

DTX Interim Agreement

FINANCE COMMITTEE
JULY 24TH, 2023



Agenda

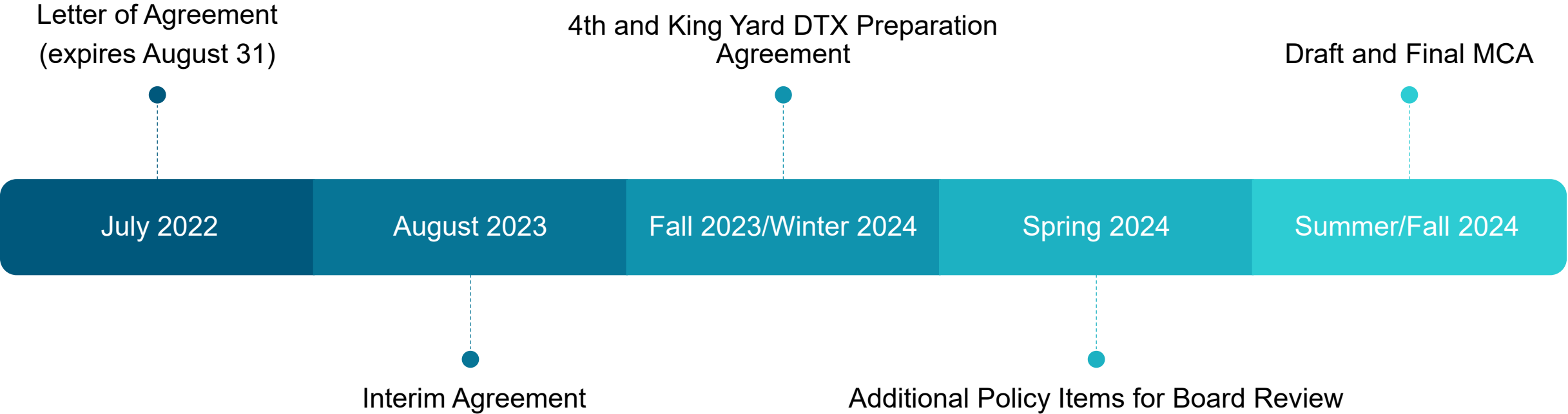
- Overview of DTX Agreements
- Scope of Interim Agreement
- Staff recommendation
 - Execute Interim Agreement
 - Amend FY24 Capital Budget



Overview and Updated Approach to MCA

- TJPA is seeking funding for DTX from the FTA New Starts program, which could fund up to just under 50% of project capital cost.
- Caltrain and TJPA are developing a Master Cooperative Agreement (MCA) to formalize respective roles in project delivery, operation and maintenance.
- FTA requires completion of all third-party agreements (including the MCA) before TJPA requests full-funding grant agreement (FFGA) in fall 2024
 - There are critical, unresolved MCA issues
 - To **demonstrate progress to the FTA** prior to TJPA's formal request for Funding in Annual Funding Recommendation Cycle, TJPA and Caltrain have agreed to focus on the near-term elements of the MCA and document in an Interim Agreement

Timeline of Agreements



Interim Agreement Scope

- Project Delivery Roles: role of the Project Delivery Team (“PDT”) and joint decision-making process for items leading up to an MCA.
- Staffing, Budget, and Reimbursement: a staffing plan, description of resource needs, budget, and a reimbursement mechanism, all for Caltrain’s work prior to the MCA.
- Joint Workplan: process for negotiation and execution of other necessary agreements and the MCA.
- 4th and King Yard DTX Preparation: concurrence on the design approach for certain work that needs to progress prior to the MCA related to the 4th and King Yard DTX Preparation.

Project Delivery Roles

Project Delivery Team (PDT): primary staff-level decision-making body with the responsibility and authority to manage the DTX Project

- Staff and consultants from Caltrain will be integrated into a PDT for design of the DTX Project, commencing during the Interim Agreement term
- The PDT will report to the Integrated Management Team (IMT) and the Executive Working Group (EWG), both of which will be established in 2024

Staffing, Budget, and Reimbursement

TJPA will reimburse Caltrain for Caltrain staff and consultant costs for the DTX Project during the term of the Interim Agreement

Item	Estimated Costs
Caltrain PDT	\$ 1,191,429
Caltrain HQ staff	\$ 823,324
Caltrain Professional Services	\$ 3,003,486
Total	\$ 5,018,239

Joint Workplan

Tasks to complete over the course of the Interim Agreement term:

1. Support the preparation of DTX procurement documents and begin contractor selection
2. Review and conduct studies for design, procurement, environmental and grant documents
3. Provide support for FTA deliverables, governance framework development, and Caltrain and TJPA Board items
4. Reach interim agreements supporting progress toward a comprehensive MCA
5. Bring a separate, comprehensive agreement regarding 4th and King Yard DTX Preparation to both boards for consideration

Recommendation and Next Steps

1. Staff recommends that the Finance and AMP Committee and Caltrain Board:
 - a) Authorize the Executive Director, or designee, to execute an Interim Agreement between the TJPA and Caltrain
 - b) Amend the Caltrain Fiscal Year 2024 Capital Budget to include the \$5,018,239 of reimbursable expenses in the Interim Agreement.
2. Staff expects the TJPA Board to authorize the execution of the Interim Agreement at their August 10th meeting

FOR MORE INFORMATION

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