP delays, reduce field resources required to support the project, and minimize impacts to passenger service by providing shuttle services between platforms.

The work consists of the removal of existing lead containing paint by abrasive blasting, exposing and repair of corrosion damage to steel members, and application of three coats of a new paint system. All work must be performed within a temperature and moisture controlled plastic type containment system. The containment system is required to prevent lead paint residue from escaping during blasting, assist with application and curing of the new paint system in a timely manner, and to contain vapors released during and after application of the various paint layers. Unfortunately, due to the tight configuration of the towers there is not enough room to install the containment system and allow passengers to use the towers while the towers are being repainted.

To ensure continuous service for Caltrain passengers who use the Bayshore Station during this final phase of construction, staff contacted partner agencies SamTrans and SF Muni, and other third-party vendors such as Redi-Wheels for potential support to implement shuttle services between platforms. However, the partner agencies and third-party vendors were unable to support all the shuttle service needs due to staffing shortages. Staff contacted two other firms

that provide shuttle services; Compass has the capability and capacity to support 90 days of shuttle services in 2023. Therefore, staff requested a formal proposal from Compass.

Staff evaluated Compass' proposal and determined they have sufficient number of experienced drivers and fuel-efficient shuttles to meet the needs of Caltrain customers during the Bayshore East and West Tower closures. Compass is based in South San Francisco and has been a leading provider of commuter shuttle services in the San Francisco Bay Area since 1976. Compass transports 6,000 employees from Silicon Valley to San Francisco.

Staff conducted a price analysis of Compass' price proposal and determined that the price is fair and reasonable.

Prepared By:	Rob Barnard	Deputy Chief, Design and Construction	650.508.7783
	Alvin Piano	Project Manager	650.453.8099

Resolution No. 2023-

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

* * *

**Awarding a Contract to Compass for Shuttle Services for the Caltrain
Bayshore Station Painting Project for a Total Amount of \$475,000**

Whereas, on April 7, 2022, the Board of Director (Board) of the Peninsula Corridor Joint Powers Board adopted a resolution awarding the contract for the Bayshore Station Painting Project (Project) to Top Line Engineers, Inc. of Hayward, California; and

Whereas, to support the Project, both Towers will need to completely shut down for 90 days, thereby closing the pedestrian overpass and prevent passengers from accessing the Southbound Platform; and

Whereas, during the Towers closure, train operations will continue to provide service for both the Northbound and Southbound Platforms. Access to the Northbound Platform will remain unaffected. However, to ensure that passengers can access the Southbound Platform, a shuttle service will be provided to transport riders from the east side of the station adjacent to Tunnel Avenue to the Southbound Platform and vice versa utilizing local streets and across the private property adjacent to the Southbound Platform (Shuttle Services); and

Whereas, an amendment to a construction easement agreement previously obtained for construction storage and access is being obtained to permit access by the shuttles; and

Whereas, the closure of the East and West Towers will allow completion of a state of good repair project at the station, and is required to enhance safety by physically separating construction work from passenger service, mitigate risk of PCEP delays, reduce field resources

required to support the project, and minimize impacts to passenger service by providing Shuttle Services between platforms; and

Whereas, staff contacted partner agencies San Mateo County Transit District and San Francisco Municipal Transportation Agency, and other third-party vendors such as Redi-Wheels for potential support to implement the Shuttle Services for the Project. However, the partner agencies and third-party vendors were unable to support our needs due to staffing shortages; and

Whereas, staff contacted two other shuttle services firms. Only Compass Transportation, a wholly owned subsidiary of Transdev of Lombard, IL (Compass) has the capability and capacity to support 90 days of shuttle services in 2023. Therefore, staff requested a formal proposal from Compass; and

Whereas, staff evaluated Compass' proposal and determined they have sufficient number of experienced drivers and fuel-efficient shuttles to meet the needs of Caltrain customers during the Bayshore East and West Tower closures; and

Whereas, Compass is based in South San Francisco and has been a leading provider of commuter shuttle services in the San Francisco Bay Area since 1976. Compass transports 6,000 employees from Silicon Valley to San Francisco; and

Whereas, staff conducted a price analysis of Compass' price proposal and determined that the price is fair and reasonable;

Whereas, staff recommends the Board award a contract to Compass to provide Shuttle Services for the Project to support remaining construction activities for total amount of \$475,000.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a single-source contract to Compass Transportation, a subsidiary of Transdev to provide Shuttle Services for the Caltrain Bayshore Station Painting Project to support remaining construction activities for a total amount of \$475,000; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to execute the contract in a form approved by legal counsel; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to take any other actions necessary to give effect to the agreement.

Regularly passed and adopted this 4th day of May, 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: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Authorization to Increase the Contract Contingency from 10% to 30% for the Bayshore Station Painting Project**

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

1. Authorize an increase of the contract contingency from 10% to 30% of the Board awarded total amount of \$2,066,880 (from the contingency amount of \$206,888 to \$620,064) for the Bayshore Station Painting Project (Project) under Contract No. 20-J-C-079 with Top Line Engineers, Inc. of Hayward, California (Top Line).
2. Authorize the Executive Director or designee to take actions necessary to give effect to the agreement.

Significance

The Project is in its final stages. However, due to unforeseen circumstances, future work is required to remove existing paint and to make repairs via application of an epoxy or replacement of damaged angles and tubes, or major welding. Both towers must be entirely encircled with scaffolding and wrapped with shrink wrap to facilitate abrasive blasting of the existing paint and the corroded areas. Because of this additional work as well as weather and construction conditions over the course of the project, the project has been delayed and extra work must be added to the project. Board's approval of the increase to the contract contingency from 10% to 30% of the of the Board awarded total amount of \$2,066,880 for the Project will allow staff to address these unforeseen circumstances and to complete the Project.

Budget Impact

The Project was originally approved by the Board in FY2020 for \$2,300,000, funded by STA SOGR and San Francisco Prop K. Amendments in FY2022 increased the project's budget by \$4,570,000, funded by STA SOGR and LPP funds, resulting in a total project budget of \$6,870,000. The increase to the contingency amount will be covered by this approved project budget.

Background

On April 7, 2022, the Board adopted a resolution awarding the contract for the Project to Top Line. This Project involves repainting the Caltrain Bayshore Station in San Francisco, at the San Mateo County line. Built in 2002, the structural steel in the pedestrian overpass is showing signs of severe corrosion due to the age of the structure, and the salt air conditions due to the proximity to San Francisco Bay.

Top Line has completed the pedestrian bridgework. The option bid work to paint the East and West Towers has not been completed. Staff had relied upon the contingency authority granted to the Executive Director pursuant to the Board's award of the contract with Top Line to address the additional costs resulting from unforeseen circumstances and extra work. The authorized contingency of 10 percent of the awarded contract amount is nearly exhausted and staff anticipates change orders for additional work and unforeseen circumstances that will exceed the current contingency amount.

The remaining work at the Towers is as follows:

- Remove the existing coatings, surface preparation, and placement of the new coatings on all steel surfaces of the stairwells and elevator towers, which was originally bid as a Project option.
- Remove and replace wire mesh panels and existing bolts as needed.
- Construct a containment system to protect passengers from noise, dust, and debris from the surrounding surface preparation work and painting operations.

Based on these additional change orders, staff projected a need for the contingency total amount to be about \$612,000. 10% of the Board awarded amount of \$2,066,880 provides only \$206,888, while 30 percent of the awarded amount provides \$620,064.

The need for change order work stems from evidence of major corrosion to the structures. The final extent of corrosion and repair methods cannot be fully determined until all the areas have been exposed with abrasive blasting, grinding, and pneumatic chipping. Additionally, to perform the work in the towers, the entire stair towers must be encircled with scaffolding and wrapped with shrink wrap to facilitate abrasive blasting of the existing paint and the corroded areas. Initial tests performed indicate the presence of lead in the existing paint. Therefore, to meet all safety requirements, passengers cannot access the containment area during blasting operations.

Prepared By:	Rob Barnard	Deputy Chief, Design and Construction	650.508.7783
	Alvin Piano	Project Manager	650.453.8099

Resolution No. 2023-

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

* * *

**Authorizing a 30% Contract Contingency for Contract No. 20-J-C-079 with Top
Line Engineers, Inc. for the Bayshore Station Painting Project**

Whereas, on April 7, 2022, the Board of Director (Board) of the Peninsula Corridor Joint Powers Board (JPB) adopted a resolution awarding the contract for the Bayshore Station Painting Project (Project) to Top Line Engineers, Inc. of Hayward, California (Top Line). The Contractor has completed the pedestrian bridgework; and

Whereas, the Project has reached the final phase of construction to complete corrosion repair and painting work at the East and West Towers; and

Whereas, the work consists of the removal of existing lead containing paint by abrasive blasting, exposing and repair of corrosion damage to steel members, and application of three coats of a new paint system; and

Whereas, all work must be performed within a temperature and moisture controlled plastic type containment system. The containment system is required to prevent lead paint residue from escaping during blasting, assist with application and curing of the new paint system in a timely manner, and to contain vapors released during and after application of the various paint layers; and

Whereas, the Project is approaching its standard contingency authority amount of 10% (\$206,888) under the agency's contract 20-J-C-079 with Top Line. Based on future change orders to address major corrosion to the bridge and towers, staff is projecting approximately \$612,000 of contingency work to be added to the project; and

Whereas, these anticipated change orders are for extra work performed at the pedestrian bridge for which the contingency was used (\$52,000), to cover delay and risk costs for which the contingency was used (\$70,000); proposed extra work at the East and West towers (\$490,000). In particular, future work is required to remove existing paint to identify the extent of corrosion and to make repairs via application of an epoxy, or replacement of damaged angles and tubes, or major welding. Both towers must be entirely encircled with scaffolding and wrapped with shrink wrap to facilitate abrasive blasting of the existing paint and the corroded areas. Because the existing paint contains lead, passengers cannot access the containment area during operations to remove the paint; and

Whereas, Staff recommends the Board authorize an increase of the contract contingency from 10 percent to 30 percent (from \$206,888 to \$620,064) for the Project under Contract No. 20-J-C-079 with Top Line to account for projected change orders; and

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes an increase of the contract contingency from 10 percent to 30 percent of the Board approved total amount of \$2,066,880 (from the contingency amount of \$206,888 to \$620,064) for the Bayshore Station Painting Project under Contract No. 20-J-C-079 with Top Line Engineers, Inc.; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to take actions necessary to give effect to the agreement.

Regularly passed and adopted this 4th day of May, 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**AGENDA ITEM #
May 4, 2023**

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Board of Directors

THROUGH: Michelle Bouchard, Executive Director

FROM: Kate Jordan Steiner, Chief Financial Officer

SUBJECT: **Fiscal Year 2024 and Fiscal Year 2025 Preliminary Operating and Capital Budgets**

<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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ACTION

This report is submitted for informational purposes only. This item was presented at the Finance Committee on April 24th. The Peninsula Corridor Joint Powers Board (JPB) staff will obtain Board feedback, finalize discussions with funding partners and member agencies, make further refinements, and present a final budget proposal to the Finance Committee and Board of Directors for consideration and adoption at the June 2023 Board meeting.

SIGNIFICANCE

On February 2, 2023, the Board adopted a Biennial Budget Policy for JPB (Resolution 2023-13) which will allow JPB to focus on multi-year financial planning and long-term financial efforts. This is the first year JPB presents to the Board a biennial Preliminary Operating and Capital Budgets for FY2024 and FY2025.

Since the 1990's, JPB has been planning for the upgrade and electrification of the Caltrain corridor. After more than three decades, Caltrain's electrified service is expected to be fully operational in the fall 2024. Caltrain's electrification will provide timely service, enhanced amenities, fight climate change, and positively impact employment directly and indirectly.

While the electrified service is expected to improve ridership, Caltrain is still slowly recovering from the aftermath of the COVID-19 pandemic and the new remote work pattern that impacted public transit ridership significantly. Caltrain Fare Revenue is projected to have a recovery rate of approximately 45% of pre-pandemic levels in FY2024 and 50% in FY2025. Even

with the advent of Measure RR funds, the decline in ridership combined with the projected increase in operating expenses results in both short-term and long-term fiscal challenges.

Caltrain's suggested approach to the FY2024 and FY2025 Operating Budgets is to address the shortfall while attempting to maintain comparable current service levels. At the recent JPB Board Strategic Financial Plan Workshop held in April, Caltrain staff presented the following operating recommendations:

- Maintain comparable levels of existing service at 104 trains per day (tpd), including current off-peak service;
- Slowly increase to 128 tpd in the long-term based on future ridership, assuming FTA approves the service level plan;
- Do not change current fare prices until the next two-year budget cycle beginning in FY2026, and continue to study the fare prices, fare structure, and new fare products later this year;
- Fully dedicate Measure RR to the Operating Budget in the current two-year cycle;
- Use \$15 million of State Rail Assistance (SRA) and Low Carbon Transit Operations Program (LCTOP) for the Operating Budget;
- Apply up to \$60 million reimbursement of Measure RR funds for operations for the next two (2) fiscal years (as needed);
- Advance 4th train service to South County, to which efforts of costing the service is currently being performed; and
- Continue to strengthen regional partnerships to develop and participate in new funding sources.

The Preliminary Capital Budget has been greatly constrained but advances a range of priorities. Staff continues to work on sources of funding and refining the capital budget request to bridge the gap between available funds and needs.

FY2024 AND FY2025 PRELIMINARY OPERATING AND CAPITAL BUDGETS SUMMARY

FY2024 and FY2025 Preliminary Operating Budgets Overview

The FY2024 Preliminary Operating Budget is a balanced budget. The FY2025 Preliminary Operating Budget shows a deficit of \$38.1 million, before applying a portion of the \$60 million reimbursement of Measure RR funds for operations. The FY2024 and FY2025 Preliminary Operating Budgets take into account the policy to maintain an operating reserve level of 15% of the annual budget.

Preliminary Operating Budgets Summary (in millions)	FY2024 Prelim Operating Budget	FY2025 Prelim Operating Budget
	\$194.6	\$207.8
	(\$192.6)	(\$239.0)
	(\$2.0)	(\$7.0)
Projected Surplus/(Deficit)	\$0.0	(\$38.1)
Reimbursement of Measure RR Funds	\$0.0	\$38.1
Adjusted Net Surplus/(Deficit)	\$0.0	\$0.0

- The FY2024 and FY2025 Preliminary Operating Budgets assume gradual ridership recovery and reflects Caltrain electrified service being fully operational in the fall of 2024.
- Measure RR revenues are fully dedicated to operations amounting to \$118.4M in FY2024 and \$120.1M in FY2025, accounting for 63% and 60% of Total Revenues, respectively.
- There is a total of \$5.0M Low-Carbon Fuel Standard (LCFS) revenue beginning in FY2025 and resulting from electrification.
- Service level of 104 tpd is maintained, with 104 diesel tpd in FY2024 and beginning in FY2025 upon electrification in service, 92 electric tpd / 12 diesel tpd in FY2025.
- Assumes \$25.0M Overhead Catenary System (OCS) and Traction Power Systems (TPS) maintenance cost beginning in FY2025.
- Assumes \$19.5M in electric costs beginning in FY2025 with any electric costs prior to in service date capitalized as part of the PCEP project. Electricity cost is going to be a significant expense, which presents significant price risk, hence the need for a procurement plan.
- LCTOP, SRA, and Measure RR reimbursement are used to help balance the Operating Budgets in 2024 and 2025.
- Operating Reserve of 15% of the annual budgets are maintained for FY2024 and FY2025.

Changes to the FY2024 and FY2025 Preliminary Operating Budgets from the Board Workshop

Preliminary Operating Budgets Summary (in millions)	FY2024 Board Workshop	FY2024 Prelim Operating Budget	Change	FY2025 Board Workshop	FY2025 Prelim Operating Budget	Change
Total Revenue	\$196.4	\$194.6	(\$1.7)	\$202.5	\$207.8	\$5.3
Total Expense	\$198.1	\$192.6	(\$5.4)	\$236.4	\$239.0	\$2.6
Contribution to Reserve	\$0.0	\$2.0	\$2.0	\$0.0	\$7.0	\$7.0
Projected Surplus/(Deficit)	(\$1.7)	\$0.0	\$1.7	(\$33.9)	(\$38.1)	(\$4.2)
Reimbursement of Measure RR Funds	\$1.7	\$0.0	(\$1.7)	\$33.9	\$38.1	\$4.2
Adjusted Net Surplus/(Deficit)	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0

Individual Revenue and Expense Changes from the Board Workshop include the following:

REVENUES	FY2024 (in \$000)	FY2025 (in \$000)
Parking	-	(\$161) refined projections
Other/Interest Income	\$3,711 Interest Income increased to include the anticipated TIRCP grant that will be received throughout FY2024	\$3,961 Interest Income increased to include the anticipated TIRCP grant that will be received throughout FY2024
Measure RR	(\$1,100) based on updated forecasts	(\$700) based on updated forecasts
State Contribution - Operations	(\$4,327) reduced LCTOP from \$5M to \$2.4M per updated grant estimate; reduced SRA from \$6.6M to \$4.8M, a level needed to balance the budget	\$2,201 added LCTOP of \$1.0M per updated grant estimate; added the unused SRA from FY24 of \$1.2M
TOTAL REVENUES	(\$1,716)	\$5,301

EXPENSES	FY2024 (in \$000)	FY2025 (in \$000)
Rail Operator	(\$1,515) additional savings per negotiations with TASI	(\$1,611) lower FY2025 estimate per additional savings in FY2024
Fuel and Lubricants	(\$518) lower fuel price/gallon, incorporating fuel hedge	(\$310) lower fuel price/gallon
Facilities and Equipment Maintenance	\$108 updated requests	\$905 updated requests; added contracted service for Wireless Service Maintenance
Electricity	(\$3,793) removed from operating and moved to PCEP project (testing)	-
Wages and Benefits	\$1,498 Final Retirement Medical and CalPERS cost	\$3,845 Final Retirement Medical and CalPERS cost and increase in FTEs
Professional Services	(\$291) refined estimates for Consultants	(\$464) refined estimates for Consultants
Other Office Expenses and Services	(\$697) reduction in Business Travel, Seminar/ Training, and Recruitment Costs	\$228 Recruitment Costs from FY2024 now spread over 2 years impacting FY2025
Governance	(\$225) reduced Legal and Consultant services	-
TOTAL EXPENSES	(\$5,433)	\$2,594

Transfers to Operating Reserve	\$2,016 contribution needed to meet operating reserve level of 15%	\$6,957 contribution needed to meet operating reserve level of 15%
NET ANNUAL SURPLUS/(DEFICIT)	\$1,701	(\$4,249)

FY2024 and FY2025 Preliminary Capital Budgets Overview

The initial budget was comprised of planning and projects totaling \$500.7 million for FY2024 and \$148.0 million for FY2025. Efforts to refine the initial requests were made, resulting in the current FY2024 and FY2025 Preliminary Capital Budgets of \$490.6 million and \$142.9 million, respectively. With the current funding sources identified, the FY2024 and FY2025 Preliminary Capital Budgets reflect a deficit of \$102.4 million in FY2024 and \$64.9 million in FY2025.

Preliminary Capital Budgets Summary (in millions)	FY2024 Prelim Capital Budget	FY2025 Prelim Capital Budget	Total Prelim Capital Budget
Total Capital Budget Requests	\$490.6	\$142.9	\$633.5
Less: Externally-Funded Projects	(\$125.5)	(\$47.3)	(\$172.8)
Net Capital Budget Requests	\$365.1	\$95.6	\$460.7

Net Funding Sources	\$262.8	\$30.7	\$293.4
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Capital Budget Deficit	(\$102.4)	(\$64.9)	(\$167.2)
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- The FY2024 and FY2025 Preliminary Capital Budgets have been greatly constrained which advances a range of priorities.
- The FY2024 and FY2025 Preliminary Capital Budgets of \$490.6 million and \$142.9 million include Externally-Funded Projects of \$125.5 million and \$47.3 million, respectively. Externally-Funded Projects are capital projects agreed to be fully-funded by third parties.
- Net Funding Sources amounting to \$262.8 million in FY2024 and \$30.7 million in FY2025 have been identified, leaving a Capital Budget deficit of \$102.4 million for FY2024 and \$64.9 million in FY2025.

The FY2024 and FY2025 Preliminary Capital Budgets remain unbalanced. The next steps for staff are:

- Continue to work with partners on their obligations; and
- Prioritize capital projects to match available funding.

FY2024 AND FY2025 PRELIMINARY OPERATING BUDGETS DETAILS

Please refer to Attachment A – FY2024 and FY2025 Preliminary JPB Financial Statement-Preliminary Budget for a comparative schedule of the FY2024 and FY2025 Preliminary Operating Budgets which shows the FY2022 Actual, FY2023 Forecast, the FY2024 Preliminary Operating Budget, and the FY2025 Preliminary Operating Budget. The line numbers for each revenue and expense item detailed below refer to the corresponding line numbers on Attachment A.

Revenue Projections

Total revenues for FY2024 are projected at \$187.4 million, an increase of \$5.7 million or 3.1% higher than the FY2023 Forecast:

- Revenue from Operations for FY2024 is projected at \$56.2 million, an increase of \$5.1 million or 10.0% over the FY2023 Forecast.

- Revenue from Contributions for FY2024 is projected at \$131.2 million, an increase of \$0.6 million or 0.4% higher than the FY2023 Forecast.

Total revenues for FY2025 are projected at \$199.4 million, an increase of \$12.1 million or 6.4% more than the FY2024 Preliminary Budget:

- Revenue from Operations for FY2025 is projected at \$63.7 million, an increase of \$7.5 million or 13.3% higher than the FY2024 Preliminary Budget.
- Revenue from Contributions for FY2025 is projected at \$135.8 million, an increase of \$4.6 million or 3.5% higher than the FY2024 Preliminary Budget.

OPERATING REVENUE

Line 1 **Caltrain Fares:** \$29.9 million in FY2024, an increase of \$2.9 million or 10.9% higher than the FY2023 forecast; and \$35.9 million in FY2025, an increase of \$6.0 million or 20.0% higher than the FY2024 Preliminary Budget.

Caltrain Fares includes fare receipts collected directly from rail passengers.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25
Caltrain Fares	17,899,182	27,000,000	29,936,000	2,936,000	10.9%	35,923,200	5,987,201	20.0%

Caltrain Fares assumes a 45% recovery of pre-COVID levels in FY2024, with a provision for service interruptions to support the Peninsula Corridor Electrification Project (PCEP) work. In FY2025, a 20% growth over FY2024 was applied.

Line 2 **Go Pass:** \$16.8 million in FY2024, a decrease of \$0.2 million or 1.4% lower than the FY2023 forecast; and \$18.4 million in FY2025, an increase of \$1.7 million or 10% higher than the FY2024 Preliminary Budget.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25
Go Pass	15,337,175	17,000,000	16,764,000	(236,000)	-1.4%	18,440,400	1,676,400	10.0%

Go Pass includes revenue receipts collected through the Go Pass program. Caltrain Go Pass program allows companies, educational institutions, and residential complexes (Participants) to purchase annual unlimited ride passes for eligible employees, students, or residents (Users). It is not available for purchase by individuals and does not cover parking at Caltrain stations or travel through other transit systems. In addition, Go Pass is sold on a calendar year basis.

Go Pass for FY2024 reflects a 5% growth over customer sign-ups for calendar year 2023. With continued sign ups and renewals, FY2025 assumes a 10% growth over FY2024.

Line 3 **Parking Revenue:** \$1.9 million in FY2024, \$0.1 million or 6.0% higher than the FY2023 forecast; and \$2.2 million in FY2025, an increase of \$0.3 million or 16.4% higher than the FY2024 Preliminary Budget.

Parking revenue includes fees at parking lots located in various passenger stations, with the largest being at the SAP Center adjacent to the San Jose Diridon station.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Parking Revenue	1,352,869	1,797,505	1,905,015	107,510	6.0%	2,217,633	312,618	16.4%

Parking revenue estimates follow total fare revenue trend projections. It is assumed at 4% of total Caltrain Fares and Go Pass revenues.

Line 4 **Shuttle Revenue:** \$0 in FY2024 and FY2025, no change from the FY2023 forecast.

Shuttle Program funding comes from participating employers, the San Mateo County Transportation Authority (TA), and the Bay Area Air Quality Management District (BAAQMD). This line item refers only to the revenue generated from participating local employers who provide rail passengers the last-mile connections between Caltrain stations and work sites.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Employer Share- SAMTR/JPB Shutte Programs	1,152,152	-	-	-	0.0%	-	-	0.0%

In FY2023, shuttle service contracts were consolidated under the San Mateo County Transit District (SamTrans). Therefore, there is no employer revenue for JPB as it will no longer provide contracted shuttle services.

Line 5 **Rental Income:** \$1.0 million in FY2024, a decrease of \$0.2 million or 16.9% lower than the FY2023 forecast; and \$1.1 million in FY2025, an increase of \$0.03 million or 3.0% higher than the FY2024 Preliminary Budget.

Rental income is derived from contract arrangements and lease negotiations for third-party use of properties owned by the JPB along the Caltrain Right of Way (ROW).

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Rental Income	1,237,117	1,235,357	1,026,489	(208,868)	-16.9%	1,057,284	30,795	3.0%

Rental revenues are decreasing in FY2024 due to expired contracts and increasing in FY2025 due to inflation.

Line 6 **Other Income:** \$6.5 million in FY2024, an increase of \$2.5 million or 61.7% higher than the FY2023 forecast; and \$6.0 million in FY2025, a decrease of \$0.5 million or 8.0% lower than the FY2024 Preliminary Budget.

Other Income consists of shared track usage maintenance fees, permit fees, advertising income, interest on invested funds, and parking citation fees. Shared Track Maintenance Revenue is generated from the annual contract with Union Pacific Railroad (UPRR). Advertising Income includes income from train wraps, station ad cards, and digital displays. Construction permit fees from 3rd party contractors belong to the Other Non-Transit Revenue.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Advertising Income	412,430	842,000	541,845	(300,155)	-35.6%	-	(541,845)	-100.0%
Insurance Reimbursements	218,878	20,365	-	(20,365)	-100.0%	-	-	0.0%
Interest Income	53,217	2,157,415	4,825,816	2,668,401	123.7%	4,825,816	-	0.0%
Misc. Operating Revenue	604,431	211,356	218,217	6,861	3.2%	218,217	-	0.0%
Other Non-Transit Revenues	786,837	236,249	288,131	51,882	22.0%	288,131	-	0.0%
Parking Citation Program Revenue	273,447	240,424	287,484	47,060	19.6%	296,109	8,625	3.0%
Shared Track Maintenance Revenue	452,553	336,510	379,767	43,257	12.9%	391,160	11,393	3.0%
Other Income	2,801,792	4,044,319	6,541,260	2,496,941	61.7%	6,019,433	(521,827)	-8.0%

The increase in FY2024 is driven by the Interest Income which is 123.7% over the FY23 forecast. This is due to the \$367.0 million Transit and Intercity Rail Capital Program (TIRCP) grant funds anticipated to be received throughout FY2024. It must be noted, however, that the exact timing and duration of the receipt of said grant funds may differ which may therefore create variations in actuals. The decrease in FY2025 is brought about by reduced Advertising Income due to expired contract.

CONTRIBUTIONS

Line 10 **AB434 & TA Shuttle Funding:** \$0 in FY2024, a decrease of \$0.04 million or 100.0% lower than the FY2023 forecast; \$0 in FY2025, no change from FY2024 Preliminary Budget

Contributions for the service come from state and local sources. In 1991, through Assembly Bill (AB) 434, the State Legislature authorized a \$4.00 surcharge on cars and trucks to fund projects that reduce on-road motor vehicle emissions. AB434 revenues provide partial funding for the JPB shuttle program through a competitive grant process managed by BAAQMD. The TA also funds shuttle services with revenues from the Measure A San Mateo County-wide sales tax.

Description	FY2022	FY2023 PRELIMINARY	FY2024	\$ Change	% Change	FY2025	\$ Change	% Change
	ACTUAL	FORECAST	BUDGET	FY24 Preliminary	FY24 Preliminary	BUDGET	FY25 Preliminary	FY25 Preliminary
AB434 Peninsula & TA Shuttle Funding	743,472	40,000	-	(40,000)	-100%	-	-	0%

In FY2023, shuttle service contracts were consolidated under SamTrans and grant administration is now done by commute.org.

Line 11 **Operating Grants (STA)**: \$12.8 million in FY2024, an increase of \$1.5 million or 13.4% higher than the FY2023 forecast; and \$10.7 million in FY2025, a decrease of \$2.1 million or \$16.5% lower than the FY2024 Preliminary Budget

State Transit Assistance (STA) revenue generated from the statewide sales tax on diesel fuel is allocated to the region’s transit operators by formula. The formula allocates funds based on population, the amount of passenger fares, and local support revenues collected by transit operators. The State sends out projections assuming a growth rate and adjusts these throughout the year.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Operating Grants	10,041,955	11,288,161	12,800,936	1,512,775	13.4%	10,687,973	(2,112,963)	-16.5%

This FY2024 budget is based on MTC estimates as of February 2023 which includes a carryforward from prior years in the amount of \$2.1 million. The FY2025 budget estimate does not include any carryforward.

Line 12 **Measure RR**: \$118.4 million in FY2024, a decrease of \$0.9 million or 0.7% lower than the FY2023 forecast; and \$120.1 million in FY2025, an increase of \$1.7 million or 1.4% higher than the FY2024 Preliminary Budget.

Measure RR is a 1/8 cent sales tax approved in November 2020 that provides Caltrain’s first source of dedicated non-fare revenues.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Measure RR	97,296,566	119,292,000	118,400,000	(892,000)	-0.7%	120,100,000	1,700,000	1.4%

Measure RR is projected to have a minor decrease in FY2024 and a modest increase in FY2025. Projections are based on HDL estimates reflective of continued consumer spending that is more conservative due to inflation.

Measure RR is collected in the counties of San Mateo, Santa Clara, and San Francisco. Average percentage of Measure RR sales tax collected from the three (3) counties are as follows: San Mateo (24%), Santa Clara (54%), and San Francisco (22%).

Line 13 **ARPA**: \$0 in FY2024 and FY2025, no change from the FY2023 forecast.

American Rescue Plan Act (ARPA) funding was provided by the federal government to transit agencies to help mitigate the impact of the Covid-19 pandemic and aid in recovery.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
ARPA	115,995,904	-	-	-	0%	-	-	0%

The total amount of ARPA funds reflected in FY2022 was \$116.0 million, received as two separate awards: \$77.2 million and \$38.8 million. No ARPA funds are anticipated for FY2024 and FY2025, hence projected at \$0.

Line 14 **LCFS, LCTOP, SRA**: \$7.3 million in FY2024, an increase of 100% over the FY2023 forecast; and \$13.4 million in FY2025, an increase of \$6.1 million or 84.3% higher than the FY2024 Preliminary Budget.

This line item is comprised of grant funding from the following programs: Low Carbon Fuel Standard (LCFS), Low Carbon Transit Operations Program (LCTOP), and State Rail Assistance (SRA).

LCFS is a program to encourage the use of cleaner low-carbon transportation fuels in California. LCFS is a market-based compliance measure that creates economic value from low-carbon and renewable fuel technologies. The LCFS program works as a market system where users and producers of clean energy, including electric vehicle fleets, earn credits through their emission reductions, while emitters purchase those credits to offset their

carbon footprint. With electrification in FY2025, the switch from diesel to electric trains will earn Caltrain LCFS credits estimated at a value of \$5.0 million.

LCTOP is administered by the California Department of Transportation (Caltrans), in coordination with the California Air Resources Board (CARB) and the State Controller’s Office (SCO). The LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility. Staff recommends allocation of LCTOP for operating needs in FY2024 for \$2.4 million, and in FY2025 for \$1.0 million.

The State Rail Assistance (SRA) was created to provide capital and operating support for intercity and commuter rail programs. The SRA program is administered by the California State Transportation Agency, with funding managed by the Department of Tax and Fee Administration and the Department of Finance. The funding is received through the revenue obtained from 0.5% sales and use tax on diesel fuel from the State. Caltrain is currently projecting a total of \$12.2 million of SRA funding available in FY2024 and FY2025. Staff recommends utilizing \$4.8 million of SRA allocation for operating needs in FY2024 and \$7.4 million of SRA allocation for operating needs in FY2025.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
LCFS	-	-	-	-	0.0%	5,000,000	5,000,000	100.0%
LCTOP	-	-	2,442,976	2,442,976	100.0%	1,030,766	(1,412,210)	-57.8%
SRA	-	-	4,829,901	4,829,901	100.0%	7,370,099	2,540,198	52.6%
LCFS, LCTOP, SRA	-	-	7,272,877	7,272,877	100.0%	13,400,865	6,127,988	84.3%

Expense Projections

Grand Total Expense for FY2024 projected at \$192.6 million, an increase of \$12.5 million or 7.0% over the FY2023 Forecast:

- Operating Expense for FY2024 projected at \$152.8 million, an increase of \$6.6 million or 4.5% over the FY2023 Forecast.
- Administrative Expense for FY2024 projected at \$36.2 million, an increase of \$6.3 million or 21.2% over the FY2023 Forecast.
- Long-term Debt Expense for FY2024 projected at \$3.5 million.

Grand Total Expense for FY2025 projected at \$239.0 million, an increase of \$46.4 million or 24.1% over the FY2024 Preliminary Budget:

- Operating Expense for FY2025 projected at \$190.2 million, an increase of \$37.5 million or 24.5% over the FY2024 Preliminary Budget.

- Administrative Expense for FY2025 projected at \$41.0 million, an increase of \$4.8 million or 13.4% over the FY2024 Preliminary Budget.
- Long-term Debt Expense for FY2025 projected at \$7.8 million.

OPERATING EXPENSE

Line 21 **Rail Operator Service:** \$104.9 million in FY2024, an increase of \$6.6 million or 6.7% higher than the FY2023 forecast; and \$105.9 million in FY2025, an increase of \$1.0 million or 1.0% higher than the FY2024 Preliminary Budget.

The JPB contracts out for rail operation service with TransitAmerica Services, Inc. (TASI). TASI provides all the operations, maintenance, and support services in the following areas: Administration/Safety, Operations and Dispatch, Maintenance of Equipment, Maintenance of Track, Communications, Signals and Stations, Capital Construction Support and State of Good Repair (SOGR) maintenance. TASI is paid on a cost-plus-performance-fee contract structure.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Rail Operator Service	93,808,976	98,257,758	104,889,704	6,631,946	6.7%	105,901,543	1,011,839	1.0%

FY2024 budget assumes a service level of 104 trains per weekday. There have been increases in labor costs, fixed and variable overhead costs, and management costs.

FY2025 budget assumes a service level aligned with Caltrain’s electrification, with 104 trains per weekday (92 electric and 12 diesel). The increase in FY2025 is due to the higher variable performance and overhead costs resulting from the \$25.0 million OCS/TPS maintenance component.

Line 22 **OCS/TPS Maintenance:** \$0 in FY2024; and \$25.0M in FY2025, an increase of \$25.0 million or 100% higher than the FY2024 Preliminary Budget.

The Overhead Catenary System (OCS) and Traction Power System (TPS) Maintenance is a new line item related to the electrification of Caltrain’s service in FY2025. This item covers the maintenance of the overhead wires that supply electricity to the trains and the network that serves as an electricity grid for the supply of electrified rail networks. This also includes the personnel that control the power provision in the central control facility.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
OCS/TPS Maintenance	-	-	-	-	0%	25,000,000	25,000,000	100%

Line 23 **Security Services:** \$8.3 million in FY2024, an increase of \$0.3 million or 3.2% higher than the FY2023 forecast; and \$8.6 million in FY2025, an increase of \$0.3 million or 3.4% higher than the FY2024 Preliminary Budget.

Security services are provided through a law enforcement contract, a communications services contract with the San Mateo County Sheriff’s Office (SMCSO), and a building security guard contract. The SMCSO contract supports Rail operations.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Security Service	7,391,809	8,028,807	8,286,045	257,238	3.2%	8,571,693	285,648	3.4%

FY2024 and FY2025 Security Services budgets reflect the projected annual contractual increases and overtime estimates.

Line 24 **Shuttle Services:** \$0.1 million in FY2024, a decrease of \$0.04 million or 34.2% lower than the FY2023 forecast; and \$0.1 million in FY2025, no change from the FY2024 Preliminary Budget.

The Shuttle program provides last-mile connections for Caltrain passengers.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Shuttle Service	1,938,640	121,600	80,000	(41,600)	-34.2%	80,000	-	0.0%

This budget reduction reflects the consolidation of shuttle contracts under SamTrans. It represents Caltrain’s 25% share of the operating and marketing expenses, administrative fee, and fuel surcharges associated with the remaining shuttle grant commitments for Bayshore/Brisbane and Millbrae/Broadway routes.

Line 25 **Fuel and Lubricants:** \$15.2 million in FY2024, a decrease of \$2.3 million or 13.3% lower than the FY2023 forecast; and \$5.1 million in FY2025, a decrease of \$10.1 million or 66.7% lower than the FY2024 Preliminary Budget.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Fuel and Lubricant:	13,491,343	17,539,232	15,211,316	(2,327,916)	-13.3%	5,069,083	(10,142,233)	-66.7%

	FY23 Adopted Budget	FY24 Preliminary Budget	FY25 Preliminary Budget
Hedged %	65%	89%	0%
Price Per Gallon	\$2.96	\$2.70	N/A
Unhedged %	35%	11%	100%
Price Per Gallon	\$3.41	\$2.59	\$2.51
Fuel Consumption (No. of Gallons)	4,551,803	4,490,072	1,588,595
Fuel Cost	14,183,476	12,078,293	3,987,375
Fuel Hedge Realized Savings	(500,000)		
Taxes	3,855,756	3,133,023	1,081,707
Total	17,539,232	15,211,316	5,069,082

This line item covers the cost of diesel fuel for JPB locomotive operations, including the associated taxes and fees. The FY2024 fuel budget assumes 104-diesel train service per weekday with a fuel consumption of 4.5 million gallons at \$2.69 per gallon. It also assumes that 89% of the fuel portfolio is hedged at \$2.70 per gallon and 11% is unhedged at \$2.59 per gallon. In FY2025, with Caltrain’s electrified service, the budget assumes 12-diesel train service per weekday with a fuel consumption of 1.6 million gallons at \$2.51 per gallon. No hedges are assumed in FY2025.

Line 26 **Electricity**: \$0.0 in FY2024; and \$19.5 million in FY2025, an increase of \$19.5 million or 100.0% higher than the FY2024 Preliminary Budget.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Electricity	-	-	-	-	0.0%	19,495,155	19,495,155	100.0%

In FY2025, with Caltrain’s electrified service, the budget assumes 92-electric train service per weekday with a projected electricity consumption of 90,268,417 kWh at \$0.2160 per kWh. This consumption includes revenue and non-revenue mileage, and static testing.

Line 27 **Timetables and Tickets**: \$0.1 million in FY2024, a decrease of \$0.04 million or 29.8%

lower than the FY2023 forecast; and \$0.1 million in FY2025, no change from the FY2024 Preliminary Budget.

Timetables and Tickets includes the cost of designing, updating, and printing of timetables, schedules, maps, and Caltrain tickets.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		Preliminary to FY24	Preliminary to FY24
Timetables and Tickets	17,140	135,350	95,000	(40,350)	-29.8%	95,000	-	0.0%

The reduction in FY2024 reflects a repurpose of \$0.04 million in funding to Professional Services to analyze tickets and passes.

Line 28 Insurance: \$10.2 million in FY2024, an increase of \$0.9 million or 10.0% higher than the FY2023 forecast; and \$11.3 million in FY2025, an increase of \$1.0 million or 10.0% higher than the FY2024 Preliminary Budget.

The Insurance budget includes premiums, deductibles, adjuster fees, broker fees, and other insurance costs. Rates reflect costs for property, casualty, and liability insurance.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		Preliminary to FY24	Preliminary to FY24
Insurance	5,513,835	9,299,730	10,229,703	929,973	10.0%	11,252,673	1,022,970	10.0%

FY2024 and FY2025 budgets reflect a 10% historical increase in premiums.

Line 29 Claims, Payments, and Reserves: \$1.3 million in FY2024, a decrease of \$0.02 million or 1.3% lower than FY2023 forecast; and \$1.3 million in FY2025, no change from the FY2024 Preliminary Budget.

This budget item covers the cost of claims, reserves and payments, and the associated legal fees.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		Preliminary to FY24	Preliminary to FY24
Claims Reserves & Payment	634,024	1,336,926	1,320,000	(16,926)	-1.3%	1,320,000	-	0.0%

FY2023 forecast was adjusted to reflect potential claims based on incidents that transpired in said fiscal year. FY2024 and FY2025 budget retained the usual level of reserves.

Line 30 **Facilities and Equipment Maintenance:** \$8.2 million in FY2024, an increase of \$1.1 million or 15.0% higher than the FY2023 forecast; and \$9.0 million in FY2025, an increase of \$0.8 million or 9.8% higher than the FY2024 Preliminary Budget.

This budget item covers expenses related to Clipper Operator charges, revenue collection services, ticket vending machines, data line services and other contract services.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Facilities and Equipment Maintenance	6,004,843	7,107,788	8,171,766	1,063,978	15.0%	8,969,666	797,900	9.8%

The increase in FY2024 is driven by higher Clipper Operator charges, new contract with Brinks, Bike Station costs, and increased cost for contracted services related to public relations, sales tax consultants, citation/fine enforcement and train management system. The increase in FY2025 is due to contracted services related to wireless internet maintenance.

Line 31 **Utilities:** \$2.7 million in FY2024, an increase of \$0.1 million or 3.5% higher than the FY2023 forecast; and \$2.7 million in FY2025, no change from the FY2024 Preliminary Budget.

This item covers the cost of gas & electric, telephone, water & sewer, and trash. It also includes utility costs of Positive Train Control (PTC) maintenance such as data circuits, radio license fees, and spectrum lease.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Utilities	2,541,458	2,617,600	2,708,900	91,300	3.5%	2,708,900	-	0.0%

The increase is due to higher gas, electricity, and water & sewer utility costs.

Line 32 **Maintenance & Services – Building & Other:** \$1.8 million in FY2024, an increase of \$0.03 million or 1.7% higher than the FY2023 forecast; and \$1.8 million in FY2025, a decrease of \$5.0 thousand or 0.3% lower than the FY2024 Preliminary Budget

This item covers the cost of building maintenance services, printing and information services, and repair and maintenance of computers and office equipment.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	\$ Change	% Change	
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast	FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary	
Maintenance & Services - Bldg & Oth	1,372,866	1,754,100	1,784,600	30,500	1.7%	1,779,600	(5,000)	-0.3%

The increase in FY2024 is driven by higher building maintenance service costs related to the BART agreement, and printing and information services due to the implementation of a new safety program.

ADMINISTRATIVE EXPENSE

Line 36 **Wages & Benefits:** \$18.4 million in FY2024, an increase of \$4.9 million or 36.0% higher than the FY2023 forecast; and \$21.3 million in FY2025, an increase of \$2.8 million or 15.5% from the FY2024 Preliminary Budget

The San Mateo County Transit District serves as the managing agency for the JPB. FY2024 Wages & Benefits reflects staffing costs for an anticipated 92.9 FTEs for the operating budget which includes 82.0 existing FTEs and 10.9 new FTEs. FY2025 Wages & Benefits reflects staffing costs for an anticipated 108.4 FTEs for the operating budget which includes 107.6 existing FTEs and 0.8 new FTEs. The projected new FTEs are related to Planning, Electrification, and Safety and System Engineering Support functions.

Divisions	FY2024		FY2025	
	Existing FTE	New FTE	Existing FTE	New FTE
Bus	1.2	-	1.2	-
CalMod	-	-	-	-
Communication	24.5	-	24.5	-
Executive	0.9	-	0.9	-
Finance	9.4	1.1	10.5	-
IT	-	-	-	-
People & Culture Group	0.5	1.4	2.5	-
Planning	2.3	-	2.3	-
Rail	39.3	7.4	59.8	0.8
Safety	4.0	1.0	6.0	-
Total Operating FTE	82.0	10.9	107.6	0.8

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	\$ Change	% Change	
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast	FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary	
Wages & Benefits	10,610,123	13,532,311	18,404,846	4,872,535	36.0%	21,251,697	2,846,851	15.5%

The FY2024 budget assumes a universal wage increase for represented and non-represented employees and an increase in fringe benefits. However, no increase was applied for FY2025 as the current SamTrans collective bargaining agreements expire in June and September 2024, respectively. Vacancy savings have been assumed based on hiring dates and projected attrition. The budget also reflects JPB’s share of the total CalPERS ER Funded Cost and the Total Retiree Medical.

Line 37 **Managing Agency Admin OH Cost:** \$3.6 million in FY2024 and FY2025, no change from the FY2023 forecast.

Managing Agency Administrative Overhead (OH) Cost reflects the cost of District personnel dedicated to the Caltrain business (as opposed to Caltrain operations).

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	FY24		FY25	
				\$ Change to FY23 Forecast	% Change to FY23 Forecast	\$ Change to FY24 Preliminary	% Change to FY24 Preliminary
Managing Agency Admin OH Cos	3,923,397	3,565,453	3,565,453	-	0.0%	3,565,453	- 0.0%

The Indirect Cost Allocation Plan (ICAP) calculates the indirect cost rate used to recover overhead costs related to agency indirect administrative overhead and capital projects. The District procured the assistance of an outside consulting firm to develop a methodology that equitably allocates the costs incurred by the District for services and functions shared by the different agencies administered by District staff. The consultant team is selected for its experience and knowledge in developing allocation methodologies for governmental and public entities.

The ICAP is prepared in accordance with the principles and guidelines set forth in the Office of Management and Budget (OMB) Circular A-87 “Cost Principles for State, Local and Indian Tribal Governments” and ASMB C-10 “Cost Principles and Procedures for Developing Cost Allocation Plans and Indirect Cost Rates for Agreements with the Federal Government.”

The ICAP calculates two components:

- Agency Indirect Administration (AIA) – a pool of costs that cannot be directly attributed to a specific agency.
This consists of labor and non-labor support functions that benefit each of the four agencies managed or supported by the District. Examples include the time charged by the Payroll Department to process the biweekly payroll or the time charged by the Human Resource Department to post recruitments on industry websites. Based on specific statistics, these costs are distributed to each department. For example, the payroll department costs are distributed to each department based on the number of FTEs. The District incurs all of the AIA costs and then recovers appropriate shares of the costs from the District’s Operating and Capital budgets, the JPB Operating and Capital budgets, the TA budget and the SMCELJPA budget.

- Capital Overhead – a pool of project support costs that cannot be directly attributed to a specific capital project.

A capital overhead rate is calculated for each agency. An example of a capital overhead cost would be the time charged by an administrative assistant who supports multiple capital project engineers. The capital overhead costs are tracked and included in the ICAP rate and is charged to each capital project.

In mid-FY2021, the ICAP methodology was changed to more appropriately allocate these costs across the range of projects served – staff anticipates that this approach will continue. In prior years, the ICAP rate was applied to pre-defined labor costs. The new methodology applies the ICAP rate to all labor and non-labor costs. The methodology does not change how much ICAP in total is paid, but rather how the total ICAP is allocated to different projects.

Line 38 **Board of Directors:** \$62.9 thousand, an increase of \$5.6 thousand or 9.8% higher than the FY2023 forecast; and \$62.9 thousand, no change from the FY2024 Preliminary Budget.

This covers director compensation, seminars and training, and meetings for the Board of Directors.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Board of Directors	22,285	57,275	62,875	5,600	9.8%	62,875	-	0.0%

Line 39 **Professional Services:** \$9.5 million in FY2024, an increase of \$0.2 million or 1.7% higher than the FY2023 forecast; and \$11.5 million in FY2025, an increase of \$2.0 million or 21.3% higher than the FY2024 Preliminary Budget.

This covers the cost of legal services, audit services, legislative advocacy, and consultant services.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINAR Y BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Legal Services	2,039,639	2,600,000	1,869,000	(731,000)	-28.1%	1,869,000	-	0.0%
Annual Audit Services	65,000	68,000	74,250	6,250	9.2%	74,250	-	0.0%
Legislative Advocates	161,238	175,200	189,600	14,400	8.2%	189,600	-	0.0%
Consultants	4,465,211	6,462,555	7,328,091	865,536	13.4%	9,339,227	2,011,136	27.4%
Total	6,731,087	9,305,755	9,460,941	155,186	1.7%	11,472,077	2,011,136	21.3%

Increases in FY2024 and FY2025 are driven by consultant services. In FY2024, the increase in consultant services is due the following efforts: Caltrain Sustainability Strategic Planning, Safety and Security, Financial Strategic Planning, and Ridership Recovery. In FY2025, the increase is primarily due to rail engineering consultant services to support electrification.

Line 40 **Communications and Marketing**: \$0.4 million, an increase of \$0.04 million or 9.7% higher than the FY2023 forecast; and \$0.4 million in FY2025, no change from the FY2024 Preliminary Budget.

This covers the cost of promotional advertising for fares, schedule changes, and the mobile app.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Communications and Marketing	437,328	403,730	442,730	39,000	9.7%	442,730	-	0.0%

FY2024 budget reflects an increase in marketing support for electrification, branding projects, and ongoing special events such as the rail safety month and the Martin Luther King Jr. celebration train.

Line 41 **Other Office Expense and Services**: \$4.2 million in FY2024, an increase of \$1.3 million or 42.7% higher than the FY2023 forecast; and \$4.2 million in FY2025, a decrease of \$13.8 thousand or 0.3% lower than the FY2024 Preliminary Budget.

This line item covers bank and transaction fees, software maintenance and licenses, recruitment costs, seminar and training, business travel, dues and subscriptions, and leases on properties along Caltrain’s Right of Way (ROW) in support of commuter services. The ROW leases include facilities for radio transmission antennas and real estate for storage of train equipment and spare parts.

The increase in FY2024 budget is driven by IT software maintenance and hardware requirements, bank fees on working capital, and professional recruitment costs.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24 Preliminary to FY23 Forecast	FY24 Preliminary to FY23 Forecast		FY25 Preliminary to FY24 Preliminary	FY25 Preliminary to FY24 Preliminary
Business Travel, Training & Devt	196,266	398,875	384,250	(14,625)	-3.7%	384,250	-	0.0%
Computer & Software Maintenance	371,637	554,900	1,356,700	801,800	144.5%	1,351,700	(5,000)	-0.4%
Other Office Expense	308,327	620,100	737,320	117,220	18.9%	728,475	(8,845)	-1.2%
Property Taxes and Bank Fees	940,087	1,112,621	1,354,132	241,511	21.7%	1,354,132	-	0.0%
Recruitment	173,007	270,400	388,400	118,000	43.6%	388,400	-	0.0%
Total	1,989,324	2,956,896	4,220,802	1,263,906	42.7%	4,206,957	(13,845)	-0.3%

Line 44 **Measure RR Ballot Costs**: \$0 in FY2024 and FY2025, no change from the FY2023 budget.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24	FY24		FY25	FY25
				Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		Preliminary to FY24 Preliminary	Preliminary to FY24 Preliminary
Measure RR Ballot Costs	5,396,910	-	-	-	-	-	-	-

The Measure RR Ballot Costs was a one-time activity in FY2022 to cover costs incurred by the counties of San Francisco, San Mateo, and Santa Clara to put the Measure RR ballot up for a vote in FY2021 election. Since this activity is completed, no budget is expected for FY2024 and FY2025.

Line 45 **Governance:** \$0.2 million in FY2024, a decrease of \$0.1 million or 35.7% lower than the FY2023 forecast; and \$0 in FY2025.

This budget covers Governance related items that include staff costs, consultant support, legal consultation, and specialized financial analysis. In FY2024, a \$0.2 million one-time budget was added for policy, strategy, and communications consultant support, as well as legal services.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24	FY24		FY25	FY25
				Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		Preliminary to FY24 Preliminary	Preliminary to FY24 Preliminary
Governance	1,144,981	350,000	225,000	(125,000)	-35.7%	-	(225,000)	-100.0%

Line 47 **Debt Service Expense:** \$3.5 million, a decrease of \$0.2 million or 6.5% lower than the FY2023 forecast; and \$7.8 million in FY2025, an increase of \$4.3 million or 123.7% higher than the FY2024 Preliminary Budget.

This covers the cost and principal retirement of debt incurred for the acquisition and rehabilitation of passenger rail cars, the acquisition of real property, and the maintenance of a revolving line of credit.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24	FY24		FY25	FY25
				Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		Preliminary to FY24 Preliminary	Preliminary to FY24 Preliminary
Long-term Debt Expens	1,935,154	3,711,375	3,471,125	(240,250)	-6.5%	7,763,305	4,292,180	123.7%

FY2024 budget includes the principal and interest payment for the 2019 Farebox Revenue Bond. The increase in FY2025 is due to the principal payment for the 2022 Measure RR Revenue Bond.

Line 52 **Projected Contribution to Reserve:** \$2.0 million in FY2024; \$7.0 million in FY2025, an increase of 4.9 million or 245.1% higher than the FY2024 Preliminary Budget.

The financial reserve policy adopted by the board effective September 1, 2017, states “the JPB will maintain an operating reserve of at least 10 percent of the annual operating budget, and that the JPB shall strive to reserve up to 15 percent of the annual operating budget when possible”.

In FY2024, the projected opening balance of the Operating Reserve is \$26.9 million. A projected contribution of \$2.0 million will result in an ending balance of \$28.9 million which is 15% of the FY2024 annual operating budget. In FY2025, to maintain the 15% operating reserve level, a contribution of \$7.0 million is required.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24	FY24		FY25	FY25
				FY2024 Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		FY2025 Preliminary to FY24	Preliminary to FY24
Projected Contribution to Reserve	16,115,624	10,763,226	2,015,771	(8,747,455)	-81.3%	6,956,640	4,940,869	245.1%

Line 58 Draw from Measure RR Reserve for PCEP: \$38.1 million in FY2025

Caltrain has recently been awarded the full \$410.0 million funding required to finish the Peninsula Corridor Electrification Project (PCEP). This grant releases Measure RR funds originally allocated for PCEP. With this, Caltrain anticipates a total of \$60.0 million Measure RR PCEP reimbursement that can be used for operating needs.

To address the remaining operating requirements in FY2025, staff recommend utilizing \$38.1 million of the Measure RR PCEP reimbursement. After this allocation, the Measure RR PCEP reimbursement balance will be \$21.9 million.

Description	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	\$ Change	% Change	FY2025 PRELIMINARY BUDGET	\$ Change	% Change
				FY24	FY24		FY25	FY25
				FY2024 Preliminary to FY23 Forecast	Preliminary to FY23 Forecast		FY2025 Preliminary to FY24	Preliminary to FY24
Measure RR for PCEP	-	-	-	-	0.0%	38,118,259	38,118,259	100.0%

FY2024 AND FY2025 PRELIMINARY CAPITAL BUDGETS DETAILS

During the Board Strategic Financial Plan Workshop held in April, a capital funding need of \$78.3 million for FY2024 and \$79.3 million for FY2025 (which did not include 100 percent externally funded projects) was presented to the Board. The FY2024 and FY2025 Preliminary Capital Budgets present a capital funding need of \$490.6 million and \$142.9 million,

respectively. This is an increase of \$412.3 million in FY2024 and \$63.6 million in FY2025 due to the following:

- Externally-Funded Projects which are fully funded through external sources amounting to \$125.5 million in FY2024 and \$47.3 million in FY2025;
- Stadler Cars Project that requires a budget of \$280.0 million in FY2024 which includes a \$44.0 million match requirement;
- San Francisquito Creek Bridge Emergency North Channel Restoration Project that requires a budget of \$3.1 million in FY2024 and \$7.3 million in FY2025; and
- Refinements in existing SOGR and Operational Improvements projects

CAPITAL BUDGET SUMMARY

Capital Budget Requests (in millions)	FY2024		FY2025	
	Board Workshop	Prelim Cap Budget	Board Workshop	Prelim Cap Budget
SOGR	\$59.1	\$66.4	\$60.3	\$71.5
Stadler Cars	\$0.0	\$280.0	\$0.0	\$0.0
Legal Mandate	\$0.0	\$0.2	\$0.0	\$0.5
Planning	\$9.3	\$10.1	\$8.8	\$8.7
Operational Improvements	\$8.6	\$7.1	\$8.9	\$13.5
Capital Contingency	\$1.3	\$1.3	\$1.3	\$1.3
Net Capital Budget Requests	\$78.3	\$365.1	\$79.3	\$95.6
Externally-Funded Projects	\$0.0	\$125.5	\$0.0	\$47.3
Total Capital Budget Requests	\$78.3	\$490.6	\$79.3	\$142.9

FUNDING SOURCES SUMMARY

Funding Sources (in millions)	FY2024 Projections	FY2025 Projections
Federal SOGR	\$15.3	\$16.1
STA SOGR	\$1.3	\$1.3
Local Funds (i.e. LPP, AB664, LCTOP)	\$1.4	\$2.9
External Funding	\$370.3	\$57.7
Member Obligations	TBD	TBD
Total Funding	\$388.3	\$78.0

Total Capital Budget	\$490.6	\$142.9
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Capital Budget Deficit	(\$102.4)	(\$64.9)
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PRELIMINARY FY2024 & FY2025 CAPITAL BUDGETS
\$490,624,139 (FY2024) & \$142,862,745 (FY2025)

i. STATE OF GOOD REPAIR (SOGR) - \$66,430,860 (FY2024) & \$71,514,692 (FY2025)

BRIDGES - \$24,073,326 (FY2024) & \$34,626,753 (FY2025)

1. Guadalupe Bridge Replacement - \$17,364,622 (FY2024) & \$18,921,222 (FY2025)
The purpose of the project is to address the structural vulnerability of two existing bridges, MT1 and MT2, spanning the Guadalupe River in San Jose. Activities include widening and stabilizing the underlying river channel and upgrading and extending the bridge structures to ensure long-term public safety and service reliability.
2. San Francisquito Creek Bridge Replacement - \$0 (FY2024) & \$6,865,531 (FY2025)
The purpose of this project is to replace the San Francisquito Creek Bridge that carries double mainline tracks. The Bridge is approaching the end of its useful service life due to the age of the structure, a low rating capacity of its main members, and an unstable slope at the north abutment. It is located 330 feet from the Palo Alto Avenue at-grade crossing. In 2021, Caltrain initiated a due diligence effort for the Bridge. No cracks were found during the detailed inspections conducted in Fall 2021. However, the Bridge currently rates below American Railway Engineering and Maintenance-of-Way Association's (AREMA) Normal Freight Live Loading requirements. These findings have led to a new direction for the project in terms of scope, budget, and timeline.
3. San Francisquito Bridge Acoustic Monitoring System - \$2,028,704 (FY2024) & \$0 (FY2025)
San Francisquito Creek Bridge, that carries double mainline tracks, is approaching the end of its useful service life. The recent in-depth inspection and analysis revealed that the bridge is rated below AREMA's normal freight live loading requirements and restrictions. The analysis also revealed that some members have a "negative remaining fatigue life" with an increased risk for cracking. Funds will be used to prepare an Invitation for Bid package to procure and install an Acoustic Monitoring System to provide more timely notice of potential cracks or damage to key structural elements.
4. San Francisquito Creek Bridge Emergency North Channel Restoration - \$3,120,000 (FY2024) & \$7,280,000 (FY2025)
The purpose of this project is to restore and protect the northern embankment of the San Francisquito Creek to prevent erosion from undermining an abutment of Caltrain's San Francisquito Creek Bridge. The funds will be used for engineering design, coordination of cost sharing agreements with external stakeholders, acquisition of access agreements, permitting, procurement of construction services, construction, construction management, and other supporting services such as legal, project controls, and civil rights.
5. SOGR Structures - \$1,560,000 (FY2024) & \$1,560,000 (FY2025)
The State of Good Repair Structures project will perform maintenance repairs to restore

the integrity of our bridges and structures back to a fair condition, as well as to increase the safety, security, and useful life of these assets. This project will focus on bridges and structures that need immediate attention, as identified by Caltrain's Annual Bridge Inspection Program. These items include replacing: handrails, ballast retainers, bird netting, spalling concrete, bearing pad replacements, timber decking replacements, and tunnel drainage.

RIGHT OF WAY (ROW) - \$20,361,767 (FY2024) & \$17,124,980 (FY2025)

6. SOGR MOW Track - \$11,628,912 (FY2024) & \$13,104,000 (FY2025)
The System Wide Track Rehabilitation Program covers the work required to keep the Caltrain railroad in a SOGR. The type and scope of work scheduled for each year is based upon the condition of the railroad, which is determined through inspections and tests performed throughout the previous year. The project includes many different work activities that remain consistent from year to year. These activities include replacement of rail and crossties, replacement of special track components, installation of thermite welds, maintenance welding and grinding at special track locations, track surfacing throughout the corridor, purchased services including inspections and weed abatement, and vegetation removal and the purchase of small tools.
7. SOGR MOW Track - Rubber Tire Vehicles - \$3,010,800 (FY2024) & \$0 (FY2025)
The purpose of this project is to support the purchase of rubber tire vehicles for TASI. It includes the purchase of nine utility trucks, nine pick-up trucks, three inspector trucks, three Signal Maintainer trucks, and other vehicles to support the Stations Department.
8. SOGR MOW Track - Track Equipment - \$2,454,400 (FY2024) & \$0 (FY2025)
The purpose of this project is to support the purchase of track Maintenance-of-Way equipment to keep the track in a SOGR. It includes the purchase of a section truck, a dump truck, a Cat Skid Steer with Mower, a 1200 Reach Lift forklift, a Pup Hydraulic Switch Tamper, a Freightliner Welders truck, a Tie Handler, a Tie Inserter, and a Hydrail Excavator.
9. ROW Fencing - \$800,000 (FY2024) & \$1,146,080 (FY2025)
The ROW Fencing project will continue to install vandal-resistant fencing at key locations along the PCJPB main line rail corridor to deter trespassing. Installation of fencing will provide a barrier on at least one side of the property between San Francisco MP 0 to Lick MP 50.94, in order to reduce trespassing on the PCJPB ROW. This work plan is intended to span two years.
10. SOGR ROW - \$2,467,655 (FY2024) & \$2,874,900 (FY2025)
The purpose of this project is to allow Caltrain operating contractors to have improved access, as well as restricting access as necessary, to maintain the ROW in a SOGR. This project will also allow Caltrain to react to ROW needs and concerns as they arise from stakeholders within Caltrain's 52-mile corridor. This project will address ROW issues along the main corridor that are of concern with repeated history of homeless encampments, graffiti, and vandalism. By improving access and restricting access where

needed, the operating contractor will be more efficient and productive with their time in maintaining the railroad.

SIGNALS & COMMUNICATIONS - \$5,911,395 (FY2024) & \$5,355,897 (FY2025)

- 11. Signal SOGR FY24 and FY2025 - \$1,573,395 (FY2024) & \$1,386,897 (FY2025)**
This project will include planned maintenance, replacement, upgrade, and painting the dynamic envelope at 4 grade crossings. Phase 1 includes 37 signal location replacements for the Electro Code 4 (EC4) units, 23 control point replacements for the Vital Harmon Logic Controller (VHLC) units, the upgrade of all wayside signal locations inventory documentation, and the replacement of ElectroBlox (EBLOX) units at 20 locations. Phase 2 includes 37 signal location replacements for the EC4 units, 23 control point replacements for the VHLC units, and the replacement of outdated chargers and batteries at 60 locations.
- 12. FY21 Grade Crossing Improvements - \$3,138,000 (FY2024) & \$1,569,000 (FY2025)**
This project will implement safety improvements for six grade crossings from the Caltrain Grade Crossing Hazard Analysis Report prioritization list. Safety improvements vary by location based on the analysis and include such items as pavement markers and marking, signage, channelization, and pedestrian and vehicular gate adjustments and signaling.
- 13. Next Generation Visual Messaging Sign (VMS) - \$1,200,000 (FY2024) & \$2,400,000 (FY2025)**
This project will install 122 (VMS) and passenger information system for the Caltrain stations. The current VMS signs are no longer supported by the manufacturer and the Predictive Arrival and Departure System (PADS) is obsolete. Research will be done to determine whether it is best to replace the signs that will work with the current PADS or replace signs for the next generation passenger information system.
STATION AND INTERMODAL ACCESS - \$2,441,462 (FY2024) & \$1,175,200 (FY2025)
- 14. Station SOGR Project - \$1,349,462 (FY2024) & \$1,175,200 (FY2025)**
This project will perform capital maintenance at various Caltrain stations which may include, but not limited to, corrosion mitigation, rain shelter replacements, schedule and sign casing replacement, concrete repairs, repair and replace station building roofs, bathroom repairs, and other capitalized maintenance items. These repairs are intended to keep these assets in a state of good repair and to provide consistent service to Caltrain patrons.
- 15. CEMOF SOGR - \$1,092,000 (FY2024) & \$0 (FY2025)**
This project will procure, deliver, and apply materials to the Caltrain CEMOF facility for SOGR Maintenance in FY2024 which will minimize future cost and keep the facility in good running order. Maintenance scheduled for FY2024 includes boiler replacement, Variant Frequency Drive system replacement, HVAC/Thermostat upgrade/replacement, roof repairs/replacement, CEMOF/BCCF LED light upgrade, and restroom upgrades.

ROLLING STOCK - \$13,642,910 (FY2024) & \$13,231,862 (FY2025)

16. EMU Rail Vehicle SOGR - \$4,368,000 (FY2024) & \$4,521,816 (FY2025)

The purpose of this project is for the COTS-inspections (Cleaned, Oiled, Tested, and Stenciled) of the air brakes on the EMU. Caltrain must begin the purchase of this equipment within a few months before the new EMUs go into service so that Caltrain can stagger these inspections between its 19 EMU sets.

17. F-40 Cars - \$138,424 (FY2024) & \$140,816 (FY2025)

The purpose of this project is for the SOGR Rail Vehicle Maintenance for the F-40 Locomotives. This includes toilet refurbishment, battery replacement, controller/contacter replacement, and traction motors for the locomotives.

18. Gallery Cars - \$771,680 (FY2024) & \$800,800 (FY2025)

The purpose of this project is for the SOGR Rail Vehicle Maintenance for Gallery passenger cars. This includes batteries, suspensions, anti-skid, 480v cable replacement, and door overhaul.

19. MP-36 Locomotive - \$265,824 (FY2024) & \$275,080 (FY2025)

The purpose of this project is for the SOGR Rail Vehicle Maintenance for MP-36 Locomotives. This includes battery replacement and traction motors for the locomotives.

20. MP-36 Locomotive Mid-Life Overhaul - \$623,000 (FY2024) & \$0 (FY2025)

This project involves performing mid-life overhaul of six MP-36-3C Locomotives. The mid-life overhaul includes complete disassembly of the main diesel engine, overhaul by reconditioning re-usable main frame components, re-assembly with new engine components, and rebuild of Separate Head-End Power (SEP-HEP) units 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.

21. Bombardier Cars - \$3,061,032 (FY2024) & \$3,078,400 (FY2025)

The purpose of this project is to maintain a SOGR for the Rail Vehicle Maintenance for Bombardier passenger cars. This includes batteries, anti-skid, 480v cable replacement, cabin refurbishment, doors and HVAC overhauls.

22. Bombardier Truck Replacement - \$1,670,541 (FY2024) & \$1,670,541 (FY2025)

The purpose of this project is to replace Caltrain Bombardier trucks. As part of the transition to a partially electrified fleet in 2024, the remaining diesel fleet will continue to provide service south of San Jose. This work is critical for Caltrain to maintain service reliability for communities south of San Jose and make any future service increases viable. The funding will be used to purchase bi-level truck assembly, new air springs, side bearing wedge, vertical dampers, drag rods, shear pads, yaw dampers, lateral damper bracket, lateral damper, center yoke, and traction pads for Caltrain Bombardier trucks.

23. Rail Vehicle SOGR Bombardier Cars - \$2,744,409 (FY2024) & \$2,744,409 (FY2025)

The purpose of this project is to provide Rail Vehicle maintenance for Bombardier passenger cars. As part of the transition to a partial electrified fleet in 2024, the remaining diesel fleet will continue to provide service south of San Jose. The Rail Vehicle SOGR Bombardier Cars project is necessary to maintain service reliability and provide an enhanced customer experience to support ridership growth for communities south of San Jose. The funding will be used to purchase batteries, anti-skid, 480v cable replacement, cab refurbishment, doors and HVAC overhauls.

ii. STADLER CARS - \$280,000,000 (FY2024) & \$0 (FY2025)

24. Stadler Cars - \$280,000,000 (FY2024) & \$0 (FY2025)

Caltrain's continued transition from a diesel to electric railroad requires additional vehicle replacements, beyond those included as part of the Caltrain Electrification project. The purchase of four Stadler KISS Electric Multiple Unit (EMU) trainsets, plus one Battery Electric Multiple Unit (BEMU) vehicle, will allow Caltrain to be a 90-percent zero emission fleet. The purchase is programmed for FY2024 to ensure that the order is placed before a Stadler contract option expires on August 15, 2023, saving \$120 million in avoided costs.

iii. LEGAL MANDATE - \$200,000 (FY2024) & \$494,000 (FY2025)

25. MS4 Trash Capture - \$200,000 (FY2024) & \$494,000 (FY2025)

The MS4 Project will design and implement a full trash capture system required to maintain the Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) permit. Implementation and certification must be completed by 2030. The funds will be used to design, procure, and install the storm drain filtering system.

iv. PLANNING/STUDIES - \$10,565,000 (FY2024) & \$8,720,000 (FY2025)

26. Caltrain Planning (CIP) - \$359,000 (FY2024) & \$790,000 (FY2025)

The Caltrain 10-year Capital Improvement Plan will provide the roadmap for Caltrain's involvement and leadership in the programming and development of capital projects across the corridor. The CIP Development Project will also include the development of a prioritization framework that will provide a structured, evidence-based, and equitable decision-making framework to prioritize investments in capital projects across the railroads. The CIP development process and products will allow Caltrain to build up adequate staff capacity, focus its resources on delivering its desired outcomes, and seek additional funding strategically.

27. Battery EMU R/D - \$1,352,000 (FY2024) & \$2,392,000 (FY2025)

This project will fund the next generation of post-PCEP investments in Caltrain. It will fund and procure an EMU from Stadler with batteries to allow the train to run outside of electrified territory, for Gilroy and extended service.

- 28. Level Boarding Roadmap - \$520,000 (FY2024) & \$520,000 (FY2025)**
This project provides a plan for vehicle and platform modifications to accommodate systemwide level boarding. This includes technical, regulatory, freight, and operational interface evaluation. It will also conduct research on best practices, document constraints and challenges, and develop a long-term plan and path to completion.
- 29. Rail Network and Operations Planning - \$1,248,000 (FY2024) & \$1,248,000 (FY2025)**
This project will provide modelling and analysis, presentations, timetable development and testing of new electric and battery electric trains that will be integrated into the Caltrain operations. The project will optimize service with performance, ridership, events, and other variables that require detailed modelling and analysis.
- 30. Caltrain Access Policy and Planning - \$312,000 (FY2024) & \$312,000 (FY2025)**
This project is anticipated to fund several closely related access policy and planning efforts in FY2024-2025, including: 1) an update to Caltrain's Access Policy, 2) an audit and creation of an inventory of station access facilities, 3) creation of access design guidelines (focused on bicycle and pedestrian access), and 4) any other urgent access-related requests from Caltrain leadership and the Caltrain Board. These assets will be used by Caltrain staff, the Caltrain Board, funding entities including PCJPB member agencies, and Caltrain's external partners, such as cities and partner transit agencies. This project will provide funds for all stages to complete these efforts, from Work Directive scoping to consultant procurement, to completion of all required tasks, any required adoption with the Board, and implementation.
- 31. Corridor Crossing Strategy - \$0 (FY2024) & \$520,000 (FY2025)**
The Corridor Crossings Strategy (CCS) will provide a cohesive approach to grade separations or closures that are needed to unlock regional mobility and safety benefits. The Caltrain Business Plan acknowledges that grade separation projects are costly, complex, and challenging. The CCS strives to identify areas for enhancement in the current process and develop a potential strategic approach to deliver corridor-wide consensus on delivery of grade separation projects. The strategy work that is currently ongoing and anticipated to be complete by the end of calendar year 2023 is a first phase and is identifying technical work required to streamline and expedite delivery of a variety of grade crossing solutions, such as fully separated crossings, partial closures with bike/ped crossings, and full closures. This work may include more in-depth review of 4-track segments identified in the Business Plan, design standards and construction techniques, coordinated funding and political strategies, standardized materials including RFPs that may be valuable to jurisdictions, and other items identified through the community-driven phase currently under way.
- 32. Diridon Integrated Station Concept (DISC)/Diridon Business Case - \$1,560,000 (FY2024) & \$780,000 (FY2025)**
This project will support initial planning and conceptual engineering related to Diridon Station and the south terminal area of the railroad. It is anticipated that other sources of funding will be required to advance the project into environmental and advanced

design. JPB and other partner agencies mutually accepted a Concept Layout in 2020 to establish the vision for the future Diridon Station. As part of the Concept Layout, the DISC program will affect several elements at and around Diridon Station including the historic train Depot, PG&E substation, VTA light rail station and alignment, and will require the relocation of the Caltrain maintenance facility, and elevation of the rail station platforms and tracks. Consequently, a set of projects (known as the Program of Projects) have been identified to realize the Concept Layout vision. To inform decision-making and therefore DISC implementation, JPB is leading the Partner Agencies in a Business Case. The Business Case will identify the status of the contingent and adjacent projects in the Program of Projects to define the scale of DISC relative to cost and schedule, priority actions, tradeoff considerations, and agreement on a DISC project for implementation. The Business Case will investigate implementing DISC compared to base case project investments with the objective of presenting an accurate assessment of the costs of infrastructure elements, quantifying measurable benefits, and establishing a value proposition for investment. The Business Case will also recommend a project description that can be advanced to environmental study while also suggesting an organizational and governance structure to support project planning, design/development, and eventual implementation.

33. DTX Funding - \$1,500,000 (FY2024) & \$0 (FY2025)

This is a funding contribution requested from Caltrain as part of the local match for federal FTA funding toward the DTX project. Caltrain's contribution will be matched with contributions from other DTX partners, including the San Francisco County Transportation Authority, Metropolitan Transportation Commission, and California High Speed Rail Authority.

34. Redwood City Station Area Planning - \$250,000 (FY2024) & \$0 (FY2025)

The Redwood City Station Area Planning project will include multiple efforts such as the Mid-Peninsula Hub Station Planning, the Redwood City Grade Separation Effort, and the Redwood City Transit Center Interim Condition Study. The Mid-Peninsula Hub Station Planning and Redwood City Grade Separation Effort will result in a comprehensive Project Study Report (PSR). The PSR will expand on the prior grade separation and study (Whipple Avenue Grade Separation Project) and Mid-Peninsula Hub Station Planning. The Redwood City Transit Center Interim Condition Study will be in collaboration with SamTrans and the City of Redwood City, to conduct a study to investigate potential interim conditions related to the redevelopment of the Redwood City Transit Center (prior to the relocation of the Caltrain station) and identify the needs and potential solutions related to SamTrans operations, multimodal connectivity and access, and infrastructure improvements (for both Caltrain and SamTrans).

35. San Francisco Railyards - \$1,040,000 (FY2024) & \$1,040,000 (FY2025)

The San Francisco Railyards is currently undergoing a Preliminary Business Case (PBC) through a partnership between Caltrain (as perpetual surface easement holder) and Prologis (as developer and property owner). The PBC is assessing the viability of redevelopment options for the railyards. Should option(s) prove viable, the PBC will recommend a preferred option for further planning and development to the PCJPB by

Winter 2023/2024. If the PCJPB and Prologis endorse the recommended option, then the project will commence further planning on the preferred option, including other city- and state-required processes.

- 36. San Francisco Railyards TOD - \$806,000 (FY2024) & \$0 (FY2025)**
The PCJPB received a \$650,000 TOD Planning Grant that will assist in advancing public-private development at the San Francisco Railyards in conjunction with neighborhood planning efforts. This project will provide \$156,000 in matching funds from Caltrain required under the grant (note that the City and County of San Francisco will provide an additional \$250,000 in matching funds).
- 37. Station Access Planning - \$182,000 (FY2024) & \$182,000 (FY2025)**
Cities within the Caltrain corridor are anticipating and planning for future growth around Caltrain stations that will likely result in considerable future ridership demand for Caltrain service. In anticipation of this growth, Caltrain will undertake various access studies to identify future station access needs and make recommendations for improvements. In addition, Caltrain will conduct a station audit of the newly opened Hillsdale station (and possibly others) to determine access deficiencies or needs and make recommendations for improvements to enhance the customer experience and safety.
- 38. Strategic Policy & Programming - \$416,000 (FY2024) & \$416,000 (FY2025)**
This project is anticipated to fund several efforts related to strategic policy and programming for Caltrain in FY2024 and 2025, such as (but not limited to): 1) fare studies; 2) Go Pass Donation Program support; 3) service-related strategic policy work; 4) Rail Corridor Use Policy implementation and update; 5) Predictive Tool for operational cost analyses updates; 6) any required Business Strategy work; 7) other urgent policy and programming requests from Caltrain leadership and the Board. These assets will be used by and help guide decision-making for Caltrain staff, the Caltrain Board, funding entities including JPB member agencies, and Caltrain's external partners, such as cities and partner transit agencies. This project will provide funds for all stages to complete these efforts, from Work Directive scoping to consultant procurement, to completion of all required tasks, any required adoption with the Board, and implementation.
- 39. Transit-Oriented Development (TOD) Studies - \$520,000 (FY2024) & \$520,000 (FY2025)**
This project will provide technical support to advance specific TOD projects, as well as to explore corridor-wide TOD strategies and develop a corridor-wide TOD framework. The project will also provide resources to facilitate TOD planning, land use approvals, and other real estate efforts at Redwood City station and other locations identified as having TOD potential. This may include a variety of technical studies including environmental assessment, hazmat testing, traffic studies, title research, market, and feasibility analysis, as well as paying necessary city fees and other costs. In addition, the project will support advancement of corridor-wide TOD strategies designed to maximize ridership and revenue potential from JPB real estate assets and station area TOD, leveraging outputs from the corridor-wide grade separation strategy. The budget

amount includes contingency funds that may be needed to complete the entitlement process for the Diridon TOD and partner with a developer to proceed with development, to account for uncertainty in the real estate process and the potential need for additional studies and/or consultant support.

v. OPERATIONAL IMPROVEMENTS / ENHANCEMENTS - \$7,100,279 (FY2024) & \$13,499,053 (FY2025)

40. 22nd Street ADA Access Improvements - \$660,000 (FY2024) & \$0 (FY2025)

Caltrain, with funding from SFCTA and consultant support from HNTB, conducted a feasibility study to determine if and how street to platform wheelchair access could be achieved within the existing footprint of 22nd Street Station. While the study's analysis did not exceed 15% design, it found potential ramp and elevator alternatives for both platforms to be feasible at the conceptual level. After evaluating each alternative based on user experience, agency impacts, and construction factors, the study recommended that a ramp alternative for each platform be advanced to 35% design.

41. Broadband Wireless Communications System Enhancements - \$224,000 (FY2024) & \$1,306,000 (FY2025)

This project will enhance the Caltrain Broadband Wireless Communications System to integrate the EMU Remote Train Diagnostics system with the broadband network. It will implement the necessary office and network equipment at the Control Centers to accept and display the train information from the Remote Train Diagnostics system and the Automatic Passenger Counter system. It will fully integrate the EMU Passenger Information System to send messages from the Control Center to the EMU digital signs using the broadband wireless network.

42. Broadband Wireless Communications System for Diesel Trains - \$257,355 (FY2024) & \$5,047,217 (FY2025)

This project will implement a cellular based broadband wireless system on the existing diesel trains. It will provide passenger Wi-Fi services for the diesel trains departing and arriving Gilroy. Cellular Wi-Fi equipment will be installed on the diesel train cars which will remain in service along with the new EMU trains.

43. Enterprise Asset Management (EAM) - \$0 (FY2024) & \$2,250,000 (FY2025)

This project will procure a base EAM system with the following core capabilities: asset registry, asset condition and assessment, work request, work planning and management, warranty management, materials management, planning and budgeting, and management reporting.

44. GIS Upgrade - \$0 (FY2024) & \$860,000 (FY2025)

This project will implement a Geographic Information Software (GIS) System which will centralize, modernize, map, integrate, and augment existing tools and resources. The goal is to deliver comprehensive, current, and accurate data about Caltrain's assets and right-of-way to staff and decision makers at their desks or on their mobile devices via

GIS. Project activities include asset location data collection and GIS requirements evaluation, procurement, and implementation.

45. Mini-High Platforms - \$460,000 (FY2024) & \$0 (FY2025)

This project will install mini-high platforms at thirteen stations. The work will include installation of precast platforms and modifications to existing infrastructure, as needed, to accommodate the installation. Grounding and bonding will be required at all the stations within the areas that will be electrified.

46. Passenger e-Paper Display - \$426,920 (FY2024) & \$0 (FY2025)

This solution was identified at the Customer Experience Task Force to address the stations where customers need to walk up or down the stairs, or a certain distance to be able to see and/or hear the VMS/PA announcements about single tracking at the station. The project goal is to install e-Paper displays with text-to-speech capabilities at key entrance areas which will provide boarding and other relevant information for the customers. Additionally, this effort supports continued ridership recovery during PCEP accelerated project schedule in 2023 where single tracking and bus bridge will affect the riders. Riders will be able to identify the correct platform at impacted stations which will improve customer experience and provide a safer environment by reducing the risks of bad behaviors, such as running on the platform when one is afraid of missing the train, crossing tracks in an unauthorized location, and forgetting to purchase a ticket or tag a Clipper card.

47. Railroad Worker Protection (RWP) Safety Program - \$778,504 (FY2024) & \$1,999,964 (FY2025)

This project will design, implement, and test a RWP Safety System to protect workers in the Caltrain right-of-way. This system will provide continuous communications between the workers and the Central Control Center. The system will also be integrated with the Caltrain Positive Train Control system.

48. San Mateo Replacement Parking Track - \$3,773,500 (FY2024) & \$0 (FY2025)

This project involves the preparation of an amendment to the previously obtained environmental clearance report and final design of a "set out track" to replace the track that was removed in the Bay Meadows area to facilitate the construction of the 25th Avenue Grade Separation Project. The track, which will be located between 10th and 14th Avenues, will be accessed from 9th Avenue. It will be approximately 1,000 feet in length and will have a single switch. Electrification is not part of the base funding plan. Supplemental funding will be needed to electrify the replacement parking track.

49. Support for Property Mapping - \$520,000 (FY2024) & \$520,000 (FY2025)

This project intends to provide the consultant land surveying services necessary to produce accurate mapping of PCJPB's properties. The scope will include field surveys, property boundary resolutions, obtaining title reports, performing research, setting property corners, providing exhibits, and filing Record of Surveys.

50. CCTV Replacement - \$0 (FY2024) & \$1,515,872 (FY2025)

This project will replace the old obsolete CCTV system that will satisfy all of Caltrain's requirements. Old camera will be replaced and new cameras will be installed at the grade crossings, passenger stations, and all other locations identified in the CCTV study. This project will also replace the old software and office server.

vi. CAPITAL CONTINGENCY FUNDS - \$1,325,000 (FY2024) & \$1,325,000 (FY2025)

51. Capital Contingency Funds - Engineering - \$330,000 (FY2024) & \$330,000 (FY2025)

This contingency supports unforeseen capital expenditure related to the delivery of capital projects/programs.

52. Capital Contingency Funds - Rail - \$660,000 (FY2024) & \$660,000 (FY2025)

This contingency supports unforeseen capital expenditure related to rail operations.

53. Capital Project Development - \$335,000 (FY2024) & \$335,000 (FY2025)

This contingency supports planning and engineering study activities.

vii. EXTERNALLY-FUNDED PROJECTS - \$125,503,000 (FY2024) & \$47,310,000 (FY2025)

54. Bernardo Pedestrian and Cyclist Undercrossing - \$0 (FY2024) & \$1,980,000 (FY2025)

The City of Sunnyvale, City of Mountain View, and VTA are project sponsors for a proposed new bicycle and pedestrian undercrossing at Bernardo Avenue which is on the border of the two cities. The proposed undercrossing would provide key access across/under the ROW as well as Central Expressway. JPB will provide review and coordination for preliminary engineering design and California Environmental Quality Act (CEQA) environmental clearance. This scope also includes general project coordination, preparation of an alternative contract delivery analysis, development of a five-party cooperative agreement (Caltrain, City of Sunnyvale, City of Mountain View, VTA, and County of Santa Clara), and development of Requests for Proposals (RFP) for advancing the project beyond the applicant's CEQA environmental clearance into final design and construction, in accordance with the consensus of alternative delivery method.

55. Burlingame Broadway Grade Separation - \$0 (FY2024) & \$25,635,000 (FY2025)

This project will separate the Broadway railroad crossing in the City of Burlingame by partially elevating the rail and partially depressing the roadway. The elevated rail alignment will require the reconstruction of the Broadway Caltrain Station. The reconstruction of the Broadway Caltrain Station will remove the operational requirement of the hold-out rule. Currently the project is funded up to Final Design phase.

56. Middle Avenue Undercrossing - \$436,000 (FY2024) & \$4,334,000 (FY2025)

The Middle Avenue Undercrossing Project is a proposed bicycle and pedestrian undercrossing that would improve connectivity around Middle Avenue in Menlo Park. The Project would serve the newly completed Stanford development, which is adjacent

to Middle Avenue, as well as middle school children in the area. The City of Menlo Park is the sponsor for this project.

- 57. Mountain View Transit Center Grade Separation - \$115,000,000 (FY2024) & \$0 (FY2025)**
In May 2017, City of Mountain View City Council adopted the Transit Center Master Plan as the first step in a multi-year process to plan, design, and construct the new station area and improve Castro Street. The master planning process considered interrelated options for station access, expressway crossing, grade separation, platform extension, bus/shuttle circulation, and vehicle parking, supporting future downtown vitality. The conceptual plan adopted by the Council includes redirection of Castro Street at West Evelyn Avenue, construction of a new ramp from West Evelyn Avenue to Shoreline Boulevard, installation of pedestrian and bicycle undercrossing across the expressway and Caltrain tracks, changes to Moffett/Central intersection, and platform widening and extension to the west. The co-op agreement between VTA, JPB, and Mountain View has been signed, where JPB is the lead implementing agency to deliver final design and construction, VTA is the funding sponsor, and Mountain View is a vital partner in reviewing final design deliverables and coordinating activities within its right of way.
- 58. Palo Alto Grade Separations - \$5,767,000 (FY2024) & \$7,732,000 (FY2025)**
A decade ago, the City of Palo Alto initiated a plan to consider grade separations at all four existing at-grade crossings in Palo Alto. Since 2017, the City's focus has been on the three grade crossings of Churchill Avenue, Meadow Drive, and Charleston Road as part of the Railroad Grade Separation and Safety Improvements Capital Improvement Project, also referred to as Connecting Palo Alto. The crossing at Palo Alto Avenue was separated and integrated with the Downtown Coordinated Area plan. On May 23rd, 2022, the City Council approved an amendment to the City's contract with AECOM for the Railroad Grade Separation and Safety Improvements Capital Improvement Project. The amendment directs AECOM to conduct additional studies, outreach, and support to city staff to identify and develop the city's locally preferred alternatives for the three crossings. As of today, the following alternatives are still being considered: Churchill Partial Underpass, Meadow Charleston Trench, Meadow Charleston Hybrid, and Meadow Charleston Underpass.
- 59. Ravenswood Grade Separation - \$4,142,000 (FY2024) & \$926,000 (FY2025)**
In 2015, the City of Menlo Park Council provided direction on two potential alternatives that should be evaluated as part of the project study report: 1) Undercrossing alternative: maintain the existing Caltrain tracks, and lower Ravenswood Avenue to pass under the tracks; and 2) Hybrid or split alternative: partially raise the Caltrain tracks and partially lower the roadways under the tracks, considering all four Menlo Park crossings for potential impacts. In 2019, City Council approved the final project study report with the hybrid option grade separating Ravenswood, Oak Grove, and Glenwood Avenues as the preferred alternative. Encinal Avenue would remain open and at-grade under this alternative. In 2022, the City Council provided direction to further study Ravenswood/Oak. The City will issue a contract amendment with AECOM to update the project study report, which was last presented to the Council in January 2020. This next

phase of work will look at six new possible rail profiles and bring those back to the Council in early 2023. These six will be narrowed down to two for further study.

60. San Mateo Grade Separation - \$158,000 (FY2024) & \$174,000 (FY2025)

This project is anticipated to include grade separations at six Caltrain-owned crossings in downtown San Mateo: 1st, 2nd, E. 3rd, E. 4th, E. 5th, and 9th Avenues. The funds are requested to support the City of San Mateo with a planning level analysis consisting of a project study report, preliminary engineering plans, and environmental planning documents.

61. South Linden Ave. and Scott St. Grade Separation - \$0 (FY2024) & \$6,529,000 (FY2025)

The South Linden Avenue and Scott Street Grade Separation Project is proposed to improve safety and decrease expected future traffic delays due to growth in vehicle traffic, greater frequency of Caltrain service, and the eventual addition of high-speed rail. South Linden Avenue is in South San Francisco while Scott Street is in San Bruno. Although located in different cities, the two grade separations are proposed to be undertaken as a combined effort since locations are only 1,850 feet apart, such that the grade separation of one crossing could affect the other.

Prepared By: Adrian Liu	Senior Budget Analyst	650-508 6345
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PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
PRELIMINARY OPERATING BUDGET
FISCAL YEARS 2024 & 2025

	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	FY2024 Budget to FY2023 Forecast \$ variance	FY2024 Budget to FY2023 Forecast % variance	FY2025 PRELIMINARY BUDGET	FY2025 Budget to FY2024 Budget \$ variance	FY2025 Budget to FY2024 Budget % variance
	A	B	C	D = C - B	E = D / B	F	G = F - C	H = G / C
REVENUE								
OPERATIONS:								
1 Caltrain Fares	17,899,182	27,000,000	29,936,000	2,936,000	10.9%	35,923,200	5,987,200	20.0%
2 Go Pass	15,337,175	17,000,000	16,764,000	(236,000)	-1.4%	18,440,400	1,676,400	10.0%
3 Parking Revenue	1,352,869	1,797,505	1,905,015	107,510	6.0%	2,217,633	312,618	16.4%
4 Shuttles	1,152,152	-	-	-	0.0%	-	-	0.0%
5 Rental Income	1,237,117	1,235,357	1,026,489	(208,868)	-16.9%	1,057,284	30,795	3.0%
6 Other Income	2,801,792	4,044,319	6,541,260	2,496,941	61.7%	6,019,433	(521,827)	-8.0%
7 TOTAL OPERATING REVENUE	39,780,286	51,077,181	56,172,764	5,095,583	10.0%	63,657,950	7,485,186	13.3%
8								
9 CONTRIBUTIONS:								
10 AB434 Peninsula & TA Shuttle Funding	743,472	40,000	-	(40,000)	-100.0%	-	-	0.0%
11 Operating Grants (STA)	10,041,955	11,288,161	12,800,936	1,512,775	13.4%	10,687,973	(2,112,963)	-16.5%
12 Measure RR	97,296,566	119,292,000	118,400,000	(892,000)	-0.7%	120,100,000	1,700,000	1.4%
13 ARPA	115,995,904	-	-	-	0.0%	-	-	0.0%
14 LCFs, LCTOP, SRA	-	-	7,272,877	7,272,877	100.0%	13,400,865	6,127,988	84.3%
15 TOTAL CONTRIBUTED REVENUE	224,077,896	130,620,161	138,473,813	7,853,652	6.0%	144,188,838	5,715,025	4.1%
16								
17 GRAND TOTAL REVENUE	263,858,182	181,697,342	194,646,577	12,949,235	7.1%	207,846,788	13,200,211	6.8%
18								
19 EXPENSE								
20 OPERATING EXPENSE:								
21 Rail Operator Service	93,808,976	98,257,758	104,889,704	6,631,946	6.7%	105,901,543	1,011,839	1.0%
22 OCS/TPS Maintenance	-	-	-	-	0.0%	25,000,000	25,000,000	100.0%
23 Security Services	7,391,809	8,028,807	8,286,045	257,238	3.2%	8,571,693	285,648	3.4%
24 Shuttle Services	1,938,640	121,600	80,000	(41,600)	-34.2%	80,000	-	0.0%
25 Fuel and Lubricants	13,491,343	17,539,232	15,211,316	(2,327,916)	-13.3%	5,069,083	(10,142,233)	-66.7%
26 Electricity	-	-	-	-	0.0%	19,495,155	19,495,155	100.0%
27 Timetables and Tickets	17,140	135,350	95,000	(40,350)	-29.8%	95,000	-	0.0%
28 Insurance	5,513,835	9,299,730	10,229,703	929,973	10.0%	11,252,673	1,022,970	10.0%
29 Claims, Payments, and Reserves	634,024	1,336,926	1,320,000	(16,926)	-1.3%	1,320,000	-	0.0%
30 Facilities and Equipment Maintenance	6,004,842	7,107,788	8,171,766	1,063,978	15.0%	8,969,666	797,900	9.8%
31 Utilities	2,541,458	2,617,600	2,708,900	91,300	3.5%	2,708,900	-	0.0%
32 Maint & Services-Bldg & Other	1,372,866	1,754,100	1,784,600	30,500	1.7%	1,779,600	(5,000)	-0.3%
33 TOTAL OPERATING EXPENSE	132,714,933	146,198,891	152,777,034	6,578,143	4.5%	190,243,313	37,466,279	24.5%

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
PRELIMINARY OPERATING BUDGET
FISCAL YEARS 2024 & 2025

	FY2022 ACTUAL	FY2023 FORECAST	FY2024 PRELIMINARY BUDGET	FY2024 Budget to FY2023 Forecast \$ variance	FY2024 Budget to FY2023 Forecast % variance	FY2025 PRELIMINARY BUDGET	FY2025 Budget to FY2024 Budget \$ variance	FY2025 Budget to FY2024 Budget % variance
	A	B	C	D = C - B	E = D / B	F	G = F - C	H = G / C
35 ADMINISTRATIVE EXPENSE								
36 Wages and Benefits	10,610,123	13,532,312	18,404,846	4,872,534	36.0%	21,251,697	2,846,851	15.5%
37 Managing Agency Admin OH Cost	3,923,397	3,565,453	3,565,453	-	0.0%	3,565,453	-	0.0%
38 Board of Directors	22,285	57,275	62,875	5,600	9.8%	62,875	-	0.0%
39 Professional Services	6,731,087	9,305,755	9,460,941	155,186	1.7%	11,472,077	2,011,136	21.3%
40 Communications and Marketing	437,328	403,730	442,730	39,000	9.7%	442,730	-	0.0%
41 Other Office Expenses and Services	1,989,324	2,956,896	4,220,802	1,263,906	42.7%	4,206,957	(13,845)	-0.3%
42 TOTAL ADMINISTRATIVE EXPENSE	23,713,544	29,821,421	36,157,647	6,336,226	21.2%	41,001,789	4,844,142	13.4%
43								
44 Measure RR Ballot Costs	5,396,910	-	-	-	0.0%	-	-	0.0%
45 Governance	1,144,981	350,000	225,000	(125,000)	-35.7%	-	(225,000)	-100.0%
46								
47 Debt Service Expense	1,935,154	3,711,375	3,471,125	(240,250)	-6.5%	7,763,305	4,292,180	123.7%
48 Write-off of Uncollectible Receivables	7,300,042	-	-	-	0.0%	-	-	0.0%
49								
50 GRAND TOTAL EXPENSE	172,205,564	180,081,687	192,630,806	12,549,119	7.0%	239,008,407	46,377,601	24.1%
51								
52 PROJECTED CONTRIBUTION TO RESERVE			2,015,771			6,956,640		
53								
54 PROJECTED SURPLUS/(DEFICIT)	91,652,618	1,615,655	-			(38,118,259)		
55								
56 Measure RR for Capital Reserve	(20,000,000)	-	-			-		
57 Measure RR Reserve for PCEP	(60,000,000)	-	-			-		
58 Draw from Measure RR Reserve for PCEP	-	-	-			38,118,259		
59 ADJUSTED NET SURPLUS/(DEFICIT)	11,652,618	1,615,655	-			-		
60								
61								
62 Reserve, Beginning Balance		16,115,624	26,878,850			28,894,621		
63 Projected Contribution to Reserve		10,763,226	2,015,771			6,956,640		
64 Reserve, Ending Balance		<u>26,878,850</u>	<u>28,894,621</u>			<u>35,851,261</u>		

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Technology, Operations, Planning and Safety Committee
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Deputy Chief, Caltrain Planning
Subject: **Capital Improvement Plan (CIP) Project Initiation**

<input type="checkbox"/> Finance Committee Recommendation	<input checked="" type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation	<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Staff Coordinating Council Recommendation
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Action

This item is for information only and does not require action by the Board of Directors (“Board”) meeting of the Peninsula Corridor Joint Power Board (“JPB”).

Significance

Staff will provide an informational update on Caltrain’s long-term Capital Improvement Plan (“CIP”) Development Project. The presentation will introduce the CIP Development Project, the expected deliverables, the timeline and will provide an overview of the development process which includes internal and external stakeholders’ engagement.

The project officially kicked-off in January 2023. The team plans to deliver the products from this effort incrementally starting this year. Among other deliverables, the Draft Prioritization Framework and a Draft List of Projects will be developed by the end of 2023 to inform Fiscal Year 2025 Capital Budget Amendment Process.

Staff will provide the Board with regular updates, occasionally requiring Board input, throughout the Project.

Budget Impact

There is no budget impact associated with this informational item.

Instead, this Project will equip Caltrain to make well-informed decisions regarding its investments. In the context of scarce resources, Caltrain’s long-term CIP will be critical to ensure efficient planning of resources, delivery, and prioritization of capital investments.

Background

Caltrain continues to undergo significant change. In 2019, the Caltrain Board approved the Long-Range Service Vision, which sets the overall tone for the railroad's future. A key element in meeting that future is the delivery of an electrified railway through the Peninsula Corridor Electrification Project (PCEP).

In addition to the significant future plans ahead for Caltrain, the railroad continues its ongoing maintenance, system upgrades, transit asset management, and state-of-good-repair programs that enhance system operation, passenger experience, and railroad performance in accordance with agency goals and federal requirements.

To date, Caltrain has traditionally documented, planned, and programmed these efforts in a distributed manner across various departments. Given the major shift ahead due to the completion of PCEP, the adoption of the Caltrain Framework for Equity, Connectivity, Recovery and Growth, the creation of a dedicated funding source as well as Caltrain's increased participation in other locally- and regionally-led projects, Caltrain needs a roadmap for accomplishing the service vision while also meeting ongoing capital requirements. It is also imperative this roadmap be condensed into one central, prioritized product and process that communicate Caltrain's priorities each year.

The Caltrain 10-year Capital Improvement Plan (CIP) will provide this roadmap and will be the first formal CIP in the agency's history. It will provide many benefits to the agency:

- Align agency's objectives and goals with day-to-day operations of the railroad, the long-range service vision and third-party projects that directly benefit the corridor and require Caltrain's participation.
- A clear roadmap for the agency's involvement and leadership in the programming and development of capital projects at all phases which include:
 - Caltrain-sponsored state of good repair, improvement and expansion projects.
 - Grade crossing projects on Caltrain right-of-way funded by local jurisdictions.
 - Major projects including, but not limited to, Diridon Station and the San Francisco Downtown Rail Extension
- Support strategic, rigorous and thoughtful decision-making in the context of scarce resources.
- Efficient, transparent, prioritized and integrated process to manage the agency's involvement in capital projects and programs.

The CIP will include:

- The **CIP Narrative**, which highlights the goals and objectives of the CIP for Caltrain: the basis of the CIP narrative is a thorough evaluation of Caltrain Board-adopted policies and plans that address, or are relevant to, capital projects including the Long-Range Service Vision and other associated commitments to customers and the local

communities (such as the Framework for Equity, Connectivity, Recovery and Growth) paired with extensive stakeholder interviews.

- An evidence-based, and equitable **prioritization framework** to connect the dots between involvement in capital projects and agency’s goals and objectives: The prioritization framework will help advance critical outcomes that capital projects deliver on such as equity, service reliability and efficiency, fair allocation of resources and improvement of the customer experience. The prioritization framework is expected to be completed by the end of 2023 to inform the fiscal year 2025 budget amendment.
- A **prioritized list of capital projects**, which includes their description, timeline and cost: the list will become the roadmap of capital projects using the final prioritization framework.
- A four- or five-year **Rolling Capital Program**, which distills the CIP’s broad and likely unconstrained list of capital projects and programs into a short-range program of implementation. This deliverable will directly inform the Agency’s next two-year fiscal budget development process. The Rolling Program will define funding needs and strategies for the implementation of the CIP.

The CIP Project Team will also review the **internal processes** and establish governance **procedures** for the creation, adoption, future maintenance, and amendments to the CIP. The CIP will inform, complement and/or integrate with existing internal processes such as the budget process, and the capital projects delivery quality control process. The CIP development effort will also be mindful of other internal efforts moving in parallel such as the Corridor Crossings Strategy, the Financial Strategy, and individual capital projects.

Finally, the CIP will be developed through a strong **internal stakeholder engagement** process for building consensus around the goals and outcomes sought from the investments laid out in the CIP. Internal engagement has already started through the formation of the CIP Executive Steering Committee and the CIP Internal Stakeholder Group. Additional input from external parties, such as the JPB Member Agencies, the public, key corridor capital project sponsors is also expected throughout the CIP development process.

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Caltrain Modernization Program Peninsula Corridor Electrification Project (PCEP)



Executive Monthly Progress Report

March 31, 2023

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TABLE OF CONTENTS

1.0 Executive Summary1-1

 1.1 Introduction1-1

 1.2 Program Cost and Budget1-1

 1.3 Program Progress and Schedule1-1

 1.4 Change Management Board (CMB)1-1

 1.5 This Month’s Accomplishments1-2

 1.6 Upcoming work1-2

 1.7 Critical Items1-3

2.0 Safety2-1

3.0 IMS Program Schedule3-1

 3.1 Introduction3-1

 3.2 Critical Path3-2

 3.3 Schedule Contract Milestone Analysis3-3

4.0 Cost and Budget.....4-1

 4.1 Introduction4-1

 4.2 Program Budget and Cost4-1

 4.3 Program Shared Risk Pool and Contingency4-2

 4.4 Electrification Design Builder Contract Incentives4-3

 4.5 Program Cash Flow and Funding4-3

 4.6 Issues4-4

5.0 Change Management5-1

 5.1 Introduction5-1

 5.2 Change Orders5-1

 5.3 Issues5-2

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1.0 EXECUTIVE SUMMARY

1.1 Introduction

The Peninsula Corridor Electrification Project (PCEP) will upgrade 51 miles of diesel service to electrified service from San Francisco to San Jose (Tamien Station). The PCEP scope of work includes design and construction of an overhead contact system, traction power facilities, modification of the existing signaling and grade crossing protection system to make it compatible with the electrified railroad, substation improvements at Pacific Gas and Electric (PG&E) substations, and modifications at existing tunnels and Caltrain’s maintenance facility. It also includes the design, manufacturing, assembly, testing, and delivery of the Electric Multiple Units (EMUs).

Caltrain completed a thorough assessment of all aspects of the program including cost, schedule, risks, and organization after the global settlement in 2021. Caltrain re-baselined the program budget and schedule in December of 2021. Caltrain finished a schedule reforecast in March 2023 and is committed to deliver PCEP and achieve revenue service in September of 2024.

1.2 Program Cost and Budget

On December 6, 2021, the JPB adopted a new PCEP program budget of \$2,442,690,697. On January 31, 2023 Caltrain received a \$367 million funding award from California’s Transit and Intercity Rail Capital Program’s (TIRCP) Cycle 6 Existing Project Reserve, representing the remaining funding needed to complete the project. The project is now fully funded in the amount of \$2,442,690,697. As of March 2023, the project is on budget:

- The current project total cost at completion (EAC) is the same as the Board adopted budget of \$2.44 billion.
- As of March 2023, a total of \$5.23M has been drawn down from the Shared Risk Pool of \$50 million. In March 2023, \$0.58M was drawn from the Shared Risk Pool.
- As of March 2023, a total of \$3.52M has been drawn from the project contingency of \$40 million. In March 2023, there was no draw from project contingency.
- As of March 2023, no new awards have been made from the Project incentive pool of \$18.5 million.
- As of March 2023, no incentive was issued from the milestone incentive pool of \$15 million.

1.3 Program Progress and Schedule

As of March 31, 2023, the overall project completion is 81.46%. The current program schedule is projecting a PCEP substantial completion date of April 2024 and Revenue Service by September 2024. Staff is implementing a 2023 path to completion with 31 weekend area focused bus bridges to maximize track access to allow system integration testing, signal cutovers, and proactive OCS construction productivity mitigations for the remaining PCEP work. There were five (5) weekend partial bus bridges implemented through March 2023.

1.4 Change Management Board (CMB)

In March 2023, the following Change Order item was brought to CMB for approval:

- VTA Bus Bridge Service

1.5 This Month's Accomplishments

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

- Completed project schedule reforecast that reflects the path to completion with 31 focused area weekend closures. The reforecast schedule does not change the Project completion date. Interim milestones have been adjusted to reflect the focused area weekend closures.
- Continued to coordinate with PG&E on TPS 2 short circuit testing, low voltage power drop applications, and distribution line de-energization work.
- Provided emergency response on March 14th due to heavy rain and windstorm; helped the railroad clear fallen tree on the ROW. The assessment of storm damage has been completed and incorporated into the Project schedule.
- Performed readiness reviews for weekend bus bridges for OCS Segment 2 construction.
- Completed Rail Service Plan for weekend partial area closure from Millbrae to San Francisco to support Segment 2 OCS construction.
- Continue focused area limited weekend shutdown work in March and April 2023 from Millbrae to Hillsdale and Belmont to Menlo Park.
- The Project team continues to utilize the OCS weekly quantity tracker to monitor weekly planned quantities vs. actual production.
- Continued negotiation on railroad isolation and protection change order.
- Continued development of OCS/TPS maintenance service contract procurement.
- Continued safety special task force working group, including TASI, Rail Operations and PCEP to address communications, process, and procedure improvements.
- Continued providing PCEP progress updates to funding partners, leadership, elected officials, citizens, and business community.
- Continued Rail Activation effort on path to energization for Segment 4 and CEMOF.
- Continued field validation, pretesting, and complete documentation required to perform short circuit retest. To mitigate risk, the team will be performing a load bank test at TPS 2.
- Continued working with Caltrans on Segments 3 and 1 encroachment permit.
- Completed EMU Storage Plan.
- Held in person Executive workshop to discuss actions required to complete remaining work on schedule.

1.6 Upcoming work

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

- Hold bi-weekly project completion road map meeting with Design-Build Contractor Executives to address OCS productivities and TPS findings.
- Continue operations planning, ambassador, and rail service planning effort for weekend area closures for Segment 2 OCS construction, and

- Segment 3 last cutover scheduled last two weeks in April 2023.
- Continue to coordinate with PG&E on TPS 2 short circuit testing, low voltage power drop applications, and distribution line de-energization work.
- Commence EMU maintenance training.
- Perform short circuit re-test in May 2023.
- Complete TPS documentation audit, field validation and test audit.
- Hold FTA Quarterly progress meeting on site.
- Plan for Segment 4 Drill Track and Segment 4 Live runs and full energization.
- Energize CEMOF for EMU commissioning.
- Complete Segment 3 construction and ready for Sectionalization Testing.
- Hold Monthly CMB meeting for program status and change order approval.
- Complete Segment 3 signal cutovers at Palo Alto, Mountain View and Sunnyvale in April 2023.
- Develop EMU interim maintenance and revenue service maintenance program.
- Finalize PCEP EIR tree mitigation approach.
- Meet with FTA and complete Programmatic Agreement (PA) amendment and finalize burial agreement and treatment plan.

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

1.7 Critical Items

As of March 2023, PCEP has completed Segment 2 signal cutover, fulfilled the \$410M funding gap, and has adequate RWIC to support field construction. The top critical items and related actions are highlighted below.

Table 1-1. Critical Issues and Actions

Critical Issues	Actions
<p>Overhead Contact System (OCS) installation delay due to low productivity</p> <p>Note: The project OCS work was on hold from March 10, 2022, to March 28, 2022 during the safety stand down.</p> <p>Segment 2 OCS was damaged during high wind and heavy rainstorms in late December 2022 and early January 2023</p>	<ul style="list-style-type: none"> • Additional BBII OCS crew training for regulation and variance in the OCS design / installation due to re-design & accommodations to resolve foundation Differing Site Conditions (DSC) issues – Completed. • Hiring additional BBII OCS staff members to prevent schedule slippage and help in future installation planning – Completed. • Hold OCS construction scheduling recovery workshop for remaining OCS installation and testing – Completed. • Increase OCS crews and OCS wiring equipment to increase productivity – Completed. • More track access including weekend area closures for remaining Segments 1 and 2 OCS construction and testing. Weekend bus bridge construction started on February 11, 2023. • OCS storm repair work for Segment 2 is planned for September 2023 due to rainstorm and long lead time for materials. • Bring on more regulating crews in May 2023. • Procure more equipment parts and ensure all equipment is performing well for construction.

Critical Issues	Actions
<p>Unsuccessful TPS 2 short circuit test delays drill track and Segment 4 mainline energization</p>	<ul style="list-style-type: none"> • Bring on equipment fitters and warehouse material manager on site. • Perform comprehensive root cause analysis and develop corrective action plan. • Implement configuration change control process including design drawing, shop drawings, as-built version control to ensure all parties are using the same set of drawings for TPS2 testing. • Perform technical working groups including all vendors and EOR. • Weekly management team briefing on corrective action status. • Perform independent assessment of the TPS. • Develop SSWP for all work performed at TPS for Caltrain review and approval. • Perform field verification and pre-testing before short circuit re-test. • Perform load bank testing prior to short circuit re-test.

2.0 SAFETY

There was one (1) reportable injury in March 2023 and one (1) added in February. The Reportable Injury Rate (RIR) for the entire year (2022) was 2.82. Overall, since the project’s inception, the RIR is at 1.94, which is below the national average of 2.5. The RIR for 2023 is at 2.53.

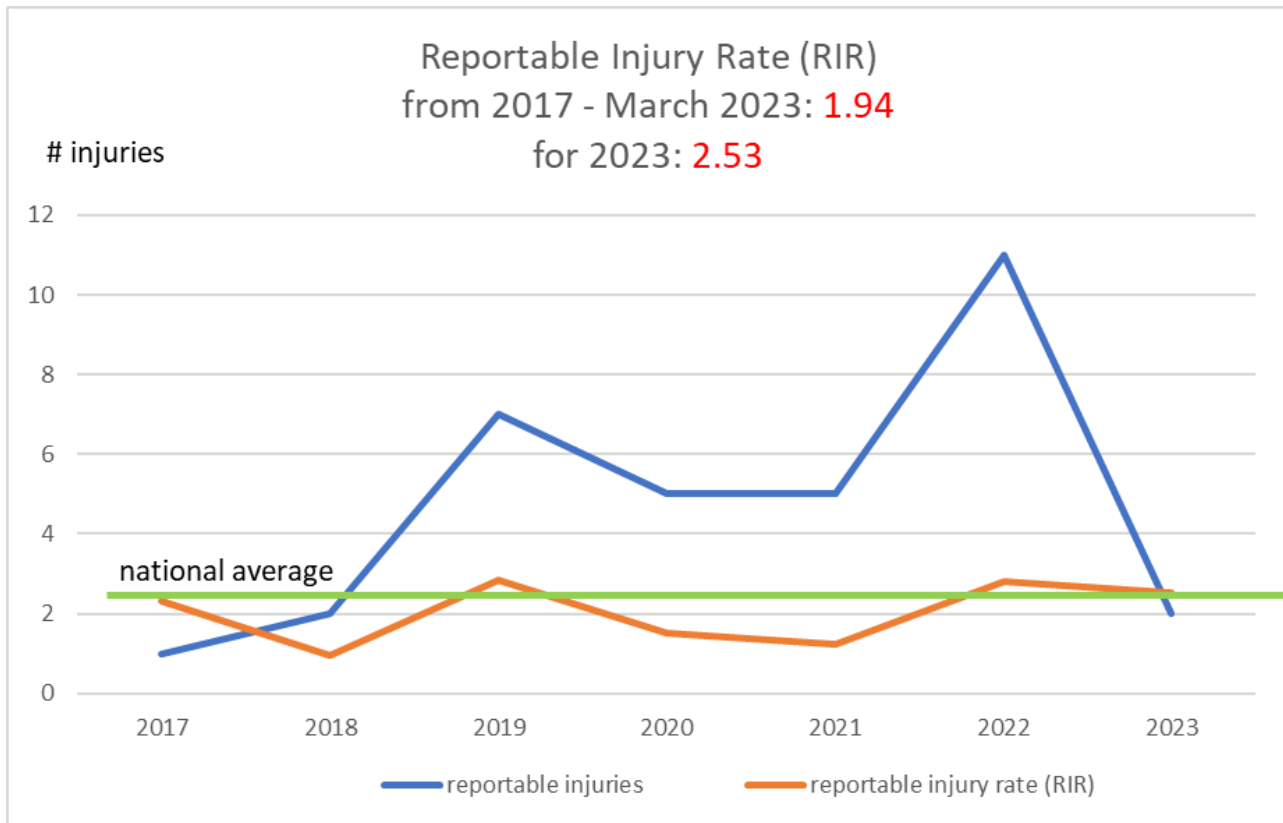


Figure 2-1. Project Reportable Injury Rate (RIR) by Year

Completed Work

Safety staff continues to coordinate with contractors to identify opportunities to improve safety performance. Organizational-wide safety briefings are being performed to ensure staff understand the application of post incident mitigation measures including rules and procedural changes designed to enhance safety. Project Safety continues to reinforce jobsite safety practices throughout the Caltrain alignment, investigate incidents, and identify mitigation measures to prevent re-occurrences. Safety project coordination meetings continue to be conducted monthly to promote a clear understanding of project safety requirements. In addition, Caltrain Safety continues weekly calls with the lead safety staff from Caltrain, PCEP, BBII, and TASI to discuss safety performance and ongoing initiatives.

Upcoming Work

The Fire/Life Safety Committee continues to work with emergency responders along the Caltrain corridor on emergency preparedness in advance of energization. The safety team has

updated the OCS and EMU emergency responder safety familiarization presentations to include voiceover features for use by the Fire Departments. The presentation will also be shared with other emergency responder jurisdictions through the project Fire/Life Safety Committee.

OCS safety awareness training was delivered to Mountain View Fire Department on February 1, 2023, and Sunnyvale Fire Department from February 15-17, 2023. PCEP Safety Team provided OCS Safety Awareness training to the California Public Utilities Commission (CPUC) inspectors in Fresno, CA on April 4, 2023 with 63 attendees. Training was conducted for Palo Alto Fire Department on March 27, 29, and April 6 with a total of 59 firefighters in attendance. Menlo Park Fire Department training is scheduled for May 1, 2, and 4.

3.0 IMS PROGRAM SCHEDULE

3.1 Introduction

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

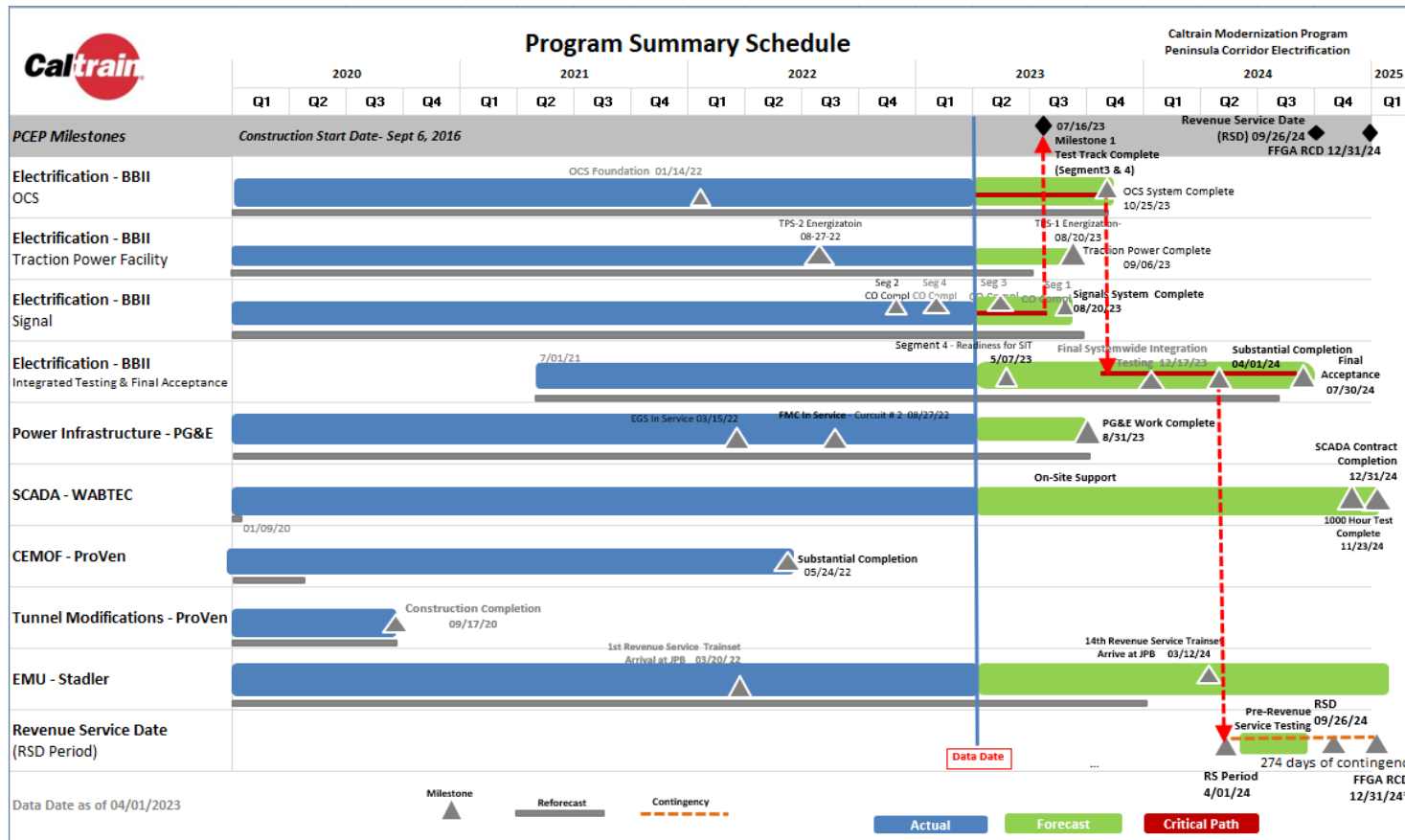


Figure 3-1. Master Program Summary Schedule

3.3 Schedule Contract Milestone Analysis

Milestone No. 1: The Sectionalizing Segment 3 Integrated Testing continues to impact the completion of Milestone No. 1. This Milestone has been redefined to include Segment 3 and 4 for more electrified mileage to test the Trainsets. Overall, Milestone No. 1 is currently showing an anticipated completion of July 16, 2023, which is now 49 days later than the Reforecast date of May 28, 2023. The delay has been caused with the failures in short circuit testing, configuration management and lack of Contractor resources.

Figure 3-3. Contract Milestone Analysis

Contractor	Milestones	Reforecast Dates (Dec '22)	Current Dates (Mar '23)	Milestone Finish Date Variance	Remarks
BBII	System Integration Testing Start (Segment 4)	5/21/2023	6/18/2023	-28	Delayed by the failed short circuit testing which has delayed the EMU live runs within Segment 4.
BBII	Completion of Milestone 1 (Segments 3 and 4)	5/28/2023	7/16/2023	-49	Delayed by failures in Short Circuit Testing as well as significant weather delays through storm damage or heavy rain during the month of March 2023
BBII	PG&E Energize & Provide Power 115kV to TPSS-1	9/12/2023	8/20/2023	23	Duration improvement from solving battery and other issues at Traction Power Substation #2.
BBII	Signal Cutovers and Systems Completion	8/20/2023	8/20/2023	0	
BBII	OCS Construction Completion	10/2/2023	10/27/2023	-25	Delayed by reconstruction and testing of OCS at the Guadalupe Bridge.
BBII	System Integration Testing Completion	11/25/2023	12/17/2023	-22	Delayed by delays to the live run testing in Segment 1 and 2 until the OCS System in those segments can be energized
Stadler	14th Trainset Arrival at JPB Site	10/12/2023	3/12/2024	-152	Delayed by Stadler experiencing multiple problems obtaining parts and subassemblies from their Suppliers. They are committed to deliver the first 14 Trainsets by 3/22/2024.
BBII	Substantial Completion	4/1/2024	4/1/2024	0	
BBII	Scheduled Final Acceptance	7/30/2024	7/30/2024	0	
JPB	Revenue Service Date (RSD)	9/26/2024	9/26/2024	0	
JPB	FFGA Revenue Completion Date (RCD)	12/31/2024	12/31/2024	0	

4.0 COST AND BUDGET

4.1 Introduction

This section presents an update on program cost and budget. On December 6, 2021, the JPB adopted a new Program budget of \$2.44 billion. Table 4-1 depicts a summary level of program budget, costs, and estimate at completion based on the latest update of the Electrification and EMU projects as of March 31, 2023.

4.2 Program Budget and Cost

Table 4-1. Budget Summary by Project

Description of Work	Current Budget (A) ¹	Cost This Month (B) ²	Cost To Date (C) ³	Estimate To Complete (D)	Estimate At Completion (E) = (C) + (D)	Variance at Completion (F) = (A) – (E)
Electrification	\$1,749,139,439	\$4,253,345	\$1,515,096,973	\$234,042,465	\$1,749,139,439	\$0
EMU	\$693,551,258	\$2,007,553	\$507,434,836	\$186,116,422	\$693,551,258	\$0
PCEP TOTAL	\$2,442,690,697	\$6,260,898	\$2,022,531,810	\$420,158,887	\$2,442,690,697	\$0

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

Table 4-2 depicts program budget, costs, and estimate at completion summarized by major elements of work. This budget table provides additional detail for the program and is broken down by major contracts for Electrification and EMU, minor contracts, real estate, utilities, project management oversight and other indirect support costs.

Table 4-2. Budget Summary by Major Elements

Description of Work	Re-Baseline Budget	Current Budget	Cost This Month	Cost To Date	Estimate To Complete	Estimate At Completion
Electrification	\$1,097,149,881	\$1,097,149,881	\$192,448	\$904,334,942	\$192,698,939	\$1,097,033,881
EMU Procurement	\$556,072,601	\$556,248,486	\$1,132,975	\$420,210,493	\$136,427,993	\$556,638,486
Minor Construction Contracts (Tunnel, CEMOF, SCADA, Non-BBI OCS)	\$67,055,072	\$68,091,194	\$0	\$64,677,734	\$3,413,459	\$68,091,194
Real Estate Acquisition & Support	\$34,914,177	\$34,914,177	\$41,498	\$24,019,371	\$10,894,806	\$34,914,177
PG&E, Utilities	\$132,088,994	\$132,088,994	(\$1,403,354)	\$203,562,729	-\$71,473,734	\$132,088,994
Management Oversight & Support	\$312,699,697	\$315,007,767	\$3,083,955	\$266,527,647	\$48,480,120	\$315,007,767
TASI Support	\$114,488,767	\$114,488,767	\$1,711,744	\$95,505,014	\$18,983,752	\$114,488,767
Finance Charges	\$9,898,638	\$9,898,638	\$57,500	\$9,361,780	\$536,858	\$9,898,638
Insurance	\$6,581,851	\$6,581,851	\$1,220,962	\$6,118,411	\$463,440	\$6,581,851
Other Required Projects & Services	\$9,084,176	\$10,484,176	\$227,492	\$3,863,462	\$6,820,714	\$10,684,176
Environmental Mitigation	\$14,438,866	\$13,038,866	\$0	\$1,242,229	\$11,596,637	\$12,838,866
Caltrain Capital Overhead (ICAP)	\$48,217,887	\$48,217,887	(\$4,321)	\$23,107,996	\$25,109,891	\$48,217,887
Contingency	\$40,000,089	\$36,480,012	\$0	\$0	\$36,206,012	\$36,206,012
Total	\$2,442,690,697	\$2,442,690,697	\$6,260,898	\$2,022,531,810	\$420,158,887	\$2,442,690,697

4.3 Program Shared Risk Pool and Contingency

Caltrain and Balfour Beatty Infrastructure, Inc. (BBII) continue implementing new mechanisms to ensure a collaborative approach to Project delivery. The management team meets every week to review the issues log focusing on risk mitigation and issues resolution.

As part of global settlement, a shared risk pool of \$50 million was established to manage risks and mitigation proactively and collaboratively with the design-build contractor. Table 4-3 shows the current shared risk drawdown for the current month and to-date as well as the remaining balance of the shared Risk Pool by Risk Category. Any shared risk items (27 Risk IDs listed below in Table 4-3) that are above \$250,000 require Change Management Board (CMB) approval.

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

Risk ID	Risk Description	Risk Amount	Current Month	Executed to Date	Remaining Balance
1	Permanent Power Availability	\$268,572	\$0	\$178,365	\$90,207
2	Different Site Condition for OCS Foundation	\$3,500,000	\$0	\$986,104	\$2,513,896
3	Different Site Condition for Duct bank	\$2,800,000	\$17,392	\$409,273	\$2,390,727
4	Condition of existing Fiber backbone infrastructure	\$3,150,000	\$11,818	\$256,450	\$2,893,550
5	Availability of TASI Resource	\$5,777,820	\$0	\$0	\$5,777,820
6	Signal Cutover access and work window	\$5,607,150	\$0	\$0	\$5,607,150
7	Condition of existing signal system	\$538,572	\$0	\$29,125	\$509,447
8	EMI Nonconformance by EMU Vendor	\$750,000	\$0	\$0	\$750,000
9	Reed Street Cutover	\$90,000	\$0	\$0	\$90,000
10	Availability of low voltage power for cutover testing	\$1,120,000	\$0	\$0	\$1,120,000
11	Third party Permits	\$150,000	\$0	\$0	\$150,000
12	SCADA integration for the entire alignment	\$159,524	\$0	\$0	\$159,524
13	Tunnel OCS Compatibility	\$167,500	\$0	\$0	\$167,500
14	Supply chain issue due to COVID 19	\$300,000	\$0	\$28,923	\$271,077
15	End to end Systems integration commissioning	\$2,100,000	\$0	\$0	\$2,100,000
16	Existing Caltrain Operating systems interface and integration	\$1,400,000	\$0	\$71,920	\$1,328,080
17	Third party Approval	\$150,000	\$0	\$13,140	\$136,860
18	Impact from Caltrain other capital or third-party projects	\$2,166,683	\$549,015	\$697,117	\$1,469,565
19	Track access delay for BBII Construction	\$1,800,000	\$0	\$180,770	\$1,619,231
20	Additional light Maintenance and Protection Needs	\$280,000	\$0	\$164,531	\$115,469
21	Crossing Protection	\$220,000	\$0	\$102,334	\$117,666
22	Power facilities	\$500,000	\$0	\$0	\$500,000
23	NCR's	\$0	\$0	\$0	\$0
24	Potholing	\$1,700,000	\$0	\$107,547	\$1,592,453
25	Pre-Revenue Service Operational Testing	\$250,000	\$0	\$0	\$250,000
26	TRO Contingency	\$3,000,000	\$0	\$0	\$3,000,000
27	Contingency	\$12,000,000	\$0	\$2,003,026	\$9,996,974
NA	Unidentified	\$54,179	\$0	\$0	\$54,179
	BBII Risk Pool Total	\$50,000,000	\$578,225	\$5,228,626	\$44,771,374

In addition to the established Risk Pool with BBII, the Re-Baseline Budget includes a program contingency of \$40 million to cover non-BBII potential changes and unknowns.

Table 4-4 provides a detailed status of approved transfers from contingency due to executed Contract Change Orders and approved Budget Transfers.

Table 4-4. Program Contingency Drawdown Balance

Change Order	Description	Current Budget Contingency	EAC Contingency
Project Contingency	Previously Reported Balance	\$36,480,012	\$36,206,012
	PROJECT CONTINGENCY REMAINING BALANCE	\$36,480,012	\$36,206,012

Note: EAC Contingency reflects forecast contingency.

4.4 Electrification Design Builder Contract Incentives

The Global Settlement with BBII also includes incentives based on Milestone completions and remaining contract incentives. Table 4-6 provides a status of Design-Build Contractor incentives Budgeted, Awarded, and remaining Balance.

Table 4-5. BBII Incentives

Incentives	Budgeted	Awarded	Balance
Contract Incentive:			
Quality	\$1,250,000	\$1,000,000	\$250,000
Safety	\$2,500,000	\$875,000	\$1,625,000
Community Outreach	\$2,500,000	\$1,750,000	\$750,000
DBE	\$900,000	\$0	\$900,000
Total Contract Incentive	\$7,150,000	\$3,625,000	\$3,525,000
Milestone Incentive:			
Early Signal and Crossing Cutover	\$4,000,000	\$0	\$4,000,000
Early Project Substantial Completion (NTE)	\$8,000,000	\$0	\$8,000,000
Early Revenue Service	\$3,000,000	\$0	\$3,000,000
Total Milestone Incentive	\$15,000,000		\$15,000,000

4.5 Program Cash Flow and Funding

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

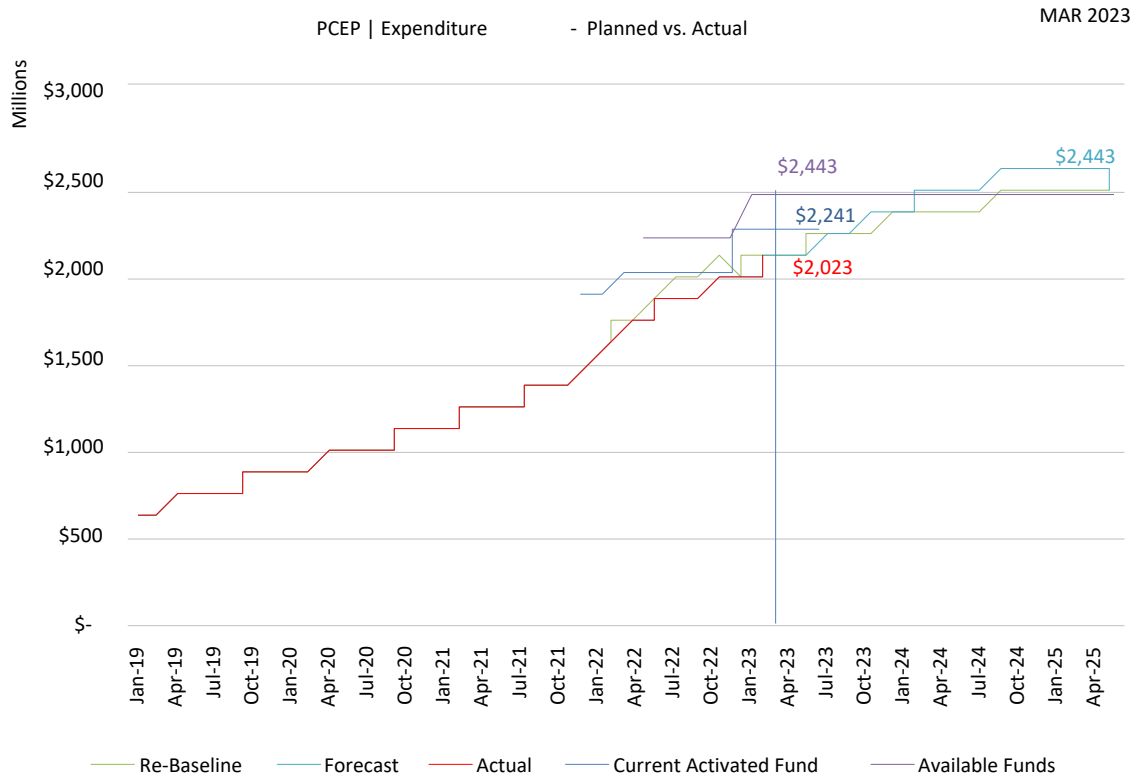


Figure 4.1 Expenditure – Funding Cash Flow

4.6 Issues

Table 4-6. Cost and Funding Issues Identified, and Actions Taken for March 2023

Issues	Actions
Late receiving of PG&E \$99 million reimbursement	<ul style="list-style-type: none"> • Work with PG&E to project reimbursement date. • May need to hold \$100 million bond until PG&E reimbursement is made to support project cash flow needs for FY25.

5.0 CHANGE MANAGEMENT

5.1 Introduction

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

5.2 Change Orders/Shared Risk Pool

5.2.1 Executed Shared Risk

The following Shared Risk items were executed in March 2023:

- Incorporation of As-built Additional Pedestrian Gate Mechanism was executed on March 13, 2023 for \$549,014.
- Relocation of Aerial Utilities at Stanford Station (MP 30.5) Design Only was executed on March 14, 2023 for \$17,392.

5.2.2 CMB Approved Change Order Items

- VTA Bus Bridge Service

5.2.3 Upcoming Change Orders/Shared Risk Items

- UPRR Reed Street Median Design Civil Improvements (Sunken Costs) for \$45,089.
- Final Tie in and Additional Conduit at CP Tunnel MP 4.78 for \$26,526.
- Segment 2 Low Voltage Power Connections not Available to Support Cutover (Generators) – (11/1/2021 through 11/30/2022).
- Segment 2 Low Voltage Power Connections not Available to Support Cutover (Generators) – (12/1/2022 through 3/31/2023).
- Isolation and Protection for Railroad Change Order.
- Stadler Time Extension and Added Work.
- EMU Convenience Outlet Modification.

5.3 Issues

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

Issues	Actions
Segment 4 Maintenance Option in the existing BBII Contract was never exercised. Maintenance of OCS/TPS for Segment 4 will be needed post Segment 4 substantial completion once Caltrain is using it for EMU testing under 25kV.	<ul style="list-style-type: none"> • Define EMU testing and burn in work schedule. • BBII provides isolation and protection once Segment 4 is powered up. • BBII will provide maintenance lite during EMU testing and burn in. • Prepare Request for Proposal for OCS/TPS Maintenance Service for public procurement scheduled for February 2023. • Develop evaluation criteria for Maintenance Service proposals. • Recommend for award and obtain JPB board approval.