



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD Advocacy and Major Projects (AMP) Committee Meeting

December 20, 2023, 3:30 pm

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

Committee Members: Steve Heminger (Chair), Cindy Chavez (Vice Chair), Jeff Gee

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://us02web.zoom.us/j/84582532747?pwd=dGdjV3lQVW1RUGUyZk9SSml6aXZRZz09> or by entering Webinar ID: **845 8253 2747**, Passcode: **268109**, in the Zoom app for audio/visual capability or by calling 1-669-444-9171 (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.

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.

December 20, 2023 - Wednesday

3:30 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 November 29, 2023 Motion
5. Authorize Amendment to On-Call Owner’s Representative Electric Multiple Unit (EMU) Rail Vehicle Support Services Contract 14-PCJPB-P-06 for Caltrain Modernization (CalMod)* Motion
6. Diridon Station Business Case Update Informational
7. State and Federal Legislative Update Informational
8. Committee Member Requests
9. Date/Time of Next Regular AMP Committee Meeting: Wednesday, January 24, 2024 at 3:30 pm.
The meeting will be accessible via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.
10. Adjourn

Information for the Public

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

Date and Time of Board and Committee Meetings

JPB Board: First Thursday of the month, 9:00 am; JPB Advocacy and Major Projects (AMP) Committee: Two Wednesdays before the Board meeting, 3:30 pm. The date, time, and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting

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

Public Comment*

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

Oral public comments will also be accepted during the meeting in person or through Zoom or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Each commenter will be automatically notified when they are unmuted to speak for 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
Advocacy and Major Projects (AMP) Committee
1250 San Carlos Avenue, San Carlos, CA 94070

Minutes of November 29, 2023

Members Present: Cindy Chavez (arrived at 3:35 pm), Jeff Gee, Steve Heminger (Chair)
Staff Present: M. Bouchard, D. Chazan, Mark Hansen (Prologis), J. Harrison, T. Huckaby,
D. Ryan, S. Sargent, D. Seamans, M. Tseng

1. Call to Order/Pledge of Allegiance

Chair Heminger called the meeting to order at 3:31 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 was none.

4. Meeting Minutes of September 27, 2023

Motion/Second: Gee/Heminger

Ayes: Gee/Heminger

Noes: None

Absent: Chavez

5. Approval of the 2024 JPB Advocacy and Major Projects (AMP) Committee Meeting Calendar

Motion/Second: Gee/Heminger

Ayes: Gee, Heminger

Noes: None

Absent: Chavez

6. Authorize the Second Amendment to the Contract with JBR Partners for On-Call Ambassador Services

Taylor Huckaby, Deputy Chief, Communications provided the presentation, which included the following:

- Continued ambassador deployments needed for future general service changes, shutdowns, and intensive customer communication efforts for start of electrified service
- Ambassadors contacted over 15,000 customers per weekend during the shutdowns
- Requested increase PCEP (Peninsula Corridor Electrification Project) budget to \$1.47 million for extra work and finish 2024 work related to continued shutdowns
- Recognized employee volunteers for contributing over 20 percent coverage in ambassador deployment

Director Chavez arrived at 3:35 pm

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

- Acknowledged volunteer staff and ambassadors
- Encouraged staff to include contracts with Board presentations for reference

Motion/Second: Chavez/Gee

Ayes: Chavez, Gee, Heminger

Noes: None

Absent: None

7. State and Federal Legislative Update and Approval of 2024 Legislative Program

Devon Ryan, Government Affairs Officer, provided the presentation, which included the following:

- Uncertain if Rail Safety Act will go to the floor this year and potential for government shutdown
- House passed a short-term funding bill on November 14th that will fund most parts of the federal government, including transportation, through January 19, 2024
- ACA (Assembly Constitutional Amendment) 1 passed and will go to voters in November 2024 (allow city, county, or special districts to incur bonds or impose taxes to fund projects for affordable housing or public and transit infrastructure); Surplus Lands Act updates through SB (Senate Bill) 747 and AB (Assembly Bill) 480
- New additions to 2024 Legislative Program - monitor efforts to extend Cap-and-Trade beyond 2030 and monitor impacts to Transit and Intercity Rail Capital Program (TIRCP) cycles
- Participate in state and regional efforts to establish authorizing legislation for a regional funding measure; with new funding from the state; MTC (Metropolitan Transportation Commission) has proposed a \$25 million allocation to Caltrain in fiscal year (FY) 2026 that would decrease the projected budget deficit from \$33 million to \$8 million
- FY2027 anticipates budget deficit of \$58 million each year thereafter; regional measure in 2026 could help address shortfalls
- Desire to work with California Air Resources Board (CARB) to ensure approval of In-Use Locomotive Regulation Compliance Plan and secure access to the Low Carbon Fuel Standard Program through electrification efforts

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

- Request for framework for consideration of the regional transit measure
- Request for information on how to pursue base funding for operations
- Clarification on benefits from ACA 1 which permits special tax to be invoked by local government at 55 percent, but cannot be used for operations

Motion/Second: Director Gee moved to approve the legislative platform for 2024 and request that staff, based on comments by Director Chavez, present a framework to the full Board for Caltrain's participation in a regional transit measure: Gee/Chavez

Ayes: Chavez, Gee, Heminger

Noes: None
Absent: None

8. Authorize Use of the Construction Manager General Contractor (CMGC) Delivery Method Pursuant to Public Utilities Code Section 103395 for the 4th and King Yard Preparation Track and Systems Package (4KY Package B)

Michelle Bouchard, Executive Director, commented that this is the pending item for work with DTX (downtown rail extension). Dahlia Chazan, Deputy Chief, Caltrain Planning, provided the presentation, which included the following:

- Project overview, Transbay Joint Powers Authority (TJPA) is lead agency on DTX Project
- JPB will be reimbursed for DTX project work by the TJPA
- TJPA is the lead agency for delivery of DTX, will be grantee when funding is received, and holds the financial risk

Greg Oslund, Senior Project Manager, provided the presentation, which included the following: DTX

- Two packages make up 4th and King preparation work:
 - Package A – necessary site clearing to get into site for DTX underground work for tunnel to station box, moving wayside equipment, and removing some buildings by 2026
 - Package B – involves remodeling track and systems of overhead catenary to make final connection to Portal and needs to be done by approximately 2029
- Legislative findings for use of CMGC: reduce project costs, expedite project schedule, increase reliability for construction schedule, allows for early procurement of lead items, order equipment in advance, provide features not achievable through design, bid, build approach

Dahlia Chazan, Deputy Chief, Caltrain Planning, continued with the presentation that included the following:

- Developing a master cooperative agreement for overall project
- Using Advocacy and Major Projects (AMP) Board principles as a guide for the master cooperative agreement: cost neutrality, compatible with current systems, must not adversely impact operations, safety and minimize disruptions, and monitoring operations closely

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

- Mechanisms to work out disagreements between the two agencies
- Portal governance and funding partners to be identified in the next year or so
- Project must have sufficient local match to receive FFGA (full funding grant agreement) executed with the Federal Transportation Authority
- Beyond FFGA, \$2 billion must be secured from other federal, state, and local sources
- Project oversight of how issues will be escalated, clarified procurement process for recommended method, and matrices for decision-making
- Request to have TJPA at a full Board meeting

Motion/Second to move this item to the full Board (without approving the recommendation) and with a request for follow-up to Committee Members' specific questions and requests: Chavez/Gee

Ayes: Chavez, Gee, Heminger

Noes: None

Absent: None

Chair Heminger announced postponement of item 10 to next meeting.

9. San Francisco Railyards Preliminary Business Case

Dahlia Chazan, Deputy Chief Caltrain Planning, introduced DJ Baxter, Project Manager, Kimley-Horn. Ms. Chazan provided the presentation, which included the following:

- Discussions on idea of vertical development at the San Francisco Rail Yard in conjunction with infrastructure improvement
- Business case has been initiated to determine if vertical development is feasible for Caltrain and Prologis

Mr. Baxter provided the presentation, which included the following:

- Business case measures the performance of different alternatives against evaluation criteria to impact decision making
- High-Speed Rail trains per hour under the moderate growth service vision
- Beneficial for passenger experience enhancements, expanded operations, and the anticipated increased ridership that would come with development

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

- Request for process and development on protection of train operations by both parties
- Mark Hansen, Managing Director, Prologis, summarized the company's aspirations that included the opportunity for community open-space
- Design guidelines supporting mixed-use, identify priority for capital projects, and market re-assessment

10. Corridor Crossing Strategy Update - Deferred to the next meeting.

11. Committee Meeting Requests - There were none.

12. Date/Time of Next Regular Finance Committee Meeting: Wednesday, December 20, 2023 at 3:30 pm

13. Adjourn – The meeting was adjourned at 5:16 pm.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Advocacy and Major Projects Committee
Through: Michelle Bouchard, Executive Director
From: Pranaya Shrestha, Caltrain Modernization Chief Officer
Subject: **Authorize Amendment to On-Call Owner’s Representative Electric Multiple Unit (EMU) Rail Vehicle Support Services Contract 14-PCJPB-P-06 for Caltrain Modernization (CalMod)**



Finance Committee
Recommendation



Technology, Operations, Planning,
and Safety Committee
Recommendation



Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

Staff and the Caltrain Modernization (CalMod) Program Change Management Board (CMB) recommend that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB):

1. Approve an amendment to the Contract for On-Call Owner’s Representative Electric Multiple Unit (EMU) Rail Vehicle Support Service for the CalMod Program with LTK Engineering Services, Inc. (doing business as Hatch LTK) to: (a) extend the contract term through June 30, 2028; and (b) increase the contract total not-to-exceed amount by \$17,087,788 from \$36,845,000 to \$53,932,788, within the existing budget for the Peninsula Corridor Electrification Project (PCEP), and option purchases for additional EMUS and the pilot Battery EMU (BEMU).
2. Authorize the Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

Discussion

Exercise of Stadler Option

The Board approved an increased PCEP budget and re-baselined schedule as a result of the global settlement with the design-build contractor, Balfour Beatty Infrastructure Inc. (BBII), on December 6, 2021. Accordingly, the PCEP completion date has been extended through December 2024 with the Revenue Service Date of September 2024.

Pursuant to Resolution No. 2018 – 58, the Board authorized the exercise of an option to Caltrain’s contract with Stadler US, Inc. for the EMU vehicles to purchase an additional 37 cars in 2018,

during the first option period of the contract with Stadler. The additional cars ordered in 2018 consisted of three seven-car EMU trainsets and sixteen additional cars to expand the original order of sixteen six-car trainsets to seven car trainsets.

Pursuant to Resolution No. 2023 – 53, the Board authorized exercise of the contract options to authorize purchase of four additional EMU trainsets. Caltrain also exercised an option under the contract with Stadler to purchase one BEMU as a pilot project to achieve zero-emission operations from Taimen to Gilroy in 2028. In total, the purchase of additional EMUs. expanded Caltrain’s EMU fleet base order from 96 cars to 161 cars (23 seven (7)-car trainsets).

Approval of the recommended actions will ensure uninterrupted services and the completion of tasks related to the support services being provided under the On-Call Owner’s Representative EMU Rail Vehicle Support Service for the CalMod Program Agreement for the additional option purchases.

Prior Award of Contract to Hatch LTK

Pursuant to Resolution No. 2014-13, after a competitive procurement process, the Board awarded a contract to Hatch LTK. for a six-year base term in an amount of \$24,240,000, with (1) up to two 2-year option terms for a total not-to-exceed amount of \$8,969,000; and (2) another option for Hatch LTK to study and design the Centralized Equipment Maintenance and Operations Facility (CEMOF) and other operations and maintenance facility modifications necessary to support EMU vehicles, and to provide preliminary design for electrification of the maintenance yard, for a not-to-exceed amount of \$3,636,000. The Board also awarded contingency authority of up to 15 percent of the total Board-authorized contract amount to address unanticipated tasks assigned under authorized work directives.

Hatch LTK Qualifications

Hatch LTK has specialized expertise to provide technical oversight, design reviews and EMU procurement planning services for the JPB’s procurement and maintenance of EMU vehicles for the CalMod Program. The firm has been functioning as the JPB’s project manager and technical expert on all EMU vehicle procurement, design, manufacturing, delivery, testing, commissioning, safety, warranty, and related systems integration matters. Hatch LTK has been working seamlessly and effectively performs its scope of services with all members of the CalMod owner’s representative team, with all stakeholders, and with all other Caltrain contractors performing work related to corridor electrification, EMU vehicles including Positive Train Control (PTC), and other capital improvement projects. The EMU rail vehicle team is supporting delivery and execution for the CalMod Program including two EMU option car procurement. In addition, Hatch LTK is the Owner’s Representative and will provide technical and project management oversight for the Battery EMU demonstration train design, manufactory, delivery, testing and commissioning. Hatch LTK is an integral member of the CalMod Owner’s Representative team and works closely with the JPB personnel and other JPB consultants that make up the team.

Basis for Contract Amendment

In order to accommodate PCEP's current program schedule, two EMU Options and BEMU delivery, a contract term extension from March 5, 2024, through December 31, 2028, is now needed to provide the necessary time required to ensure:

- 1) All 14 EMU 7- car trainsets are delivered and commissioned for the electrified service by September of 2024 and the remaining nine trainsets will be in service in order to support 116 trips per day for future electrified service.
- 2) That one BEMU will be designed, manufactured, tested, and commissioned for Caltrain Service from Tamien to Gilroy by 2028.

Caltrain requires the time extension and contract capacity increase so that Hatch LTK may continue to provide services as Owner's Representative for overseeing design and implementation of procurement documents, technical oversight and project management of contractor's design, manufacturing, inspection, testing, commissioning, and start-up of EMUs and BEMU.

With the extended term, additional option cars and BEMU purchase and delivery, an increase of \$17,087,788 from \$36,845,000 to \$53,932,788 in contract authority is needed to ensure that Caltrain is able to engage Hatch LTK to perform Owner's Representative EMU support services continuously until the end of the BEMU project completion. Increasing the contract total will not obligate the JPB to purchase any specific level of service from Hatch LTK as work directives are negotiated and issued on an as-needed basis, nor will it result in an increase to the total PCEP project budget, the procurement budget for the two EMU options as well as BEMU project budget which includes funds for this increase in contract authority.

Budget Impact

There is no budget impact for the contract amendment. The increased Owner's Representative EMU Rail Vehicle Support Service HATCH/LTK contract amount is part of (1) the total approved PCEP Budget of \$2.44 billion, which was approved by the JPB on December 6, 2021; and (2) the two EMU options; and 3) BEMU project budget.

Prepared By: Sherry Bullock

CalMod Program Director

650.622.7866

Resolution No. 2024-

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

* * *

**Authorize Amendment to On-Call Owner's Representative Electric Multiple
Unit (EMU) Rail Vehicle Support Services Contract 14-PCJPB-P-06 for Caltrain
Modernization (CalMod)**

Whereas, pursuant to Resolution No. 2014-13, after a competitive procurement process, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) awarded a contract to LTK Engineering Services, Inc. (doing business as Hatch LTK) for a six-year base term in an amount of \$24,240,000, with (1) up to two 2-year option terms for a total not-to-exceed amount of \$8,969,000, to provide technical oversight, design reviews, and EMU procurement planning services for the JPB's procurement and maintenance of EMU vehicles for the Caltrain Modernization (CalMod) Program; and (2) a second option for Hatch LTK to study and design the Centralized Equipment Maintenance and Operations Facility (CEMOF) and other operations and maintenance facility modifications necessary to support EMU vehicles, and to provide preliminary design for electrification of the maintenance yard, for a not-to-exceed amount of \$3,636,000; and

Whereas, the Board also awarded contingency authority of up to 15 percent of the total Board-authorized contract amount to address unanticipated tasks assigned under authorized work directives; and

Whereas, on August 16, 2016, Caltrain executed a contract with Stadler US, Inc (Stadler) to purchase 96 EMU vehicles from Stadler, and pursuant to Resolution No. 2018-58, the Board authorized the exercise of an option to purchase an additional 37 cars from Stadler US, Inc. (Stadler), during the first option period of Caltrain's contract. The additional cars consisted of three seven-car EMU trainsets and sixteen additional cars to expand the original order of sixteen

six-car trainsets to seven car trainsets. Pursuant to Resolution No. 2023–53, the Board authorized exercise of the contract options to authorize purchase of four additional EMU trainsets and one Battery Electrical Multiple Unit (BEMU) demonstration train; and

Whereas, Hatch LTK has specialized expertise to provide technical oversight, design reviews, and EMU procurement planning services for the JPB’s procurement and maintenance of EMU vehicles for the Caltrain Modernization (CalMod) Program, having served as the JPB’s project manager and technical expert on all EMU vehicle procurement, design, manufacturing, delivery, testing, commissioning, safety, warranty, and related systems integration matters; and

Whereas, Hatch LTK has been working seamlessly and effectively performing its scope of services with all members of the CalMod owner’s representative team, stakeholders, and all other Caltrain contractors performing work related to corridor electrification, EMU vehicles and Positive Train Control (PTC), and other capital improvement projects; and

Whereas, the EMU rail vehicle team is supporting delivery and execution for the CalMod Program including two EMU option car procurements;

Whereas, in addition, Hatch LTK is the Owner’s Representative and will provide technical and project management oversight for the Battery EMU demonstration train design, manufacturing, delivery, testing, and commissioning;

Whereas, to accommodate the Peninsula Corridor Electrification Project’s (PCEP) current program schedule, the purchase of additional EMUs through the exercise of the two options, and BEMU delivery, a contract term extension from March 5, 2024, through December 31, 2028, is now needed to provide the necessary time required to ensure:

- 1) All fourteen EMU seven-car trainsets are delivered and commissioned for the electrified service by September of 2024 and the remaining nine trainsets will be in service to support 116 trips per day for future electrified service;
- 2) That one BEMU will be designed, manufactured, tested, and commissioned for Caltrain Service from Tamien to Gilroy by 2028; and

Whereas, the additional option cars and BEMU purchase and delivery necessitate an increase of \$17,087,788 from \$36,845,000 to \$53,932,788 in contract authority is to ensure that Caltrain is able to engage Hatch LTK to perform Owner's Representative EMU support services continuously until the end of the BEMU project completion; and

Whereas, increasing the contract total will not obligate the JPB to purchase any specific level of service from Hatch LTK as work directives are negotiated and issued on an as-needed basis, nor will it result in an increase to the total PCEP project budget, the two option car procurement budget, or the BEMU project budget; and

Whereas, the Board approved an increased PCEP budget and re-baselined schedule as a result of the global settlement with the design-build contractor Balfour Beatty Infrastructure Inc. (BBII) on December 6, 2021. Accordingly, the PCEP completion date has been extended through December 2024 with the Revenue Service Date of September 2024; and

Whereas, furthermore, the purchase of additional EMUs pursuant to the contract options with Stadler US, Inc. expanded Caltrain's EMU fleet base order from 96 cars to 161 cars (23 seven (7)-car trainsets), and in August 2023, Caltrain also exercised an option under the contract with Stadler to purchase one BEMU as a pilot project to achieve zero emission operations from Tamien to Gilroy in 2028; and

Whereas, staff and the CalMod Program Change Management Board (“CMB”)

recommend that the Board of the JPB:

1. Approve an amendment to the Contract for On-Call Owner’s Representative EMU Rail Vehicle Support Service for the CalMod Program with LTK Engineering Services, Inc. (doing business as Hatch LTK) to (a) extend the contract term through June 30, 2028; and (b) to increase the contract total not-to-exceed amount by \$17,087,788 from \$36,845,000 to \$53,932,788, within the existing budget for the PCEP, and option purchases for additional EMUs and the pilot BEMU; and
2. Authorize the Executive Director or designee to execute the contract amendment in a form approved by legal counsel; and

Whereas, there is no budget impact for the contract amendment. The increased Owner’s Representative EMU Rail Vehicle Support Service Hatch LTK contract amount is part of (1) the total approved PCEP Budget of \$2.44 billion, which was approved by the JPB on December 6, 2021; (2) the EMU purchase options; and 3) BEMU project budget.

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

1. Approves an amendment to the Contract for On-Call Owner’s Representative EMU Rail Vehicle Support Service for the CalMod Program with LTK Engineering Services, Inc. (doing business as Hatch LTK) to (a) extend the contract term through June 30, 2028; and (b) to increase the contract total not-to-exceed amount by \$17,087,788 from \$36,845,000 to \$53,932,788, within the existing budget for the PCEP, and option purchases for additional EMUs and the pilot BEMU; and

2. Authorize the Executive Director or designee to execute the contract amendment in a form approved by legal counsel.

Regularly passed and adopted this 4th day of January, 2024 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 Committee
Through: Michelle Bouchard, Executive Director
From: Marian Lee, Diridon Station Project Director
Subject: **Diridon Station Business Case Update**

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

Purpose and Recommended Action

This report includes an informational update that requires no action by the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (JPB or Caltrain). At the September 25, 2023 Caltrain Advocacy and Major Projects (AMP) Committee meeting, staff presented an update on the Diridon Station Business Case work, including the vision statement, goals, and evaluation criteria, and governance assessment. The purpose of this informational report and accompanying presentation is to share progress on the Business Case since the September update.

This information was shared with the Joint Policy Advisory Board (JPAB) staffed by the Santa Clara Valley Transportation Authority (VTA) on November 15, 2023. JPAB provides policy advice on Diridon Station area matters.

Background

Caltrain, VTA, City of San José, Metropolitan Transportation Commission, and the California High-Speed Rail Authority (Partner Agencies) are working together on the Diridon Station Business Case to plan for the transformation of San Jose’s downtown transit hub.

Diridon Station, which is owned by Caltrain, is integral to California’s transportation network. It currently serves Caltrain, Capitol Corridor, Altamont Corridor Express (ACE), and Amtrak passenger rail, as well as VTA light rail and bus services. It is also a key part of planned and expanded services in the region, including new California High-Speed Rail and Bay Area Rapid Transit (BART) service, as well as the service expansion of Caltrain, Capitol Corridor, and ACE. To effectively accommodate such planned activity and future service needs, the station must be reconfigured, expanded and upgraded to provide adequate capacity, functionality, and interconnectivity for passengers.

In 2020, the Diridon Integrated Station Concept (DISC) process produced the original Concept Layout, which is a spatial vision for future Diridon station redevelopment. Building on this concept, the Partner Agencies are developing station design alternatives that can be funded and built. The work also includes identifying station area program governance options to prepare for project delivery.

Discussion

Station Design Alternatives

Since the previous update at the September AMP meeting, the project team has identified key station components that present additional challenges and opportunities for station design. These components include the historic station, Caltrain's Centralized Equipment Maintenance and Operations Facility (CEMOF), the adjacent PG&E substation, and connections to light rail, BART, and the Airport Connector. The information included here focuses on evaluating the opportunities and constraints specific to the historic station. The next AMP report will focus on the remaining components.

Historic Station

The Diridon historic station is an important community asset owned by Caltrain and bound by federal, state, and local historic resource designations. There are two options for the historic station in the context of station redevelopment: relocation and adaptive reuse.

The original Concept Layout suggested the historic station be relocated due to a conflict with expanded rail infrastructure and the need for the station to accommodate future passenger volumes. However, relocation to an off-site location is not preferred by the community and has many challenges including the lack of a suitable receiving site. The team has evaluated how the main station hall can be preserved and modified to accommodate future transit services and passenger flows. The analysis will be presented at the meeting and further information will be provided via PowerPoint presentation.

The Partner Agencies recently shared their approach to adaptive reuse with the Diridon Historic Station Community Partners Group. This approach was well received, and the major takeaway is to preserve as much of the building as possible, prioritizing the main hall and building shell.

Governance Update

There is consensus among the Partner Agencies on moving forward on a parallel path for setting up (1) an integrated project team to advance the station project planning and environmental, and (2) a long-term governance structure for station area program delivery. The integrated project team proposal will be provided in Spring 2023 and discussion of potential governance structures in Summer 2023.

Budget Impact

There is no direct budget impact associated with this informational update.

Prepared By:	Gwen Buckley	Principal Planner	650-722-6827
	Melissa Reggiardo	Manager, Caltrain Planning	650-868-9925

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Advocacy and Major Projects Committee
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief Communications Officer
Subject: **State and Federal Legislative Update**

Finance Committee
Recommendation

Technology, Operations, Planning,
and Safety Committee
Recommendation

Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

Staff is providing the accompanying State and Federal Legislative Updates as an informational item only.

Discussion

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.

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Caltrain Federal Report November and December 2023

Appropriations Update

- On November 16, President Biden signed a continuing resolution (CR) to avoid a government shutdown that would have begun at midnight on November 17. The new CR established two key deadlines for two groups of the 12 appropriations bills. The first group of appropriations bills include the Agriculture, Energy and Water, Military Construction-VA, and Transportation-HUD bills, and Congress must pass these bills or another CR before January 19, 2024, deadline. The remaining eight bills are in the second tranche of appropriations bills and must be passed by February 2, 2024.
- In a recent shift, House Freedom Caucus Chair Rep. Scott Perry (R-PA) has signaled that the caucus is open to accepting the spending levels outlined in the Fiscal Responsibility Act (debt limit deal) enacted earlier this year. This represents a significant change from their previous position on fiscal year (FY) 2024 spending. However, Rep. Perry cited the Senate's history of forcing the House into accepting their proposal if the House is unable to pass their own spending bills.
- Recently, House Speaker Mike Johnson (R-LA) has proposed passing a short-term CR that would cover the remainder of the fiscal year, ending on September 30, 2024, if FY 2024 spending negotiations fail to reach an agreement in the coming months. However, the exact duration of such a stopgap measure remains uncertain, with some speculations that it could extend until January 2025. This would set up a government funding deadline just before the presidential election.

House Postpones Action on Transportation-Housing (THUD) Appropriations Bill

- The House postponed a final vote on its FY 2024 THUD Appropriations bill on November 7th, minutes before it was scheduled to be considered on the House floor, a sign that it did not have the votes to pass. The bill cuts Amtrak funding by about \$1.5 billion and drew objections from Republicans who represent districts in or near Amtrak's busy Northeast Corridor.
- The pending House THUD bill contains \$22.9 billion less than the Senate-passed bill and cuts public transit investment by \$2.3 billion from current levels. Before heading to the House floor, several conservative amendments were added to the bill. Rep. Scott Perry (R-PA) included an amendment prohibiting funding transit-oriented development and the

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electric or low-emission ferry program. However, Rep. Perry failed to include amendments that eliminated funding for Capital Investment Grants (CIG) and transit infrastructure grants.

- This is the second time that the bill has been postponed. A new date has not yet been officially announced. The House will need to eventually act on the THUD bill by January 19th or pass an additional CR to avoid a partial government shutdown.

Administration Update

FRA Announces \$8.2 Billion in Funding for Intercity Passenger Rail Projects

- On December 8, through the Federal State Partnership for Intercity Passenger Rail Program (Fed-State Program) and the Corridor Identification and Development Program (Corridor ID Program), the FRA awarded \$8.2 billion in funding to 10 major passenger rail projects located outside of the Northeast Corridor.
- California High-Speed Rail Authority (CHSRA) received \$3.07 billion for the Central Valley segment, including: final design and right-of-way acquisition for the Merced extension (Madera, CA to Merced, CA) and Bakersfield extension (from Poplar Avenue in Shafter, CA to Bakersfield, CA); civil, track and systems construction for the 13-mile Bakersfield Interim extension; design and construction of Fresno Station; and, design and procurement of trainsets, as well as design and construction of trainset facilities.
- CHSRA also received a Corridor ID Program planning grant that defined the corridor between San Francisco and LA/Anaheim, which includes the Caltrain Corridor.
- Caltrain’s application with San Jose DOT and VTA for the business case and environmental review of San Jose Diridon Station was not selected.
- There is a [press release](#) with more information. The full list of selected projects for the Fed-State Program can be [found here](#) and a full list of projects chosen for the Corridor ID program can be [found here](#).

DOT Announces \$1.5 Billion Available Through the RAISE Program

- On November 30, the Department of Transportation (DOT) announced its \$1.5 billion FY 2024 funding opportunity for the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program. This program provides funding to localities to carry out projects of significant local or regional impact. DOT must announce grant awards by June 27, 2024.
- The new NOFO has the following changes from the previous FY 2023 NOFO:
 - Simplified the NOFO with plain language and tables to organize the information.
 - The merit criteria rating rubric is refined. For example, this NOFO provides more examples of project elements that align with a “High” rating under the Safety, Environmental Sustainability, and Innovation metrics.

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- Clarifies what applicants should provide in the Project Budget document for the Financial Completeness Review.
 - Updates data used to determine Urban, Rural, and Areas of Persistent Poverty designations, and uses the White House Council on Environmental Quality (CEQ) Climate & Economic Justice Screening Tool (CEJST) to identify Historically Disadvantaged Communities.
- In the 2023 funding round, DOT awarded 162 projects across all 50 states. DOT continues to encourage applicants to consider factors related to climate, workforce, and addressing barriers to economic opportunity. All applications are due by February 28, 2024. For more information, please refer to the Funding Opportunity Announcement via [Grants.gov](https://www.grants.gov).

DOT Announces \$120 Million Available Through the ATTAIN Program

- On November 21, DOT announced that \$120 million would become available for the FY 2023-FY 2024 Advanced Transportation Technology and Innovation (ATTAIN) Program. Formerly known as the Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Program, the Bipartisan Infrastructure Law (BIL) renamed the program but continued its core mission of funding advanced transportation projects.
- While BIL only provided \$60 million per year for ATTAIN, the current NOFO combines funding for FY 2023 and 2024 to a total of \$120 million. DOT has emphasized the importance of using funding to advance innovative transportation projects while reducing traffic-related fatalities, congestion, and emissions.
- Examples of transportation technologies that can be pursued under ATTAIN include traveler information systems that provide real-time, predicted, and individualized information about travel choices based on data and technologies that assist transportation system operators in managing and controlling the performance of their systems.
- Officials plan to make between 10 to 20 awards through this ATTAIN grant round with a performance period between two and four years. Applications are due on February 2, 2024. Interested parties may view the NOFO via [grants.gov](https://www.grants.gov).

FTA Publishes Request for Information (RFI) on Improving Access to Transit Facilities for Persons with Disabilities

- On November 9, the Federal Transit Administration (FTA) issued an RFI to seek public comments on recommendations for improving accessibility of public transportation for people with disabilities. The public comments will be used to aid the FTA in considering whether to amend accessibility requirements for transportation facilities as included in the Americans with Disabilities Act of 1990 (ADA).
- FTA is specifically requesting feedback on areas including but not limited to vertical access, communications, and wayfinding. All public comments are due by January 5, 2024. The RFI can be accessed via the Federal Register [here](#).

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FTA Releases the All Stations Accessibility Program NOFO

- On November 30, FTA released the 2024 All Stations Accessibility Program (ASAP) [NOFO](#). This new grant program was created in the BIL. The FTA will award \$343 million in awards. Eligible projects include:
 - (1) inaccessible pre-ADA—or “legacy” — rail fixed guideway public transportation systems and corresponding legacy stations/facilities for capital projects to repair, improve, modify, retrofit, or relocate infrastructure of stations or facilities for passenger use, including load-bearing members that are an essential part of the structural frame; or
 - (2) for planning projects to develop or modify a plan for pursuing public transportation accessibility projects, assessments of accessibility, or assessments of planned modifications to stations or facilities for passenger use projects; or programs of projects in an eligible area.
- All applications are due on January 30, 2024. Additionally, interested parties can join a [webinar](#) on December 19 on the program.

Round-Up of Open Grant Opportunities

- [Rail Vehicle Replacement Grant Program](#). \$196 million available. All applications due by December 18, 2023.
- [All Stations Accessibility Program](#). \$343 million available. All applications due by January 30, 2024.
- [ATTAIN Program](#). \$120 million available. All applications due by February 2, 2024.
- [Innovative Coordinated Access and Mobility Pilot Program](#). \$4.7 million available. All applications due by February 13, 2024.
- [RAISE](#). \$1.5 billion available. All applications due by February 28, 2024.



December 8, 2023

TO: Board of Directors, Peninsula Corridor Joint Powers Board (Caltrain)

FM: Matt Robinson and Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – January 2024**

General Update

The Legislature remains on interim study recess and will return to Sacramento on January 3 to convene the second year of the 2023-24 Legislative Session. Immediately upon their return, the Legislature will begin working to hear and move bills introduced in 2023 that did not move out of their first house, known as two-year bills. Two-year bills still in their first policy committee will have to move by January 22, with all two-year bills needing to pass the first house by January 31. Shortly after the Legislature reconvenes in January, Governor Newsom will release his proposed Fiscal Year 2024-25 State Budget on January 10. When the Legislature returns, their actions will be subject to the 2024 Legislative Calendar, which is now available [here](#).

Speaker Rivas Appoints Key Committee Chairs

On November 21, 2023, Assembly Speaker Robert Rivas (D-Salinas) announced his much-anticipated changes to policy and fiscal committee chairs in the Assembly. While the change for the Appropriations Committee Chair won't take effect until January 22, the others are effective immediately. Some key changes we would like to note are:

- Assembly Transportation Committee Chair Lori Wilson (D-Fairfield)
- Assembly Appropriations Committee Chair Buffy Wicks (D-Oakland)
- Assembly Budget Subcommittee #4 (Climate Crisis, Resources, Energy, and Transportation) Chair Steve Bennett (D-Ventura) [this appointment reflects a broader jurisdiction for the subcommittee]
- Assembly Budget Committee Chair Jesse Gabriel (D-Encino)
- Assembly Utilities and Energy Committee Chair Cottie Petrie-Norris (D-Irvine)
- Assembly Natural Resources Committee Chair Isaac Bryan (D-Los Angeles)
- Assembly Housing Committee Chair Chris Ward (D-San Diego)

In the months ahead, we expect the Speaker, after conferring with the new committee chairs, to announce the complete roster of all committees. In addition to the changes to the various chairs, Speaker Rivas announced a change to his leadership team, appointing Assembly Member Cecilia Aguiar-Curry (D-Winters) as Assembly Majority Leader (she is currently the Speaker pro Tempore) and Assembly Member Jim Wood (D-Santa Rosa) as Speaker pro Tempore.

Transition for Senate Pro Tem Announced

On December 4, 2023, it was announced that incoming Pro Tem Mike McGuire (D-Healdsburg) would take the gavel from current Pro Tem Toni Atkins (D-San Diego) on February 5, 2024. We're not sure the timing for other Senate leadership and/or Senate committee chair changes, but it's safe to assume that we could begin to see new posts announced shortly after Senator McGuire is confirmed as Senate leader.

Transit Recovery Task Force

[SB 125 \(Committee on Budget and Fiscal Review\)](#), which was part of the FY 2023-24 Budget Act establishes the Transit Recovery Task Force (Task Force) and requires, by January 1, 2024, CalSTA to convene the Task Force. The Task Force is required to include transit operators (small and large/urban and rural), local governments, MPOs/RTPAs, advocacy organizations, legislative committee staff, and Caltrans. The Task Force will focus on developing policy recommendations that will increase transit ridership and improve transit for users. CalSTA is required to prepare a recommendations report based on the task force's efforts to the Legislature by October 31, 2025. The report is required to cover numerous elements. On November 14, CalSTA opened an application process for interested participants, closing it on November 29.

Members of the task force were released on December 8, 2023. Caltrain applied but was not selected to participate nor was any commuter rail or FRA regulated passenger rail agency. A full list of participants can be found [here](#).