



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD Technology, Operations, Planning, and Safety (TOPS) Committee Meeting

November 29, 2023, 1:30 pm

Bacciocco Auditorium, 2nd Floor
1250 San Carlos Ave., San Carlos, CA

Committee Members: Rico E. Medina (Chair), Pat Burt, Shamann Walton

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/81186731470?pwd=OUE3b0ZiY3ZoYzRCN280UG5Gb9WZz09> or by entering Webinar ID: **811 8673 1470**, Passcode: **274739**, in the Zoom app for audio/visual capability or by calling 1-669-219-2599 (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
- Fatigue
- Sore Throat
- Headache
- Congestion or runny nose
- Nausea or vomiting
- Muscle or body aches
- Diarrhea
- Fever or Chills
- Loss of taste or smell
- Shortness of Breath

Public Comments: Public comments may be submitted to publiccomment@caltrain.com prior to the meeting’s call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board’s weekly correspondence and posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

Verbal public comments will also be accepted during the meeting in person and through Zoom* or

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

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

November 29, 2023 - Wednesday

1:30 pm

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.

1. Call to Order / Pledge of Allegiance
2. Roll Call
3. Public Comment on Items Not on the Agenda
Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff to reply.
4. Meeting Minutes of October 25, 2023 Motion
5. Approval of the 2024 JPB Technology, Operations, Planning, and Safety (TOPS) Committee Meeting Calendar Motion
6. Award of Contract for Final Design Services for the Rengstorff Avenue Grade Separation Project* Motion
7. Amend Budget for Broadband Wireless Communication System Project* Motion
8. Authorize Execution of the Amended Memorandum of Understanding to Receive Funding for the Construction Manager General Contractor (CMGC) Pre-Construction Phase for the Broadway Grade Separation* Motion
9. Award of Contract for San Mateo Replacement Parking Track Project* Motion
10. Committee Member Requests
11. Date/Time of Next Regular TOPS Committee Meeting: Wednesday, December 20, 2023 at 1:30 pm.
The meeting will be accessible via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.
12. 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 Technology, Operations, Planning, and Safety (TOPS) Committee: Two Wednesdays before the Board meeting, 1:30pm. 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.

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
Technology, Operations, Planning, and Safety (TOPS) Committee
1250 San Carlos Avenue, San Carlos, CA 94070

Minutes of October 25, 2023

Members Present: Pat Burt, Shamann Walton, Rico E. Medina (Chair)

Members Absent: None

Staff Present: M. Bouchard, R. Bernard, G. Rogers, J. Harrison, D. Seamans, P. Ledezma

1. Call to Order/Pledge of Allegiance

Chair Medina called the meeting to order at 1:30 pm and led the Pledge of Allegiance.

2. Roll Call

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

3. Public Comment on Items not on the Agenda - There were none.

4. Meeting Minutes of September 27, 2023

Motion/Second: Walton/Burt

Ayes: Walton, Burt, Medina

Noes: None

Absent: None

5. Authorize Use of Construction Manager General Contractor (CMGC) Project Delivery Method Pursuant to Public Utilities Code Section 103394 for the Middle Avenue Pedestrian and Bicycle Undercrossing Project

Rob Barnard, Deputy Chief Rail Design and Development, provided the presentation which included the following:

- In May 2023, the Board authorized a service agreement with the City of Menlo Park for the undercrossing and this is a task order for that service agreement to expand the delivery methods to enhance risk management, scope, and schedule certainty
- Reviewed three recommended uses of the alternative delivery method (two in the City of Mountain View at Rengstorff and one at the City of Burlingame at Broadway)
- The use of CMGC (Construction Manager General Contractor) will accomplish one or more of the code requirements to reduce project costs, expedite the schedule, or provide features not achievable through the typical design bid-build
- Provided a project overview - it would improve safety for pedestrian and bicyclists and provide a more direct and safer connections on both sides of Caltrain tracks

- Reviewed overall schedule, funding, forecasting, and the advantages and disadvantages of each method
- There was a prior workshop with Menlo Park, SMCTA (San Mateo County Transportation Authority), and Caltrain staff to evaluate delivery methods and determine the most appropriate option given the project scope risk and challenges

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

- Reviewed some real-world examples of how project evolution would occur under the CMGC versus progressive design build, and what would be a sequence of optimizing the design
- Staff reviewed both real and hypothetical examples of the CMGC processes/steps, which included working with the designer on the scope, schedule, and budget; this could be an iterative back and forth process amongst the contractor, city, and Caltrain with early contractor involvement before the design is done to drive the scope and keep risks and costs down

Motion/Second: Burt/Walton

Ayes: Walton, Burt, Medina

Noes: None

Absent: None

6. Receive Update on Organizational Readiness for Rail Activation

Graham Rogers, Business Operations Project Manager, presented provided the presentation which included the following:

- This was an overall progress update to the prior August presentation on rail activation
- Currently in the testing, training, and commissioning phase to prepare for electrification
- Next steps included conducting interviews with each Caltrain department and shared services partners on the rail activation process and to generate a collective awareness of all collaborative tasks to be completed; they have identified and are tracking about 300 unique activities, from operational readiness to systems integration
- There are weekly rail activation committee meetings on the implementation of very specific action items and deadlines and weekly commissioning meetings to focus on broader funding, staffing, and contractual needs
- Working on a plan and management for mitigation of risks

7. Receive Update on Caltrain Safety Performance

Mike Meader, Chief Safety Officer, provided the presentation that included the following:

- Caltrain Safety Officer role created; “Safety-First and Always” as a core value and included in all email signatures; safety culture messaging going out; safety moments at

all Caltrain events and briefings; created a Safety Champions workshop; safety concern reporting tool will be rolled out next month

- Caltrain executive safety committee meets monthly to discuss any system changes
- Safety brand, electrification training and communication are very important in moving forward towards fully electrified service
- Reviewed safety performance data, was trending well in August but had some avoidable injuries and focusing on the root causes of those for future prevention/reduction
- To date in 2023, there were no reportable accidents and incidents to report to the FRA (Federal Railroad Administration) and testing to identify areas for improvement
- 13 trespasser strikes so far this year with 11 under investigation to determine if they were intentional or not; there was a jump in August for unknown reasons
- Vehicle incursions onto railroad tracks- most have occurred at Churchill in Palo Alto and 16th Street in San Francisco; staff working on address them through review/improvements to crossing design; since most of them are due to GPS (global position system) errors, staff is working with GPS manufacturers/applications to have railroad tracks more visible in these services
- Fencing program - focused on continuous repairs, use risk-based prioritization to focus efforts on the hot spots, and about 86 percent of the right of way has fencing
- Improvements to grade crossing included work/research on lighting improvements, possibly use other types of barriers, potential grants to fund CCTV (closed-caption television), and monitoring the currently installed system to assess functionality
- Provided an overview of data analysis on Transit Police calls for service
- Noted electrification safety included not touching any overhead or ground wires, the trains are quieter and faster, and people should only cross at designated crossings
- Other safety measures included updating suicide crisis signs with the 988 system, safety cards with reminders and safety tips that both staff and the Transit Police share, and ‘See something, say something’ crowdsourcing

The Board members had a discussion and staff provided further clarification that included the following:

- System-wide fencing and the possibility of what it would take to have the most safe and secure system and possible improvements to GPS applications
- Clarified 86 percent of the JPB-owned corridor’s fencing was in total and some areas may be fenced on just one and not both sides
- Request for a fencing breakdown – on different fencing qualities (materials and height); concern for having the corridor securely fenced on both sides and at a sufficient height to deter people going over them; from a top-down perspective, what would be the most secure system that can be obtained and at what cost be and then consider funding sources as staff is working to determine which areas to look at first

- Staff noted that the safest environment to consider would from trespasser perspective and there are many different definitions for that and agreed to work on identifying a more cost effective program; there would be future Board discussions on safety measures, processes, and having granular terms of the definition for operationalizing them

8. Committee Member Requests- There were none.

9. Date/Time of Next Regular TOPS Committee Meeting: Wednesday, November 29, 2023 at 1:30 pm.

10. Adjourn - Meeting adjourned at 2:21 pm.

DRAFT



JPB Technology, Operations, Planning, and Safety (TOPS) Committee Meeting Calendar – 2024

Wednesdays, Two Weeks Prior to Board Meeting – 1:30 PM

Wednesday, January 24
Wednesday, February 28
Wednesday, March 27
Wednesday, April 24
Wednesday, May 29
Wednesday, June 26
Wednesday, July 24
Wednesday, August 28
Wednesday, September 25
Wednesday, October 30
Wednesday, November 20*
Wednesday, December 18*

Board Committee Members: Directors Rico E. Medina (Chair), Pat Burt, Shamann Walton
Primary Staff Liaison: Sam Sargent

*Regular meetings are scheduled for two Wednesdays prior to the Board meeting at 1:30 pm unless otherwise noted.

Meetings will be conducted in a hybrid format (virtually via Zoom) and in-person at 1250 San Carlos Avenue, Bacciocco Auditorium, 2nd Floor, San Carlos, CA, unless otherwise stated.

Individual members of the public may participate in-person if they comply with the District's current workplace safety policies, unless stated otherwise, unless scheduled or stated otherwise at <https://www.caltrain.com/about-caltrain/meetings>.

Date may be subject to change.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Technology, Operations, Planning, and Safety Committee
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Award of Contract for Final Design Services for the Rengstorff Avenue Grade Separation Project**



Finance Committee
Recommendation



Technology, Operations,
Planning, and Safety
Committee Recommendation



Advocacy and Major
Projects Committee
Recommendation

Purpose and Recommended Action

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

1. Award a contract to AECOM Technical Services, Inc. of San Jose, California (AECOM) to provide Final Design Services for the Rengstorff Avenue Grade Separation Project (Project) for a not-to-exceed amount of \$12,496,042.14, consisting of \$11,043,811.88 for the base contract and \$1,452,230.26 for optional services.
2. Authorize the Executive Director or designee to execute a contract with AECOM 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 options for performance of additional project-related engineering and design services by AECOM, if deemed in the best interest of the JPB.

Discussion

Construction of grade separation structures at Rengstorff Avenue in the City of Mountain View will improve safety by eliminating conflicts between trains and pedestrians, bicycles, and motor vehicles. The Project will also help improve traffic flow, decrease train delays, and reduce train horn noise, which may be exacerbated in the future due to growth in vehicular traffic, greater frequency of Caltrain service, and the eventual use of the Caltrain right-of-way for high-speed rail.

Approval of the above actions will provide the JPB with a qualified firm to provide Final Design Services for the Project and support the JPB in obtaining the plans, specifications, and estimates (PS&E) for Project construction. The actions also would authorize the Executive Director or designee to exercise contract options for AECOM to perform additional related services, if deemed in the best interest of the JPB.

Below is a list of the base contract tasks and optional tasks, along with the corresponding not-to-exceed amounts:

Base Contract and Options	Services and Tasks	Not-To-Exceed Amounts
Base Contract		
Task 01	Project Management	\$1,196,467.39
Task 02	PS&E Support Studies	\$1,730,026.25
Task 03	65% PS&E	\$3,460,620.40
Task 04	95% PS&E	\$2,683,041.77
Task 05	100% PS&E	\$1,239,837.50
Task 06	Final PS&E	\$490,312.79
Task 07	Right-of-Way Support Services	\$243,505.77
Total Base Contract		\$11,043,811.88
Optional Tasks		
Task 08	Construction Manager/General Contractor Price Proposal Review and Coordination	\$112,645.96
Task 09	Design Support During Utility Relocation	\$197,678.41
Task 10	Design Support During Construction	\$352,383.79
Task 11	Prepare As-Built Drawings	\$89,522.10
Task 12	Allowance for Value Engineering	\$700,000.00
Total Optional Tasks		\$1,452,230.26
Total Amount for Base Contract and all Options		\$12,496,042.14

On June 15, 2023, the JPB issued Request for Proposals (RFP) No. 23-J-P-072 for Final Design Services for the Project. The RFP was advertised in a newspaper of general circulation and posted on the JPB e-procurement website. A pre-proposal conference was held virtually on June 29, 2023; two potential proposers and multiple potential subconsultants attended. The JPB received proposals from the following:

1. AECOM Technical Services, Inc. of San Jose, CA
2. Stantec Consulting Services Inc. of San Jose, CA

In accordance with federal and state laws governing the procurement of architecture and engineering services, proposals were evaluated, scored, and ranked solely on a qualification-based selection process, with price being negotiated only with the highest-ranked proposer.

A Selection Committee (Committee), composed of qualified staff from the JPB’s Capital Program Delivery and Engineering Department and the City of Mountain View, reviewed, evaluated, and ranked the proposals in accordance with the following weighted criteria:

Evaluation Criteria	Maximum Points
Company Qualifications, Experience & References	10 Points
Qualifications and Experience of Key Personnel	25 Points
Understanding the Required Scope of Services	30 Points
Project Management Plan	15 Points
Quality Management Plan	20 Points
Small Business Enterprise (SBE) Preference	5 Points
Total	105 Points

After the initial scoring of the technical proposals, the Committee determined that AECOM met all the RFP requirements and was the highest-ranked proposer. AECOM possesses the requisite experience and qualifications as defined in the solicitation documents. In addition, AECOM and its key subconsultants have experience with similar projects.

Staff successfully negotiated the prices with AECOM, conducted a price analysis for the base contract and optional services and determined the prices to be fair and reasonable in comparison to the independent cost estimate. AECOM’s prices are also consistent with those paid by other public agencies in the Bay Area for similar services.

The Office of Civil Rights assessed SBE preference submissions. AECOM received 1 out of 5 preference points in accordance with its level of SBE utilization.

Budget Impact

Funds for the Rengstorff Avenue Grade Separation Project were included in the Fiscal Year (FY) 2019 budget, with \$3,500,000 funded by the City of Mountain View. In FY2023, the Board budgeted an additional \$18,500,000 for the Project, funded by Santa Clara Valley Transportation Authority’s Measure B, increasing the Project’s budget to \$22,000,000. The Project has sufficient budget to support the contract.

Prepared By: Ehab Azab, Procurement Administrator III 650.508.7732
 Arul Edwin, Senior Project Manager 650.339.8845

Resolution No. 2023 –

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

* * *

**Awarding a Contract to AECOM Technical Services, Inc. for Final Design Services for the
Rengstorff Avenue Grade Separation Project for a Total Not-To-Exceed Amount of
\$12,496,042.14**

Whereas, in October 2022, the JPB prepared a 35 percent design of the Rengstorff Avenue Grade Separation Project in preparation of the Final Design; and

Whereas, on June 15, 2023, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP), solicitation number 23-J-P-072, for Final Design Services for the Rengstorff Avenue Grade Separation Project (Project); and

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

Whereas, a Selection Committee (Committee) scored and ranked the proposals on a qualifications-based selection process in accordance with the evaluation criteria set forth in the RFP; and

Whereas, the Committee completed its evaluation process and determined that AECOM Technical Services, Inc. of San Jose, California (AECOM) is the highest-ranked proposer and possesses the necessary qualifications and requisite experience to successfully perform the Scope of Services in the RFP; and

Whereas, staff conducted a price analysis for the base contract and optional services and determined that AECOM's prices are fair and reasonable; and

Whereas, staff and legal counsel have reviewed AECOM'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 AECOM for the Final Design Services for the Rengstorff Avenue Grade Separation Project for a total not-to-exceed amount of \$12,496,042.14, which includes \$11,043,811.88 for the base contract services and \$1,452,230.26 for optional project-related engineering and design services.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract for Final Design Services for the Rengstorff Avenue Grade Separation Project to AECOM Technical Services, Inc. of San Jose, California for a total not-to-exceed amount of \$12,496,042.14, which includes \$11,043,811.88 for the base services and \$1,452,230.26 for additional project-related engineering and design optional services; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to execute a contract with AECOM 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 options for AECOM to perform additional project-related engineering and design services, if in the best interest of the JPB.

Regularly passed and adopted this 7th day of December, 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 Technology, Operations, Planning, and Safety Committee
Through: Michelle Bouchard, Executive Director
From: Robert Barnard, Deputy Chief, Rail Development
Subject: Amend Budget for Broadband Wireless Communication System Project

Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

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

1. Amend the Fiscal Year (FY) 2024 Capital Budget by \$1,620,277, from \$515,905,427 to \$517,525,704 to reflect an increase in the Broadband Communications Project (Project) budget by \$1,620,277, from \$28,820,241 to \$30,440,518; and
2. Authorize the Executive Director, or designee, to submit an application to the California State Transportation Agency (CalSTA) for State Rail Assistance (SRA) funds in the amount of \$5,621,464 for the Project; and
3. Authorize the Executive Director, or designee to take any other actions as may be required to receive funds, including to execute and file Certifications and Assurances and Authorized Agent form as well as any amendments and furnish any additional information as CalSTA may require of SRA recipients.

Discussion

Broadband Project Background

The Board originally approved the Project in Fiscal Year (FY) 2019, subsequently approved a budget of \$28,820,241 in FY2023, and awarded a contract to Nomad Digital to design, implement, and test the Broadband system to provide Passenger Wi-Fi service for the Electric Multiple Unit (EMU) trains.

During the design phase of the Project, staff determined that it would be best for the train manufacturer Stadler to install the Broadband onboard equipment rather than the vendor Nomad Digital. Stadler's performance of the EMU onboard Broadband equipment installation affords several benefits to the Project.

1. Stadler's team has the best knowledge and expertise to install equipment and route the wires in the EMU.
2. Stadler's performance of the work will keep the EMU warranty intact.
3. Stadler can perform installation work in Salt Lake City before the EMU's are shipped to JPB in the Bay Area. This will relieve the space and access constraints for performing the work in the Central Equipment Maintenance & Operations Facility (CEMOF) in San Jose and mitigate schedule concerns to reduce the risk of delaying the overall project. As a result, staff has developed a detailed schedule for installation of Broadband equipment on the EMUs in Salt Lake City rather than on-site at Caltrain, balancing the schedule needs of the Broadband project with the schedule needs of the Peninsula Corridor Electrification Project (PCEP).
4. Stadler will incorporate the Broadband design and installation drawings into their EMU As-Built package so the additional EMUs deliveries from Stadler will contain the Broadband equipment.

The JPB received a proposal from Stadler to perform the EMU Broadband installation and negotiated a final price of \$1,999,015. A Change Order to the PCEP Stadler contract was executed for \$1,999,015 and will be paid from the Broadband Project budget.

The JPB also received a proposal from Nomad Digital to eliminate the EMU Broadband equipment installation scope from the contract and to include a price reduction of \$685,328. The result of the Stadler and Nomad Digital change orders is a net increase of \$1,313,687, which is within the scope of the Executive Director's contract contingency authority.

The cost for the Broadband Project has also increased because the amount of required TASI protection support has increased due to the necessary additional night work for trenching underneath the tracks and the recently developed OCS isolation policy.

With the rise in these Project costs, the Project budget has increased from \$28,820,241 to \$30,440,518.

Use of SRA Funds for Broadband Project

The Road Repair and Accountability Act of 2017, Senate Bill (SB) 1 (Chapter 5, Statutes of 2017), signed by the Governor on April 28, 2017, includes the SRA program, which provides approximately \$45 million in 2020-21, and will rise to approximately \$50 million in 2024-25 in formula funding allocated to commuter and intercity rail agencies for operating and capital needs. The program is administered by the California State Transportation Agency (CalSTA). The JPB is an eligible recipient agency to receive approximately \$5 to \$6 million per year from this program. To receive these funds, CalSTA requires recipients to obtain Board approval for the allocation of funding to the project as well as authorization to execute Certifications and Assurances and Authorized Agent forms.

In the December 2022 Board Staff Report for the Project, staff proposed to use an additional \$4.126 million of the available \$5.6 million in FY 2023 SRA funds if other grant funding is not received. Since then, no other grant funding has been available for the Project. Therefore, staff

proposes to use \$4,126,655, plus an additional \$1,494,809, for a total of \$5,621,464, in the FY 2023 SRA funds, to fill the funding gap for the Project.

Budget Impact

The Board approved the initial budget for the Broadband Project in FY19 in the amount of \$14,000,000, funded by the Transit Intercity Rail Capital Program (TIRCP). In FY23, the Board approved an additional budget of \$14,820,241, funded by General Capital Funds and State Rail Assistance (SRA) Program, increasing the project's budget to \$28,820,241. With the rise in Project costs, an additional budget of \$1,620,277, funded by SRA and project savings, will result in a total project budget of \$30,440,518.

The increase in the Project budget of \$1,620,277, from \$28,820,241 to \$30,440,518, requires an amendment to the Fiscal Year (FY) 2024 Capital Budget of \$1,620,277, from \$515,905,427 to \$517,525,704.

Prepared By: Robert Tam

Project Manager

650-508-7969

(00499160-4)

Resolution No. 2023-

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

* * *

Broadband Communications Project Budget Increase

Whereas, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) awarded the Broadband Communications Project to Nomad Digital (Resolution No. 2022-82) to design, implement, and test the broadband system to provide passenger Wi-Fi service for the Electric Multiple Unit (EMU) trains; and

Whereas, the Broadband Communications Project was originally approved by the Board in FY2019 and amended in FY2023 for a budget of \$28,820,241; and

Whereas, during the design phase of the project, it was determined it is best for the train manufacturer Stadler to install the Broadband onboard equipment rather than the vendor Nomad Digital; and

Whereas, Stadler has the best expertise to install equipment and route wires in the EMU, Stadler performing the work keeps the EMU warranty intact, installation will occur in Salt Lake City before the EMUs are shipped to JPB, alleviating space and access constraints and mitigating schedule concerns of this project and the Peninsula Corridor Electrification Project, and can incorporate broadband design and installation drawings into their EMU As-Built package for additional EMU deliveries; and

Whereas, JPB received a proposal from Stadler to perform the EMU broadband installation and negotiated a final price of \$1,999,015. A Change Order to the PCEP Stadler contract was executed for \$1,999,015 and will be paid from the Broadband Communications Project; and

Whereas, JPB also received a proposal from Nomad Digital to eliminate the EMU Broadband equipment installation scope from the contract and to include a price reduction of \$685,328. The result of the Stadler and Nomad Digital change orders is a net increase of \$1,313,687, which is within the scope of the Executive Director's contract contingency authority; and

Whereas, pursuant to Resolution No. 2023-64 adopted on October 5, 2023, the Peninsula Corridor Joint Powers Board (JPB) adopted Fiscal Year (FY) 2024 Capital Budget Amendment 2 for a total authorized budget of \$515,905,427; and

Whereas, additional costs of \$1,620,277 have been identified for the Broadband Communications Project, including those associated with Nomad Digital and Stadler Change Orders, which are proposed to be funded by State Rail Assistance (SRA) in the amount of \$1,494,809 and an additional \$125,468 from project savings, amounting to \$1,620,277; and

Whereas, of the \$11.1 million of SRA funds, \$5.5 million has been requested and allocated for the project; and

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

1. Submit the following project application to the California State Transportation Agency (CalSTA) for State Rail Assistance (SRA) funds:
 - Project Name: Broadband Communications
 - Amount of SRA funds requested: \$5,621,464
 - Project Description: The project will design, implement, and test a broadband wireless communication system along the Caltrain corridor for wayside train communications and passenger Wi-Fi service.
2. Affirm that the Peninsula Corridor Joint Powers Board agrees to comply with all conditions and requirements of the SRA Program as set forth in the certification and assurances and applicable statutes, regulations, and guidelines; and
3. Execute and file Certifications and Assurances and Authorized Agent form as well as any amendments and furnish any additional information as CalSTA may require of SRA recipients.

Now, Therefore, Be It Resolved that the Executive Director, or designee, is authorized to:

1. Submit the following project application to the California State Transportation Agency (CalSTA) for State Rail Assistance (SRA) funds:
 - Project Name: Broadband Communications
 - Amount of SRA funds requested: \$5,621,464
 - Project Description: The project will design, implement, and test a broadband wireless communication system along the Caltrain corridor for the wayside train communications and passenger Wi-Fi service.
2. Affirm that the Peninsula Corridor Joint Powers Board agrees to comply with all conditions and requirements of the SRA Program as set forth in the certification and assurances and applicable statutes, regulations, and guidelines; and
3. Take any other actions necessary as may be required to receive funds, including to execute and file Certifications and Assurances and Authorized Agent form as well as

any amendments and furnish any additional information as CalSTA may require of SRA recipients.

Now, Therefore, Be It Further Resolved; that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board hereby approves an amendment to the FY2024 Capital Budget of \$1,620,277, an increase from \$515,905,427 to \$517,525,704.

Regularly passed and adopted this 7th day of December, 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary
(00499162-3)

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Technology, Operations, Planning, and Safety Committee
Through: Michelle Bouchard, Executive Director
From: Robert Barnard, Deputy Chief, Caltrain Design and Construction
Subject: **Authorize Execution of the Amended Memorandum of Understanding to Receive Funding for the Construction Manager General Contractor (CMGC) Pre-Construction Phase for the Broadway Grade Separation**

Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Action

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

1. Authorize the Executive Director, or designee, to execute an amendment to a Memorandum of Understanding by and between the City of Burlingame (City) and San Mateo County Transportation Authority (TA) for the Peninsula Corridor Joint Powers Board (JPB) (Agreement) to receive additional funding of \$2,500,000 for the Construction Manager / General Contractor (CMGC) Pre-Construction phase of the Broadway Grade Separation Project (Project); and
2. 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 Broadway at-grade crossing is currently the top-ranked crossing for grade separation in northern California on the California Public Utilities Commission’s Grade Separation Priority List and the second highest ranked crossing in the State. The Project will: 1) help reduce emergency response times as the Caltrain corridor bisects the east and west sides of the City, 2) help alleviate traffic queuing on Broadway, which extends east to the U.S. Highway 101 ramps, 3) reduce traffic delays at nearby intersections with California Drive, Carolan Avenue and Rollins Road, and 4) significantly improve access to the Broadway commercial district from U.S. Highway 101, which would further support economic development.

The proposed amendment to the Agreement by and between the TA, the City and JPB, which is the subject of the staff recommendation, will activate the CMGC Pre-Construction phase of the Project. The CMGC Pre-construction phase will include the Pre-Construction services executed

by the future CMGC Contractor to provide value engineering and constructability reviews, prepare construction cost estimates, prepare construction schedule, and other critical components that would help reduce project costs, expedite the project completion and provide features not achievable through the traditional design-bid-build method.

The JPB's work as lead implementing agency will be fully funded by the TA and the City, and approval by the Board to amend the Agreement will provide the JPB with the resources required to support the next phase of the Project.

The parties estimate that the CMGC Pre-Construction phase will cost approximately \$2.5 million. At its November 2, 2023 meeting, the TA Board authorized the allocation of \$2,300,000 for this purpose, pursuant to the request of the City, which has agreed to contribute \$200,000 for eligible CMGC Pre-Construction phase costs.

The current Project budget is \$25,413,000 for the Final Design Phase, with \$23,413,000 from the TA and \$2,000,000 from the City of Burlingame for final design related activities. An alternate project delivery method evaluation was conducted on November 30, 2022. On March 2, 2023, 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 Broadway Grade Separation Project.

Budget Impact

The Board first approved the Broadway Grade Separation Project in FY18, with a budget of \$4,350,000 funded by San Mateo County Transportation Authority (TA) and the City of Burlingame (City). Amendments since then increased the project's budget to \$25,413,000, funded by TA for \$23,413,000 and the City for \$2,000,000.

Execution of the amended Agreement between JPB, TA, and the City will provide additional funding to the Project of \$2,500,000, increasing the Project budget to \$27,913,000. A separate item will be presented to the Board in January requesting for an approval to amend the Project and the JPB capital budget.

Prepared By:	Alex Acenas	Senior Project Manager	650.730.0502
	Rob Barnard	Deputy Chief, Rail Design & Construction	650.508.7783

Resolution No. 2023 –

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

* * *

**Authorize Execution of the Amended Memorandum of Agreement to Receive Funding for
the Construction Manager General Contractor (CMGC) Pre-Construction Phase for the
Broadway Grade Separation Project**

WHEREAS, the City of Burlingame (City) and the San Mateo County Transportation Authority (TA) desire to grade separate the Broadway at-grade crossing to improve safety and reduce traffic congestion; and

WHEREAS, the Broadway Grade Separation Project objectives are to improve safety for all modes of travel, improve overall traffic flow and reduce traffic delays caused by gate down times; and

WHEREAS, the Legislature enacted Assembly Bill No. 797 in 2013 to authorize the San Mateo County 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 a CMGC project delivery method contract after taking the following steps. First, the JPB 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 JPB 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, staff of the JPB, the City and the TA have investigated different project delivery methods and have evaluated the respective merits of delivering the Broadway Grade Separation Project through the CMGC project delivery method versus the DBB method; and

WHEREAS, staff has 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, on March 2, 2023, the Board made findings that the use of the CMGC project delivery method is in the best interest of the JPB and authorized the use of the CMGC project delivery method to complete the Broadway Grade Separation Project; and

WHEREAS, pursuant to the City's request, the TA programmed and allocated an additional \$2,300,000 for the project to hire a CMGC to provide Preconstruction Phase services; and

WHEREAS, the City is contributing an additional \$200,000 towards the Preconstruction Phase of the project; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorize the Executive Director, or her designee to execute an amendment to the Memorandum of Understanding by and between the JPB, the San Mateo County Transit Authority, and the City of Burlingame for the JPB to receive additional funding of \$2,500,000 for the CMGC Preconstruction Phase of the Broadway Grade Separation Project, and

to file any other required documentation and to take any other actions necessary to give effect to this resolution.

Regularly passed and adopted this 7th day of December 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: Kate Jordan Steiner, Chief Financial Officer
Subject: **Award of Contract for San Mateo Replacement Parking Track Project**



Finance Committee
Recommendation



Technology, Operations,
Planning, and Safety
Committee
Recommendation



Advocacy and Major
Projects Committee
Recommendation

Purpose and Recommended Action

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

1. Award a contract to the lowest, responsive, and responsible bidder, Stacy and Witbeck, Inc. of Alameda, California (Stacy & Witbeck) for the San Mateo Replacement Parking Track Project (Project) for a base bid total lump sum amount of \$5,878,424.
2. Authorize the Executive Director or designee to execute a contract with Stacy & Witbeck in full conformity with the terms and conditions set forth in the solicitation documents, and in a form approved by legal counsel.
3. Adopt the 2023 California Environmental Quality Act (CEQA) Addendum to the Negative Declaration (ND) of the 2018 San Mateo Setout Track Project Final Initial Study (IS)/ND.

Discussion

The San Mateo Setout Track Projects is now referred to as the San Mateo Replacement Parking Track Project.

The Project will replace the old parking track that was removed from the Bay Meadows area to facilitate construction of the 25th Avenue Grade Separation Project in the City of San Mateo. The replacement parking track will be located between 10th and 14th Avenues on the Caltrain right-of-way next to Mainline Track 2 (MT-2).

The old parking track existed before the JPB became the operator of Caltrain passenger service on the Peninsula rail corridor. Caltrain used the parking track for about 25 years until the 25th Avenue Grade Separation Project necessitated its removal. There are over a dozen parking tracks located along the corridor in residential and commercial areas.

The replacement parking track will be used as temporary storage space for train equipment and will allow for efficient use of limited work times at sites elsewhere along the tracks to keep the railroad functioning properly. The only purpose of the parking track is to temporarily park or store equipment. The parking track will not be used as an active maintenance or construction site. Staff

anticipates that Caltrain will use the San Mateo replacement parking track approximately once a month. In the future, once the track is electrified and signaled, it will also serve as a temporary location to off-load Electric Multiple Unit (EMU) trains that have failed in service or are otherwise not suitable for passenger service, especially during peak periods of operation. These trains will then be transported to the Central Equipment & Maintenance Facility in the City of San José for further maintenance.

On August 23, 2023, the JPB issued an Invitation for Bids (IFB), solicitation number 24-J-C-017, for the Project and advertised it in a newspaper of general circulation and on the JPB’s e-procurement website. The JPB received three bids as follows:

Company	Base Bid (A)	Option #1 (B)	The Grand Total Bid Price (A + B)	5% SBE Pref. Eligibility	Grand Total Bid Price with 5% SBE Preference applied
Engineer’s Estimate	\$6,121,722	\$1,216,380	\$7,338,102	N/A	\$7,338,102
1. Stacey & Witbeck	\$5,878,424	\$3,080,000	\$8,958,424	N/A	\$8,958,424
2. Con-Quest	\$9,415,900	\$360,000	\$9,777,900	\$50,000	\$9,727,900
3. Granite	\$9,168,619	\$1,910,238	\$11,078,857	N/A	\$11,078,857

After the bid opening and evaluation of the bids, staff determined, and legal counsel concurred, that the bid received from Stacy & Witbeck is the lowest responsive bid from a responsible bidder. Staff also found the bid price to be fair and reasonable in comparison to the independent cost estimate, and that the bid was received under full and open competition.

Stacy & Witbeck is an established contractor with more than 41 years of construction experience. Staff contacted references for Stacy & Witbeck and confirmed its experience and competency. Based upon these findings, staff concludes that Stacy & Witbeck is appropriately qualified and capable of meeting the requirements of the contract and is therefore a responsible bidder.

Con-Quest Contractors, Inc. was given a 5 percent Small Business Enterprise (SBE) preference based on the lowest bid amount, but the bid preference did not affect the bidder’s rankings. Stacy & Witbeck has committed to 8% SBE utilization.

The IFB included an option for signaling work; however, staff is not recommending exercise of the option at this time. Rather, the work will be deferred to a future project when additional funding becomes available to electrify the parking track.

The JPB performed environmental review of the Project in 2018, which resulted in an Initial Study and Negative Declaration (IS/ND) for Project. The JPB also filed a Notice of Determination with San Mateo County.

After completion of the IS/ND, the JPB secured additional community input, resulting in plans to alter the Project description to include:

- A 12-foot-tall concrete block wall along Railroad Avenue between 10th and 14th Avenues.
- Creeping fig vegetation to be planted in front of the wall.
- Vehicular access near the 9th Avenue crossing only.
- Tree removal and replacement, on a one-for-one basis, with replacement trees being planted on the Project site to the extent possible.

As a result, staff has prepared an Addendum to the Negative Declaration for the Project in accordance with CEQA Guidelines Section 15164(a). The Addendum demonstrates that (1) changes made to the Project scope since 2018 will not result in new significant impacts; (2) the proposed revisions do not require preparation of a new, subsequent, or supplemental ND; (3) the Project is consistent with the ND; and (4) there has been no discovery of new information of substantial importance that would trigger or require major revisions of the ND due to significant environmental effects. The Addendum to the ND is not required to be circulated for public review.

Budget Impact

The Project was originally part of the 25th Avenue Grade Separation Project. As progress on the parking track scope fell behind that of the grade separation scope, staff decided to de-couple the parking track from the grade separation and make it its own project to allow the grade separation to stay on schedule.

The Board originally approved the San Mateo Replacement Parking Track with a budget of \$4,045,000 in Fiscal Year (FY) 2022, funded by the City of San Mateo and the San Mateo County Transportation Authority (SMCTA). In FY2024, the Board approved an additional budget of \$3,773,000, funded by Local Partnership Program (LPP) funds increasing the project budget to \$7,818,000.

To supplement the budget, the Rail Division Management Committee approved the internal transfer of \$810,411 from capital contingency funds and \$1.5 million from the 25th Avenue Grade Separation Project to the Project's budget, resulting in a total project budget of \$10,128,411. The project has sufficient budget to support the base bid contract.

Prepared By:	Michael Sztenderowicz	Procurement Administrator II	650.508.7908
	Alex Acenas	Senior Project Manager	650.730.0502

Resolution No. 2023 –

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

* * *

**Award a Contract to Stacy and Witbeck, Inc. for the
San Mateo Replacement Parking Track Project for a Total Lump Sum Amount of \$5,878,424,
and Adopt the 2023 California Environmental Quality Act Addendum to the Negative
Declaration for the Peninsula Corridor Joint Powers Board San Mateo Setout Track Project**

Whereas, on August 23, 2023, the Peninsula Corridor Joint Powers Board (JPB) issued an Invitation for Bids (IFB), solicitation number 24-J-C-017, for the San Mateo Replacement Parking Track Project (Project); and

Whereas, JPB conducted extensive outreach to Disadvantaged Business Enterprises (DBEs) and Small Business Enterprises (SBEs), advertised in a newspaper of general circulation, and posted the IFB on the JPB's e-procurement website; and

Whereas, in response to the IFB, the JPB received three bids; and

Whereas, staff and legal counsel have reviewed the bids and determined that Stacy and Witbeck, Inc. of Alameda, California (Stacy & Witbeck) submitted the lowest responsive bid and is a responsible bidder; and

Whereas, Stacy & Witbeck has committed to a Small Business Enterprise utilization of 8%; and

Whereas, staff conducted a price analysis and determined that Stacy & Witbeck's price is fair and reasonable; and

Whereas, staff recommends that the Board of Directors (Board) award a contract to Stacy & Witbeck for the Project for a base bid total lump sum amount of \$5,878,424; and

Whereas, pursuant to the California Environmental Quality Act (CEQA), in 2018 the Board of Directors (Board) adopted the San Mateo Setout Track Project, which is now referred to as the San Mateo Replacement Parking Track Project, Final Initial Study – Negative Declaration (IS/ND); and

Whereas, the JPB filed a Notice of Determination for the Project with the San Mateo County Clerk on April 11, 2018; and

Whereas, the 2018 IS/ND did not analyze the maintenance access from 9th Avenue or the 12-foot screening wall that are included in the final Project design; and

Whereas, the JPB has prepared an Addendum to the ND for the Project in conformance with CEQA Guidelines Section 15164 to determine whether and to what extent the ND remains sufficient to address the potential impacts of the Project; and

Whereas, the Addendum demonstrates that: (a) there are no substantial changes proposed to the Project or the circumstances in which the Project will be undertaken that require major revisions of the ND due to new or substantially increased significant environmental effects; (b) the proposed revisions do not require preparation of a new, subsequent, or supplemental ND; (c) the Project is consistent with the ND and would involve only minor changes; and (d) there has been no discovery of new information of substantial importance that would trigger or require major revisions of the ND due to significant environmental effects; and

Whereas, the Addendum to the ND is not required to be circulated for public review.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Stacy and Witbeck, Inc. of Alameda, California

for the San Mateo Replacement Parking Track Project for a base bid total lump sum amount of \$5,878,424; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to execute a contract on behalf of the JPB with Stacy and Witbeck, Inc. in full conformity with the terms and conditions of the solicitation documents, and in a form approved by legal counsel; and

Be It Further Resolved that the Board hereby adopts the 2023 CEQA Addendum to the Negative Declaration for the Peninsula Corridor Joint Powers Board San Mateo Setout Track Project included in the 2018 San Mateo Setout Track Project Final IS/ND.

Regularly passed and adopted this 7th day of December, 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary