

Transit Planning & Operations Committee

Thursday, October 16, 2008

MINUTES

1. CALLED TO ORDER

The Regular Meeting of the Transit Planning and Operations (TP&O) Committee was called to order at 4:33 p.m. by Chairperson Sandoval in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

ROLL CALL

Attendee Name	Title	Status	Arrived
David Cortese	Alternate Member	Absent	
Dolly Sandoval	Chairperson	Present	
Nancy Pyle	Member	Present	
Dominic Caserta	Member	Present	
Chris Moylan	Alternate Member	Absent	
Bob Livengood	Alternate Member	Absent	
Greg Sellers	Vice Chairperson	Absent	
Chuck Page	Alternate Member	Absent	

***Alternates do not serve unless participating as a Member.**

2. PUBLIC PRESENTATIONS

Noel Tebo, Interested Citizen, expressed concern regarding VTA's transit planning. He provided a handout which questioned VTA's plans to; better serve the growth of the San Jose State University market, offset additional traffic congestion due to the Valley Fair Mall expansion project, and proceed with East Side Light Rail Project as planned. He also expressed concern with the BART system and urged staff to look at today's technology to see if the design can be updated before bringing it to San Jose.

Chairperson Sandoval directed staff to provide a response to the questions posed by Mr. Tebo.

Member Pyle indicated the expansion at Valley Fair would mainly be handled by the City of San Jose Planning Department and noted plans are being developed to handle the additional traffic.

3. ORDERS OF THE DAY

Chairperson Sandoval indicated **Item #5**, Receive a Report Regarding the Committee for Transit Accessibility Meeting would be deferred.

M/S/C (Pyle/Caserta) to accept the Orders of the Day.

CONSENT AGENDA

4. Minutes of September 10, 2008

M/S/C (Pyle/Caserta) to approve the Minutes of September 10, 2008.

REGULAR AGENDA

5. Report from the October 8, 2008 Committee for Transit Accessibility (CTA) Meeting

On Order of Vice Chairperson Sandoval and there being no objection, the report from the October 8, 2008 Committee for Transit Accessibility (CTA) Meeting was deferred.

6. Project Baseline Agreement - Warren Avenue Grade Separation Project

Mark Robinson, Acting Chief Engineering and Construction Officer, provided a presentation and progress report on VTA's purchases along the freight corridor from south Fremont through Milpitas to downtown San Jose. He indicated VTA is working in the 8 mile Corridor from south of Warm Springs into Milpitas which is the first phase of the project.

Mr. Robinson indicated several structures, including railroad bridges, are being built to support the freight tracks and multiple waterways will be modified. He noted creek work activities are only allowed in dry moths, so timing of work is critical.

Mr. Robinson noted Union Pacific and Alameda County are assisting in activities, and the water district has asked VTA to perform additional work for 100-year flood improvements.

Alameda County Transportation Authority and CalTrans have an arrangement to construct their improvements as a part of the Freight Railroad Relocation (FRR) work and will pay the additional costs beyond the scope of the project.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.

Mr. Robinson indicated most property purchases will be completed in FY2009. He stated the utility relocation will be predominately accomplished in FY2009 as well with a portion in FY2010. He noted VTA is experiencing costs less than originally estimated and as a result there will be some savings from the FRR activities.

Mr. Robinson reported additional Proposition 1B funds were secured by the City of Fremont and identified to go to Warren Avenue and Kato Road Grade Separation Projects. He noted the California Transportation Commission (CTC) awarded \$9.6 million for Warren Avenue and \$10 million for Kato Road.

Mr. Robinson indicated master and implementation agreements with the City of Fremont are required to meet grant commitments and scheduled dates must be met to bring in the additional funds to the projects.

M/S/C (Pyle/Caserta) to submit a recommendation to the Board of Directors to adopt a resolution authorizing the General Manager to execute the Project Baseline Agreement, and any amendments thereto, and any other necessary agreements and documents with the California Department of Transportation and/or the California Transportation Commission relating to the VTA's role as funding participant and implementing agency for the HRCSA-funded Warren Avenue grade separation project.

7. Project Implementation Agreement – Warren Avenue Grade Separation Project

M/S/C(Pyle/Caserta) to submit a recommendation to the Board of Directors to authorize the General Manager to execute a Project Implementation Agreement with the City of Fremont for the implementation of the Warren Avenue Grade Separation Project.

8. Project Baseline Agreement – Kato Road Grade Separation Project

M/S/C (Pyle/Caserta) to submit a recommendation to the Board of Directors to adopt a resolution authorizing the General Manager to execute the Project Baseline Agreement, and any amendments thereto, and any other necessary agreements and documents with the California Department of Transportation and/or the California Transportation Commission relating to the VTA's role as funding agency and implementing agency for the HRCSA-funded Kato Road grade separation project.

9. Project Implementation Agreement – Kato Road Grade Separation Project

M/S/C (Pyle/Caserta) to submit a recommendation to the Board of Directors to authorize the General Manager to execute a Project Implementation Agreement with the City of Fremont for the implementation of the Kato Road Grade Separation Project.

10. Design Development – Kato Road Grade Separation Project

M/S/C (Pyle/Caserta) to submit a recommendation to the Board of Directors to authorize the General Manager to execute a contract amendment with the HNTB Corporation in an amount not to exceed \$4.16 million, for a new contract amount of \$65.66 million and extend the contract term to December 2009, for design and engineering services necessary to complete 100% design development for the Kato Road Grade Separation Project.

11. **Berryessa Creek Crossing**

Mark Robinson, Chief Engineering and Construction Officer, indicated there are eight bidders on this job. The contract has not been awarded and review of the bids is continuing.

Mr. Robinson indicated the lowest bidder, FCI Constructors, has not achieved the Small Business Enterprise (SBE) goal and did not meet VTA's criteria for successively or aggressively pursuing a good faith effort. He noted they were notified of the denial, and have requested a hearing.

Mr. Robinson noted RGW Construction, Inc., the second lowest bidder, also failed to meet the goal and criteria and was informed their bid was rejected, but had not requested a hearing.

Mr. Robinson indicated Viking Construction Co., the third lowest bidder, has met the SBE goal, and their bid is being considered. He hopes to recommend a contractor to the Board at the November 6, 2008 meeting.

Chairperson Sandoval questioned whether FCI Constructors has worked on other projects and if there is a positive track record. She questioned if staff expects a lot of change orders that may be more costly in the long run.

Mr. Robinson indicated FCI has a good track record with VTA and there has been no history of costly changes. He noted the process has been competitive resulting in low-cost bids.

Chairperson Sandoval inquired about the process for appeal and the ability of the bidders to address the Board and request their submittal be reconsidered.

John Ristow, Chief Congestion Management Agency Officer, indicated there is an administrative review process built into the process of the bid document. He noted there is a general protest to the award and they can approach the Board on that issue.

Member Pyle questioned if there was a ballpark figure on the costs of bidding for a job.

Mr. Robinson indicated he did not know specifically but that it was in the six figure range.

M/S/C (Pyle/Caserta) to submit a recommendation to the Board of Directors to authorize the General Manager to execute a contract with the lowest responsible bidder for the construction of the Berryessa Creek Crossing, Abel Street Seismic Retrofit, and UPRR Railroad Relocation (C210).

12. **Freight Railroad Relocation**

Member Pyle questioned the need to increase the project by \$1.6 million.

Mark Robinson, Acting Chief Engineering and Construction Management, indicated the work was fully anticipated and funds budgeted but allocated incrementally. He noted

additional funds were not included until other partners were fully committed to moving ahead with the contract activities.

M/S/C (Pyle/Caserta) to submit a recommendation to the Board of Directors to authorize the General Manager to execute a contract amendment with URS Corporation in an amount not to exceed \$3,850,000 for a new total contract amount of \$5,450,000 and extend the contract term to February 2011, for Construction Management Services on the Freight Rail Relocation Project.

13. Altamont Commuter Express Fares

Jim Unites, Deputy Director of Operations, provided background information on VTA's cooperative agreement with San Joaquin Regional Rail (SJRR) and Alameda County Congestion Management Agency (ACCMA) which indicates all parties involved approve service and fare changes. He noted the increase has been approved by San Joaquin Regional Rail Board and is being presented to the VTA Board for approval.

M/S/C (Caserta/Pyle) to submit a recommendation to the Board of Directors to approve changes to the Altamont Commuter Express fares including a 3.2% overall increase and a 3% increase to re-establish Stockton as an independent station in the fare structure.

14. Light Rail Systems Analysis

Kevin Connolly, Transportation Planning Manager, provided background information on the light rail systems analysis. Mr. Connolly noted capital improvements have to be considered to make any effective changes with the light rail.

Mr. Connolly indicated the extension and expansion of light rail service will be evaluated and analyzed and improvements to the system will try to be accomplished within the current fiscal constraints. The analysis will be conducted over a 15 month period. There will not be extensive public outreach, but city partners will be involved as items such as signal priority are examined.

Mr. Connolly indicated this item will be brought back to the committees for input on constraints in the system, express trains, skip stops, single track segments, grade separations, crossover tracks, and a long list of items that can be developed to make the system better and more efficient.

On Order of Chairperson Sandoval and there being no objection, the Light Rail Systems Analysis was received.

OTHER ITEMS

15. September 2008 Monthly Ridership and Fare Revenue Performance

Joonie Tolosa, Manager Operations Analysis and Reporting, provided a report on the September 2008 Ridership and Fare Revenue Performance and indicated the following;

- System ridership increased 10.4 percent compared to same period last year
- Bus ridership continues to be strong and increased 9.1% compared to the same period last year
- Light rail ridership is up 14.8 percent, with an increase of 12.1 percent in average weekday ridership, which is the highest in VTA history
- Light rail stations near San Jose State University produced the top four increases in the month of September 2008

Mr. Tolosa noted September 2007 was the first month fares were reduced and September 2008 is the first month a straight comparison can be made. He indicated there was an increase in revenue.

Chairperson Sandoval commented the numbers are very significant and questioned if there would be a press release.

Michael T. Burns, General Manager, indicated a release was scheduled and the media had been contacted and given the information.

On Order of Chairperson Sandoval and there being no objection the September 2008 Monthly Ridership and Fare Revenue Performance Report was received.

16. Items of Concern and Referral to Administration

Chairperson Sandoval requested the response to Noel Tebo's questions be forwarded to the Board.

17. Committee Work Plan

Dan Smith, Chief Operating Officer, noted there were several items being added to the Workplan for next months meeting which include: Fare Box Replacement, Joint Workforce Program, Light Rail Track Intrusion, and January Service Changes and Service Plan.

On Order of Chairperson Sandoval and there being no objection, the Committee Workplan was received.

18. Committee Staff Report

Dan Smith, Chief Operating Officer, provided an update on the Southline Retrofit Project, and indicated the expected date of completion is November 10, 2008. Mr. Smith noted the overall project is running five months ahead of schedule.

Mr. Smith provided information on the Biodiesel Pilot Program. He indicated no operating issues with the use of the fuel to date. Mr. Smith reported the cost of the first load of biodiesel was \$3.49 per gallon as opposed to \$3.14 per gallon for standard diesel. Mr. Smith indicated updates will be provided as the project moves forward.

Mr. Smith reported the light rail is experiencing temporary delays due to signal modifications. Mr. Smith indicated riders have been notified of the delays and encouraged to take earlier trains to avoid missed connections. He noted the City of San Jose and County of Santa Clara are upgrading controllers, and VTA is working with the staff to resolve the problems.

Mr. Smith indicated the ACE Shuttle experienced a 32 percent increase in Ridership over the same period in FY2008. He announced the Gilroy shuttle project, which will serve lines 14 and 17 in Gilroy, has been recommended to be fully funded by the Joint Lifeline Transportation Committee and is now pending approval by the County Board of Supervisors.

Mr. Smith announced weather-based irrigation controllers are being installed at 21 sites to aid VTA in its green initiative. He noted construction will start on November 10, 2008. Mr. Smith explained the controllers get specific weather and moisture information from internet connections to local services that poll data from local weather stations. Mr. Smith noted the consultant's report estimates the saving of 12.1 million gallons of domestic water annually.

Mr. Smith indicated Solar panels will be added to North Yard and Cerone. He noted AB2466, which permits government agencies and districts to over-generate solar power at one location and apply the credit to other locations, is favorable for VTA. Use of solar panels has the potential to significantly offset VTA's electrical costs, including the power used for light rail.

On Order of Chairperson Sandoval and there being no objection, the Committee Staff report was received.

19. Chairperson's Report

There was no Chairperson's Report.

20. Consent Agenda for the November 6, 2008 Board Meeting

CONSENT AGENDA:

Item #6, Adopt a resolution authorizing the General Manager to execute the Project Baseline Agreement, and any amendments thereto, and any other necessary agreements and documents with the California Department of Transportation and/or the California Transportation Commission relating to the VTA's role as funding participant and implementing agency for the HRCSA-funded Warren Avenue grade separation project.

Item #7, Authorize the General Manager to execute a Project Implementation Agreement with the City of Fremont for the implementation of the Warren Avenue Grade Separation Project.

Item #8, Adopt a resolution authorizing the General Manager to execute the Project Baseline Agreement, and any amendments thereto, and any other necessary agreements and documents with the California Department of Transportation and/or the California Transportation Commission relating to the VTA's role as funding agency and implementing agency for the HRCSA-funded Kato Road grade separation project;

Item #9, Authorize the General Manager to execute a Project Implementation Agreement with the City of Fremont for the implementation of the Kato Road Grade Separation Project.

Item #10, Authorize the General Manager to execute a contract amendment with the HNTB Corporation in an amount not to exceed \$4.16 million, for a new contract amount of \$65.66 million and extend the contract term to December 2009, for design and engineering services necessary to complete 100% design development for the Kato Road Grade Separation Project.

Item #12, Authorize the General Manager to execute a contract amendment with URS Corporation in an amount not to exceed \$3,850,000 for a new total contract amount of \$5,450,000 and extend the contract term to February 2011, for Construction Management Services on the Freight Rail Relocation Project.

Item #13, Approve changes to the Altamont Commuter Express fares including a 3.2% overall increase and a 3% increase to re-establish Stockton as an independent station in the fare structure.

REGULAR: Item #11, Authorize the General Manager to execute a contract with the lowest responsible bidder for the construction of the Berryessa Creek Crossing, Abel Street Seismic Retrofit, and UPRR Railroad Relocation (C210).

21. Announcements

Chairperson Sandoval announced the opening of the new DeAnza bus stop and shelters on Monday October 20, 2008, and invited the members to attend.

Michael T. Burns, General Manager, announced VTA will be receiving the excellence in Motion award from the Metropolitan Transit Commission.

Jim Unites, Deputy Director, Operations, announced Silverado Stages has officially begun the 49ers Shuttle Service and VTA assisted with the transition.

22. ADJOURMENT

On Order of Chairperson Sandoval, there being no objection, the meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Menominee L. McCarter
VTA Board of Directors